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Minutes from the City Council Meeting on Tuesday February 6, 2018 at 7:15pm in the City Council Chambers are as follows:

Vieau, John L.	Ward 3 Councilor	Present
Laflamme, Frank N.	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Left at 8:00
Tillotson, James K.	At-Large Councilor	Present
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present
Brooks, Shane D.	Ward 2 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

Public Input-Timothy Sullivan, 1321 Granby Road, Served on the Board of Alderman for 14 years. Has a group of people that moved in next door. They are close to the Building Inspector and the Health Department. He has complained to his Councilman. We have 7-12 cars there every night. Can't get rid of the cars. Can't have that many cars. Zoned residential on Granby Road. There are accidents, the guys are driving people out of the neighborhood. Terrible situation, will leave pictures of what is going on there, it's like a repair shop. Trying to get the Councils help otherwise he will go to the news. They are working on cars outside. Someone has to do something, this is a serious problem.

38 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 275-70(l)

Notwithstanding any general or special law to the contrary, no law enforcement officer, official, employee, or other agent of the City of Chicopee shall cause to be expended from public resources any assets, including time, money or property, tangible or intangible, in the rendering of assistance to any law enforcement official or other agent of the federal government in connection with the investigation or prosecution, under federal law, of any individual for engaging in any activity in compliance with Massachusetts General Law Chapter 94G (Recreational Marijuana) and Massachusetts General Law Chapter 941 (Medical Marijuana), except as may be lawfully ordered by a court of competent jurisdiction.

--Motion made by Councilor Brooks to take item #38 out of order. Motion passed. Motion made by Councilor McAuliffe to receive, 1st reading and refer to the Ordinance Committee. Councilor McAuliffe stated the federal law passed-current DOJ-want to prosecute. Police is required to enforce State Law. Police-issue is taken out of the Police hands. Ordinance does nothing other than reinforce State Law. Past work would be undone if this law is not passed. Wants a review with the Chief. Chief Jebb stated he is opposed and will continue to oppose this law. Trying to figure out how to proceed. It is too soon to proceed with this. Councilor Garvey said is unlawful under federal law to possess marijuana. Unlawful to possess, cultivate & distribute. Unlawful to have amounts above

state statutes. Would continue to follow the lead of law enforcement officials. Councilor Laflamme stated our police department has officers working with the Federal Government. They would have to withdraw if this legislation proceeds. Chief Jebb took an oath, need more time to evaluate, can't work with other agencies if this passes. Recreational took up a whole new tourism angle. Councilor McAuliffe states there is a tremendous amount of misinformation. Counselor Garvey said this is vague, provides uncertainty. Councilor McAuliffe stated there are disagreements with the way this is being handled. This legislation is being brought forward to protect the will of the voters. Chief Jebb asked why not hit the pause button until the state decides? Councilor McAuliffe stated the Chief would enforce the laws as written. Need to find ways to provide raises. Need additional revenue. Need new businesses. Enforce the will of the voters. Need to think outside the box. Lot of misinformation. Councilor Brooks stated we are available to new businesses. Don't want to become the gateway city. Will wait and defer the Commonwealths standing. Investigation is up to interpretation. Concerned from a variety of angles, looking to Holyoke. More difficult to be a teenager at this point. Believe it is a gateway drug. Councilor Tillotson stood up to make his point. Federal law supersedes local law only 9 states have passed marijuana laws. They are operating in the 9 states where it is legal. Why doesn't congress get involved and make it a state's rights issue? There is Federal, State, & Local law, why are we going to tie the hands of our local police? How will they know without investigating if someone is above the legal limit unless asked? How will zoning be? No need to create this ordinance. Why is little Chicopee going to war with the federal government? Opiate crisis/marijuana is a gateway drug. Common sense tells you to defeat this tonight. Repeal the current law and implement a states right law. Hope this is killed tonight. Councilor Courchesne stated he would never have co-sponsored this if he didn't believe it was only submitted as a business opportunity. Not just Chicopee. Believe this is a gateway drug. Councilor Laflamme stated he agrees with Councilors Brooks and Tillotson, don't want to tie the police officers hands. Don't think sending this to ordinance now is a good idea. State & Federal need to be straightened out. Councilor Dobosz opposes any sanctuary ordinances. What if officers drop off a prisoner and there is marijuana in their possession? Confusing and Federal law is supreme. We should be calling senators. Councilor Krampits had other ordinances about regulations in zoning. Stuff is coming down the road. Wouldn't want to create a false sense of security between local police and federal. Don't want people thinking Chicopee is more supportive for tonight it is premature. Can be taken up at another meeting. Councilor Courchesne stated contraband is illegal. Councilor Zygarowski asked has this been discussed with Sanator Lessor, is there any timetable? Whatever state law is, is state law. Against marijuana period, it is the gateway drug. Now, starting with cigarettes, marijuana and harder drugs. Not right now, waiting is sometimes difficult, how do you put a price on someone getting involved in drugs. Maybe a miracle will happen on the federal level. Best interest of our City right now is to wait. Councilor Walczak's concerns are 2 basic ones. Local police, Federal police want them to work as a unit. Want safety for all our residents. Councilor Balakier believes it is prudent until there is more information from all sides to wait. Councilor Labrie stated let's look at this, will probably happen someday. Wait for guidance. Time to do more research. Councilor McAuliffe did not expect it would pass, bottom line is this is following State Law. Sending a message to the business community. Councilor Tillotson said there is no need to worry about coming to Chicopee. Not going to discourage businesses from coming to Massachusetts. We are in violation of Federal Law they let it go. Why create an ordinance we don't need? Don't want to jeopardize federal money. Councilor McAuliffe made a motion to withdraw his motion to refer. Motion to withdraw passed by a roll call vote of 11 yes, 1 abstain, 1 absent. Councilor McAuliffe abstained. Councilor Roy absent.

C-1

Communication from Mark Darnold of the Berkshire Design Group, Inc. withdrawing an application that was submitted for 109 & 165 Front Street and replaced with a newly submitted application.

--Motion made by Councilor Tillotson to receive and the request granted. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-1 A resolution to file and accept grants with and from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs for the parkland acquisitions and renovations for communities program for improvements to Nash Park.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated there are two upgrades at Nash Park with a 70% reimbursement for Nash Park. Upgrades to the park. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-2 Ordered that the City Council accept the 2018 Parkland Acquisitions and Renovations for Communities (PARC) Assistance Grant from the Executive Office of Energy and Environmental Affairs in the amount of Three hundred ninety five thousand five hundred eighty four and 00/100 dollars (\$395,584.00). Said grant is to be used for improvements to Nash Park and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated this is a great opportunity for the City. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-3 Mayors appropriation of Five hundred thousand and 00/100 dollars (\$500,000.00) to the following named account: Fire Special Account for Purchase of a Fire Pumper from available funds in the Stabilization Fund.

--Motion made by Councilor Courchesne to receive and pass. Councilor Courchesne stated this is to replace a pumper that is quite old. Kudos to the Chief for getting last year's price. Councilor Tillotson stated when the ladder is way up on the current one it sways. Need a new one. Councilor Laflamme stated they Mayor and Council are working together. Passing and updating equipment is something we need to do. Councilor Labrie would like to see this pumper come in and be at station 7. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-4 Mayors appropriation of Three hundred twenty four thousand five hundred fifty and 00/100 dollars (\$324,550.00) to the following named account: Police Special Account for Purchase of Cruisers from the available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated they need them. Cruisers are aging. Can't even pass them on to other departments. Councilor Tillotson stated the city is fortunate to have a little extra free cash this year. Police equipment is important. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-5 Mayors appropriation of Sixty three thousand nine hundred seventy and 00/100 dollars to the following named account: Police Expense Account for Departmental Equipment (Speed Alert 24 & 18 Message Signs/Trailer/Mounting) from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Balakier to receive and pass. Councilor Balakier stated this is helpful for public safety, cut down on speeding. Councilor Laflamme stated glad to see this come through. Will see them throughout the city, get these things out there. Councilor Courchesne said he is glad to see this/would like to see more. Everyone wants one in their ward. Councilor Labrie stated this

one will actually send out a ticket. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-6 Mayors appropriation of Thirty thousand six hundred and 00/100 dollars (\$30,600.00) to the following named account: D.P.W. Highway Special Account for Signal Maintenance (6 Solar Speed Signs) from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated this is similar to the previous order. Can also be used for messages. Nice one on Grattan Street, tells you to slow down. Permanent ones are good for streets. Portable ones can help on streets with less volume. Councilor Laflamme stated after a certain speed they shut off. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-7 Mayors appropriation of Seventy four thousand one hundred sixty three and 00/100 dollars (\$74,163.00) to the following named account: Police Special Account for Purchase of a Metal Jet Boat from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated the money is for a jet boat-shared by Police and Fire. Will replace a police boat that is 20 years old and a fire boat that is 13 years old. Personnel won't be at as much risk. Councilor Tillotson stated this is a unique situation. Police and Fire chiefs agree and share. Happy, buy one boat that both can share. Will adapt to either situation. Councilor Laflamme stated Chief Jebb mentioned they will cross train and work together. Will be available, we have two rivers much needed. Have two rivers it is critical for our city. Motion passed thorough all stages by a unanimous roll call vote. Councilor Roy absent.

MO-8 Mayors appropriation of Thirty thousand two hundred twenty and 00/100 dollars (\$30,220.00) to the following named account: Police Special Account for Weaponry Equipment from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Walczak to receive and pass. Councilor Walczak stated this is replacing 212 guns, they are 12 years old, a good deal with the trade in. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-9 Mayors appropriation of Twenty three thousand one hundred seventy and 06/100 dollars (\$23,170.06) to the following named account: Human Resources Special Account for Indemnification of Police and Fire from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated this is something we always do. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-10 Mayors appropriation of Twenty two thousand four hundred eighty eight and 00/100 dollars (\$22,488.00) to the following named account: Police Expense Account for Computer Software from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated this is for software for the Police Department. Helps determine schedule and overtime. Interactive system. Will be able to reach out through cell phones, reduces work to be done by the scheduling officers, will also reduce payroll times. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-11 Mayors appropriation of Forty four thousand nine hundred sixteen and 24/100 dollars (\$44,916.24) to the following named account: Golf Special Account for Purchase of Equipment (Tee Mower/Thatcher) from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe said this is a purchase of a tee mower for the golf course. Great job being done by Mike O'Neill and crew over there. Councilor Dobosz asked the mayor to fund this through free cash. Happy revenue is coming in. Councilor Tillotson asked to have the order corrected to read "Free Cash". Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-12 Ordered that the City Council accept the FY2018 State 911 Support and Incentive Grant from the Commonwealth of Massachusetts Executive Office of Public Safety and Security to the Chicopee Police Department in the amount of One hundred fifty eight thousand seven hundred forty seven and 00/100 dollars (\$158,747.00). Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Laflamme to receive, pass and the grant accepted. Councilor Laflamme stated this is the state 911 support grant. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-13 Mayors appropriation of Ninety four thousand ninety seven and 20/100 dollars (\$94,097.20) to the following named Fire accounts:

Overtime	\$47,862.60
Special Services	<u>46,234.60</u>
Total	\$94,097.20

From available funds in the undesignated fund balance "Free Cash" account. (80% of the overtime cost and 100% of the Special Services cost will be reimbursed to the city through the State E911 Grant).

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated this is self-explanatory, will be reimbursed. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-14 Ordered that the City Council accept the donation of assorted windshield wipers from the Chicopee Walmart to the City of Chicopee Central Maintenance Garage. Said donation has an estimated value of Two hundred thirty one and 00/100 dollars (\$231.00) and is accepted in accordance with M.G.L. Chapter 44 Section 53A1/2.

--Motion made by Councilor Courchesne to receive and the donation accepted. Councilor Courchesne stated a letter of thanks needs to be sent. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-15 Ordered that the City Council accept the donation from Geno's Auto Service to the Chicopee Police Department of labor and materials to repaint the 2003 Honda Accord sedan undercover vehicle. Said donation has an estimated value of Two thousand five hundred and 00/100 dollars (\$2,500.00) and is accepted in accordance with M.G.L. Chapter 44 Section 53A 1/2.

--Motion made by Councilor Zygarowski to receive and the donation accepted. Councilor Zygarowski stated this is a fix up for the men in blue. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-16 Mayors appropriation of One thousand five hundred fifty six and 51/100 dollars (\$1,556.51) to the following named account: Auditing Salary Account for Sick Buy Back from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Balakier to receive and pass. Councilor Balakier explained a couple employees didn't use any sick time, contract obligation. Councilor Walczak stated he would like to recognize the employees for not using any sick time. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-17 Mayors appropriation of Four thousand five hundred eighty six and 98/100 dollars (4,586.98) to the following named account: City Hall Maintenance Salary Account for Overtime from available funds in the City Hall Maintenance Account for Removal of Underground Tanks.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated the overtime money is short based on snow storms. It is a transfer, fortunate not asking for free cash. Will run out of overtime funds before the end of the season. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-18 Mayors appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: D.P.W. Wastewater Special Account for Repairs to Equipment from available funds in the Sewer Surplus account.

--Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated this is a transfer of funds for work needed at WPC, electrical needs. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-19 Mayors appropriation of Five thousand and 00/100 dollars (\$5,000.00) to the following named account: Settlement in the Claim of Lynn Diefenderfer vs City of Chicopee from available funds in the undesignated fund balance "Free Cash" account.

--Motion made by Councilor Walczak to receive and pass. Councilor Walczak stated the Law Department recommends the settlement. Councilor Tillotson stated he thinks if we went to trial it would cost more. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

MO-20 Chapter 7 Ordinance Revisions

--Motion made by Councilor Brooks for a 1<sup>st</sup> reading and refer to the Ordinance Committee. Councilor Brooks said it will increase the hours in Human Resources to a 40 hour office. Councilor Laflamme stated they have been using lots of overtime. Councilor Tillotson stated back when Chapter 7 was reviewed, some offices hours were cut back. The need is there for a 40 hour week. Motion to refer passed by a unanimous roll call vote. Councilor Roy absent.

MO-21 To the City Council:

You are hereby notified that I have this day appointed, John Benjamin, Assistant Planning Director as a responsible party for the solicitation of contributions to the City of Chicopee for municipal sponsored entertainment events, educational programs, and other city activities. To which appointment I ask the confirmation of your honorable council.

--Motion made by Councilor Krampits to receive and confirm this evening, allowed to solicit contributions for City sponsored events. Councilor Krampits stated he will be able to solicit for the downtown get down and other events. Motion passed. Councilor Roy absent.

- 22 A favorable Recreation Committee report, ordered that the Recreation Committee meet with the Parks and Recreation Department and Golf Department for an update on the department's budget, capital and outlook for 2018.

--Motion made by Councilor Laflamme to receive and placed on file. Councilor Laflamme stated every year they get together and go over. Would like to thank the commissioners of both departments, they come out together in full force. Mower is a 2006 one, need to keep at a certain height. GPS for the carts will control where the carts go. It will shut the machines off when they go where they aren't supposed to go. Contractors for maintenance are very good, they go out of their way and do extra stuff. Their company takes great care of the equipment. Concession building is small, lost some tournaments. Advertising, do golf shows. Hoping to open April 1. Parks department, staffing, updates on advertising for summer help. Position of superintendent that wasn't filled, the Mayor wants to advertise outside. Opening of parks will be fine. Asphalt work, 2 tennis courts, updates on pools. Councilor Walczak stated the Parks Department is looking for a new superintendent. Many parks are on the docket for improvement. Encouraged by the revenue at the golf course this year. New cart barn, Mike does a great job. Motion passed. Councilor Roy absent.

- 23 A favorable License Committee report, ordered that Top Dog Auto Service, 238 Meadow Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Top Dog Auto Service including compliance with restrictions imposed upon any licenses held by Top Dog Auto Service. The Council may modify, suspend, fine or revoke any license held by Top Dog Auto Service.

--Motion made by Councilor Walczak to receive and placed on file. Councilor Walczak stated they met with the gentleman. Lots of issues with his operations, need to make sure he is following his restrictions. Hopefully will follow the dictates of the committee. Councilor Laflamme said there have been many calls from the area. There is confusion what he can and can't do. He has spots but is putting trucks in automobile spots. Can't see signs where he is parked, public safety comes first. Time to nip this in the bud. Motion passed. Councilor Roy absent.

- 24 A favorable License Committee report, application for a Class II License for Economy Auto Service located at 957 Meadow Street. Applicant: Ariel Ortiz, 32 Lawn Street, South Hadley, MA 01075.

--Motion made by Councilor Walczak to receive and postponed to the call of the License Committee chair. Councilor Walczak stated the applicant wants to put 2 cars for sale, concerned about the area. Councilor Laflamme says they are monitoring this one. The Y between Chicopee and Meadow

Streets. Took away handicap spots, there is a car hauler there, it's very dangerous. Motion passed. Councilor Roy absent.

- 25 A favorable License Committee report, application for an Auto Repair License for ADR Diagnostic & Repair, LLC, 519 B Front Street. Applicant: Edmund Malenders, 27 Morton Street, West Springfield, MA 01089.

--Motion made by Councilor Walczak to receive and granted with restrictions. Motion passed. Councilor Roy absent.

- 26 A favorable License Committee report, ordered that the 2018 license renewal for Chicopee Motor Sales Inc., 184 Center Street, be reviewed.

--Motion made by Councilor Walczak to receive and granted with restrictions. Councilor Walczak stated this was a request to verify that he had a permanent address there. Motion passed. Councilor Roy absent.

- 27 A Zoning Committee report, Zone Change application from Res A to Res B for .17 acres 7500 SF of property located at Ruth Avenue (Assessors Map 80 Lot 39) for the purpose of construction of a two family dwelling. Applicant: James Kumiega, 55 Van Horn Street, Chicopee, MA 01013.

--Motion made by Councilor Brooks to receive and approved this evening (denied). Councilor Brooks stated the applicant wanted the area but it was too compact. Councilor Laflamme stated the gentleman builds quality houses. The area is too small. End of the street, nowhere for people to park. Safety is an issue. Councilor Tillotson stated he was turned down by the Planning Board, people were opposed at both meetings, not a good spot. Councilor Balakier stated neighbor concerns, street is narrow, would not be a good fit. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

- 28 A Zoning Committee report, Special Permit application under 275-58 (C) (4) for the purpose of transferring a liquor license from 510 Burnett Road, LLC to HRU, Inc., located at 510 Burnett Road. Applicant: HRU, Inc, Haci Bayram, President, 43 Grattan Street, Apt. E, Chicopee, MA 01020.

--Motion made by Councilor Brooks to receive and granted this evening. Councilor Brooks explained this is the former Dr. Deegans, will allow the transfer of the liquor license. Councilor Dobosz stated happy to see another business go in there. Motion passed by a unanimous roll call vote. Councilor Roy absent.

- 29 A Zoning Committee report, Special Permit under section 275-58 (E) (1) for the purpose of relocating a business sign requesting relief from 25' setback requirement located at 2017 Memorial Drive. Applicant: Atlantic Coast Enterprises, LLC, Daniel Ramras, 12 High Street, Norwalk, CT 06851.

--Motion made by Councilor Brooks to receive and the Special Permit be granted. Councilor Brooks stated this is at Jiffy Lube, sign is on state property and letting them move it so it will be in the least dangerous place. Councilor Walczak stated guard rails around it now, he is happy. Motion passed by a unanimous roll call vote. Councilor Laflamme out of chair, Councilor Roy absent.



- 30 A Zoning Committee report, Special Permit application under 275-50 for the purpose of sign with electronic message LED Center board and relief from 25" setback requirement to 2' at 110 Church Street. Applicant: Sign Techniques, Inc., Tracy Janik, 361 Chicopee Street, Chicopee, MA 01013.
- Motion made by Councilor Brooks to receive and the Special Permit be granted with restrictions. Councilor Brooks stated this will be placed at the police station. Councilor Walczak stated it will be similar to the one at the Boys and Girls Club. Motion passed by a unanimous roll call vote. Councilor Roy absent.
- 31 A Zoning Committee report, Special Permit application under 275-51.1 A for the purpose of membrane structure located at 15 Fairmont Street. Applicant: Robert Parent, 15 Fairmont Street, Chicopee, MA 01020.
- Motion made by Councilor Brooks to receive and the Special Permit be granted. Councilor Brooks stated this is a run of the mill membrane structure, applicant will comply with the ordinances. Motion passed by a unanimous roll call vote. Councilor Roy absent.
- 32 A Zoning Committee report, Special Permit application under 275-50 for the purpose to replace the existing Special Permit issued to Thomas Murphy, Jr. for the purpose of maintaining a commercial 14'x48' double sided billboard on a single monopole located at 60 Haynes Circle. Applicant: Lamar Central Outdoor, LLC, Patrick Keough, 32 Midland Street, Windsor, CT 06095.
- Motion made by Councilor Brooks to receive and the Special Permit be granted. Councilor Brooks stated this is a change of ownership. Motion passed by a roll call vote of 11 yes, 1 abstained, 1 absent. Councilor Vieau abstained. Councilor Roy absent.
- 33 A Zoning Committee report, Special Permit application under 275-53 B (2) for the purpose of renovating existing structure single family into 8 bedroom home for terminally ill. All renovation work will take place within the existing structure. No expansion is required. Located at 66 View Street. Applicant: David Tetreault, Board of Directors, 16 Keith Ave, Belchertown, MA 01007.
- Motion made by Councilor Brooks to receive and the Special Permit granted. Councilor Brooks stated this is for Harmony House. It is a hospice house that was tied up in litigation, it's a wonderful cause. Motion passed by a unanimous roll call vote. Councilor Roy absent.
- 34 A Zoning Committee report, Special Permit application under 275-67 renovating an existing abandoned mill building to construct 105 studio and one bedroom apartments. Additionally, a bituminous paved, concrete curbed parking lot will be constructed on the site of a former, now demolished, mill building along Front Street; and requesting two waivers from the Municipal Zoning Ordinance, i.e. (1) a reduction of the size of a portion of the parking spaces from the required 9'x18' to a proposed 8'x16' and (2) a reduction in the required number of parking spaces from 179 spaces to a proposed 109 spaces. Under 275-67C exercise of the Mill Conversion and Commercial Center Overlay District regulations. Located at 109 Front St. & 165 Front St. Applicant: Berkshire Design Group, Inc., Mark Darnald, 4 Allen Place, Northampton, MA 01060.
- Motion made by Councilor Brooks to receive and the Special Permit granted. Councilor Brooks stated the Planning director is on board, little opposition. Most people were in favor. Motion passed by a unanimous roll call vote. Councilor Roy absent.

35 A Zoning Committee report, Special Permit application under 275-51.1 A for the purpose of membrane structure located at 32 Newell St. Applicant: Donna Holubecki, 32 Newell Street, Chicopee, MA 01013.

--Motion made by Councilor Brooks to receive and the Special Permit be granted. Councilor Brooks stated people are coming in to abide by all ordinances. Councilor Laflamme stated the Building Department is looking at these. They require a permit. Motion passed by a unanimous roll call vote. Councilor Roy absent.

36 Be it Ordered That the Special Permit application referred to the Zoning Committee on January 2, 2018 for property at 109 Front Street and 165 Front Street be removed from the Zoning Committee.

--Motion made by Councilor Brooks to receive and the order connected to the communication. Accept the leave to withdraw. Motion passed through all stages by a unanimous roll call vote. Councilor Roy absent.

37 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 256 Tobacco Vending Machines in its entirety

And insert in place thereof

Chapter 256 Tobacco Products

--Motion made by Councilor McAuliffe to receive, 1<sup>st</sup> reading, refer to the Ordinance Committee, Health Department (vote by Health Commissioners), and Police Department. Councilor McAuliffe stated they are changing the age of cigarette sales to a minimum age of 21. Councilor Tillotson stated Health Department needs to review and the Health Commissioners need to vote on this. In many cities the Health Commission sets the age. Lots of things can be done with this, second should go to the Police Department for review also. Councilor Zygarowski stated the Health Commissioners are on board, they have been working on this for years. Many communities are already doing this. Councilor Tillotson stated it needs to be reviewed by the Health Commission. Councilor Walczak stated the Chamber of Commerce should probably be included. Motion passed, referred. Councilor Roy absent.

39 Be it Ordered that the DPW install a "Do Not Block the Box" sign on Front Street at the intersection of Wheatland Avenue by Chicopee High School.

--Motion made by Councilor Zygarowski to receive and send to DPW for implementation. Councilor Balakier said this is a busy intersection. Always thinking of Public Safety, could prevent accidents from happening. Councilor Tillotson stated the sign needs to be placed, the ground needs to be repainted. Councilor Zygarowski stated Councilor Zaskey will be thrilled if the sign goes up. Motion passed. Councilor Roy absent.

40 Be it Ordered that the City of Chicopee authorizes the Knight of Columbus, Fairview Council No. 4044, to hold bingo on Sunday, March 25, 2018 instead of Thursday, March 29, 2018.

--Motion made by Councilor Brooks to receive and the date change be granted. Councilor Brooks stated they are changing bingo because of Holy Thursday. Motion passed. Councilor Roy absent.

41 A proposed Ordinance, adding to Chapter 260-67, Parking Prohibited Certain Hours: Murphy Court, Both sides-entire length, Parking Prohibited.

--Motion made by Councilor Dobosz to receive, 1<sup>st</sup> reading, refer to the Ordinance Committee. Councilor Dobosz stated this is a hazard. Send to ordinance let neighbors give their opinion. Motion passed, referred. Councilor Roy absent.

42 A proposed Ordinance, adding to Chapter 260, Parking Regulations, Dewey Street, Northeast side (even side)-entire length, Parking Prohibited

--Motion made by Councilor Dobosz to receive, 1<sup>st</sup> reading, refer to the Ordinance Committee. Councilor Dobosz stated the city Engineer asked to refile. Motion passed, referred. Councilor Roy absent.

43 A proposed Ordinance, striking from Chapter 260, Parking Regulations: Murphy Court, South side for a distance of 25 feet from the intersection with Murphy Lane, Parking Prohibited.

--Motion made by Councilor Dobosz to receive, 1<sup>st</sup> reading, refer to the Ordinance Committee. Councilor Dobosz stated this goes with the other report. Motion passed, referred. Councilor Roy absent.

44 Be it Ordered that the Finance Committee meet to discuss fiscal year 2018 Capital Planning Committee update.

--Motion made by Councilor Brooks to receive and meet to discuss the update at the call of the chair. Councilor Vieau stated he is planning on scheduling a meeting for the week of the 20<sup>th</sup>, any concerns on the capital planning items should be brought to this meeting. The department heads will be there to answer questions. Tentatively scheduled for February 21<sup>st</sup>. Motion passed. Councilor Roy absent.

45 A proposed Ordinance, adding to Chapter 260, Isolated Stop Signs and Signal Lights, Chapel Street, York Street going south at Intersection of Chapel Street, Isolated Stop Sign.

--Motion made by Councilor Labrie to receive, 1<sup>st</sup> reading and refer to the Ordinance Committee. Councilor Labrie stated this is a busy intersection and the gentleman that lives on the corner of Chapel and York Streets asked for it. Motion passed, referred. Councilor Roy absent.

46 Request that the Mayor and John Mruk, Chairman of the Chicopee Advisory Task Force attend the Finance Committee meeting to review the recommendations of the task force (which was formed to review the operation and budget of the school department).

Motion made by Councilor Laflamme to receive and refer to the Finance Committee and invite the Superintendent. Councilor Laflamme stated the Mayor put a committee together. Important the Council get to know what happened there. Everyone from the Committee should be there, hoping the School Committee will come. Councilor McAuliffe echoed what Councilor Laflamme had to say. Chairman Mruk put in a lot of hours. Councilor Tillotson attended one meeting-lot of hot air but who will implement this? School Committee will have to implement this. School Committee will

have to make some decisions. Nice ideas floating around. Hope the Mayor has a strategy and a plan. How much can we save? Councilor Brooks stated some meetings were arduous, ask Mayor to come forward with his top 5 suggestions. Identify top 10 attainable items to discuss and run with those. Real priorities. The Mayor is the lynchpin in this process. Councilor Dobosz stated it is going to take action by the School Committee. Hopefully the School Committee takes this seriously. Councilor Laflamme said he talked to the Mayor. Idea is not to go through the whole thing, looking to consolidate items relevant to City side, look for savings.

- 47 An application for a NEW Special Permit under section 275-58 "E" 1 of the Municipal Zoning Ordinances for the purpose of relief from setback requirements 25' to 1' for front set back 10' to 2.3' for side yard setback. Location of property: 873 Grattan Street: Applicant: Sign Techniques (Tracy Janik), 361 Chicopee Street, Chicopee, MA 01013.
- Motion made by Councilor Brooks to receive & refer to the Zoning Committee. Councilor Brooks said it will be taken up in committee. Motion passed, referred. Councilor Roy absent.
- 48 An application for a NEW Special Permit under section 275-51.1 of the Municipal Zoning Ordinance for the Purpose of erection of a membrane covered structure: location of property, 67 Hudson Ave. Applicant: Jesus Gonzalez, Jr. 67 Hudson Ave.
- Motion made by Councilor Brooks to receive & refer to the Zoning Committee. Councilor Brooks said it will be taken up in committee. Motion passed, referred. Councilor Roy absent.
- 49 An application for a NEW Special Permit under section 275-51.1 of the Municipal Zoning Ordinance for the purpose of a membrane covered structure: location of property, 25 Woodcrest Circle. Applicant: Richard D. Dupuis, 25 Woodcrest Circle.
- Motion made by Councilor Brooks to receive & refer to the Zoning Committee. Councilor Brooks said it will be taken up in committee. Motion passed, referred. Councilor Roy absent.
- 50 An application for a NEW Home Occupation License for the purpose of: Tax Preparation at 222 McCarthy Ave. Applicant: Lena Alekseyenko, 222 McCarthy Ave., Chicopee, MA 01020.
- Motion made by Councilor Brooks to receive & refer to the Zoning Committee. Councilor Brooks said it will be taken up in committee. Motion passed, referred. Councilor Roy absent.
- 51 An application for a NEW Zone Change from Industrial and Residence B to Industrial for 1.9 acres/square feet of property located at 30 Buckley Blvd for the purpose of creating uniform zoning for the parcel which has been an industrial use property since 1900 and taxed as an industrial use property. Applicant: Buckley Property Investments, LLC, 30 Buckley Blvd, Chicopee, MA 01013.
- Motion made by Councilor Brooks to receive & refer to the Zoning Committee. Councilor Brooks said it will be taken up in committee. Motion passed, referred. Councilor Roy absent.
- 52 Auto Repair License Renewals for the year 2018
- Center Auto Repair, LLC 184 Center Street
- Motion made by Councilor Walczak to receive and grant with restrictions. Motion passed. Councilor Roy absent.

53

Auto Detail License Renewals for the year 2018

Center Auto Repair, LLC

184 Center Street

--Motion made by Councilor Walczak to receive and grant with restrictions. Motion passed.  
Councilor Roy absent.

ATTEST:

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

KEITH W RATTELL