

Minutes from the City Council Meeting on Thursday March 5, 2020 at 7:15 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 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	Absent

Public Input-None

--Motion made by Councilor Zygarowski to accept the minutes of February 18, 2020. Motion passed. Councilor Walczak absent.

MO-1 Mayors appropriation of Thirty seven thousand one hundred nine and 47/100 dollars (\$37,109.47) to the following named account: Indemnifications of Police & Fire from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion Made by Councilor Laflamme to receive and pass. Councilor Laflamme stated bills for medical for Police and Fire. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-2 ORDER OF ASSESSMENT: An order authorizing the City Council, in accordance with the powers granted to it by the City Charter, Section 230-3 of the Chicopee City Code and M.G.L. C. 83 §§ 25 and 27, to order the construction of sewer infrastructure on or near the area of Bluebird Acres Mobile Home Park on the streets and property identified in the attached order for construction and the assessment of a betterment as outlined in said order.

See attached order for construction and assessment.

--Motion made by Councilor Dobosz to receive and refer to the Finance Committee. Councilor Dobosz stated they talked about the issue in the past, septic system failed state inspection. City started a project to connect the sewer system with Ludlow. City Council needs to decide the percentage of who pays what. Thank Mayor Kos and his administration for beginning this project and thank Mayor Vieau and his administration for continuing this. Councilor Tillotson stated go to Finance to determine ratio of what the city will pay and what homeowners will pay. Big decision what we do for one we will be expected to do for others. Need to do this to keep people in their home. Tom Hamel has all of the figures broken down, he will have all the info at the meeting. Motion passed, referred. Councilor Walczak absent.

- MO-3 Mayors appropriation of Forty nine thousand one hundred fifty and 00/100 dollars (\$49,150.00) to the following named account: Police Special Account for Building Renovations from available funds in the Police Salary Account for Patrolmen Step 2.
- Motion made by Councilor Courchesne to receive and pass. Councilor Courchesne stated this is for a fire proof filing system. Will get paperwork out of evidence room. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.
- MO-4 Chapter 7 Ordinance Revisions
- Motion made by Councilor Tillotson to receive, 1st reading and refer to the Ordinance Committee. Councilor Tillotson stated this only applies to HR one person being moved up a step, all other people with the same skill level are a step above this gentleman in this position. Parks Department, several bumped about \$1.00 an hour to be competitive, summer positions and temporary. Motion to refer passed by a unanimous roll call vote. Councilor Walczak absent.
- MO-5 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 Zygarowski to receive and approved this evening. Councilor Zygarowski stated been with us many years. Councilor Tillotson stated certainly deserves to be reappointed, first class, glad to reappoint him. Right on the ball, returns calls right away. Councilor Balakier stated still relatively new, he is very helpful and his experience is greatly appreciated. Motion passed. Councilor Walczak absent.
- MO-6 To the City Council:
- You are hereby notified that I have this day appointed, Stephanie Shaw, 579 Fuller Road, Ludlow, Massachusetts as Director of Veterans' Services to serve in such office expiring on the 1st of April, 2021. To which appointment I ask the confirmation of your honorable council.
- *Re-Appointment
- Motion made by Councilor Balakier to receive and approved this evening. Councilor Balakier stated she has done a very good job, should be reappointed. Councilor Tillotson stated she does a great job. Motion passed. Councilor Walczak absent.
- 7 A favorable Public Safety Committee report, BE IT ORDERED THAT the Public Safety Committee meet to discuss issues at the Oregon Sportsmen's Club.
- Motion made by Councilor Zygarowski to receive and placed on file. Councilor Zygarowski stated good meeting, many comments, lucky to have the president and treasurer of the club

attend the meeting. Councilor Dobosz stated thank the Sportsman club for showing up. Car show got out of hand, they knew we were serious. Councilor Laflamme stated thank the police department. Here & followed up with unhappy residents. Good meeting. Motion passed. Councilor Walczak absent.

- 8 A favorable Public Safety Committee report, ORDERED THAT the Chief of Police and Fire Chief appear before the Public Safety Committee on February 19, 2020 to provide an update on both departments and their needs.

--Motion made by Councilor Zygarowski to receive and placed on file. Councilor Zygarowski stated the Fire Chief and Captain Henry attended. Bring up to date on what current needs are, what they want done. About money, aware of what the needs are. Councilor Laflamme asked a while back Councilor Courchesne had stated Station 5 needed lots of work, good presentation. Happy to see both come in. Motion passed. Councilor Walczak absent.

- 9 A favorable Public Safety Committee report, BE IT ORDERED THAT the Public Safety Committee meet to discuss ongoing issues at Walmart.

--Motion made by Councilor Zygarowski to receive and placed on file. Councilor Zygarowski stated lot of discussion, Katrina Ward really stepped up along with the head of security. Bottom line is many things accomplished. Moved forward, number of calls have gone down, will meet with them again. Councilor Dobosz stated thank this council for helping with this issue. Almost a year now, calls dropped, been working with the council. Plan to hold neighboring businesses accountable as well. Appreciate Walmart co-operation. Councilor Zygarowski stated the chief was not able to attend the meeting, Captain Henry stated every call was being recorded, not true figures. Lots of calls were service calls, computer at PD records all calls. Councilor Tillotson stated noticed fewer carts from Walmart, now other stores carts are out there. Dollar store, Marshalls. Councilor Labrie stated he thinks Walmart has come a long way, enlightened to hear about the number of calls. Routine checks were included in the numbers, cut by almost half now because of new coding. Councilor Laflamme stated going through the parking lot counted as a call, changed the computer reporting. Motion passed. Councilor Walczak absent.

- 10 A favorable License Committee report, an application for a Class II License for Kins Auto Sales & Repairs located at 1098 Chicopee Street. Applied for by: Joaquin Rodriguez, 41 Woodside Terrace, Springfield, MA 01102.

--Motion made by Councilor Krampits to receive and postpone to the call of the chair with review of plot plans in 60 days. Councilor Krampits stated plot plans are to be drawn by professional surveyor/engineer, give 60 days to comply. Motion passed, referred. Councilor Walczak absent.

- 11 A favorable License Committee report, an application for an Auto Repair License for Kins Auto Sales & Repair located at 1098 Chicopee Street. Applied for by: Joaquin Rodriguez, 41 Woodside Terrace, Springfield, MA 01102.

--Motion made by Councilor Krampits to receive and postpone to the call of the chair with review of plot plans in 60 days. Councilor Krampits stated same as previous. Motion passed, referred. Councilor Walczak absent.

12 A favorable License Committee report, ORDERED THAT Tito's Auto Sales, Inc. located at 357 Chicopee Street come before the License Committee to review the currently held licenses and the license holder provide an update on the current business activity.

--Motion made by Councilor Krampits to receive and continue license with three month review of plot plan with the Building Director. Councilor Krampits stated seemed to be making progress, call back in three months. Councilor Laflamme stated received several calls about the property, vans, no cars for sale. Trying to get extra funds, need to correct the license. Motion passed. Councilor Walczak absent.

13 A favorable License Committee report, an application for a Junk Dealer's License at 591 Grattan Street. Applied for by: Amy Plouffe, 27 Julia Avenue, Chicopee, MA 01020.

--Motion made by Councilor Krampits to receive and granted with restrictions. Councilor Krampits read the restrictions, stated junk dealers license on the corner of Grattan and Percy. Would like to sell used items. Willing to go along with the restrictions. Councilor Tillotson stated junk dealers license is actually second hand articles. Motion passed. Councilor Walczak absent.

14 A favorable License Committee report, ORDERED THAT Matt's Auto Mall, LLC, 1840 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Matt's Auto Mall, LLC, including compliance with restrictions imposed upon and licenses held by Matt's Auto Mall, LLC. The Council may modify, suspend, fine, or revoke and license held by Matt's Auto Mall, LLC. Violation-too many vehicles on property.

--Motion made by Councilor Krampits to receive and the license continued with current and additional restrictions. Councilor Krampits read the new restrictions into the record, some progress has been done, needed to be brought in. Councilor Dobosz stated he feels for this guy, hope he can follow the rules. Motion passed. Councilor Walczak absent.

15 A favorable License Committee report, ORDERED THAT Atlantic Coast Enterprises d/b/a Jiffy Lube #119, 2017 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Atlantic Coast Enterprises d/b/a Jiffy Lube #119 including compliance with restrictions imposed upon any licenses held by Atlantic Coast Enterprises d/b/a Jiffy Lube #119. The Council may modify, suspend, fine, or revoke any license held by Atlantic Coast Enterprises d/b/a Jiffy Lube #119. Violation-Failure to paint Handicap sign and appropriate markings.

--Motion made by Councilor Krampits to receive and placed on file. Councilor Krampits stated this was a case of corrected markings before the meeting. Motion passed. Councilor Walczak absent.

16 A Zoning Committee report for a Special Permit application under section 275-52 (B) (11) for the purpose of a home occupation license to operate a home office located at 374 Springfield St. Applicant: Ivelesse C. Bell, 374 Springfield St., Chicopee, MA 01013.

--Motion made by Councilor Balakier to receive and the Special Permit granted with restrictions. Councilor Balakier stated to operate a home office at 374 Springfield Street.

Councilor Balakier read the restrictions. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 17 A Zoning Committee report for a Special Permit application under section 275-62 (B) for the purpose of warehousing and storage not to exceed 200,000 square feet and 6,500 storage units located at 165 Front Street. Applicant: 4 Perkins, LLC, Aaron Papowitz, 307 W 38th Street, Suite 1414, New York, NY 10038.

--Motion made by Councilor Balakier to receive and the Special Permit granted with restrictions. Special Permit will be 90,000 square feet of self-storage. Councilor Balakier stated Silverbrook/Cabotville project. Quite a bit of discussion, the conditions are listed on the next page of the committee report. Councilor Laflamme stated part of the main motivation is this is 90,000 square feet only. Councilor Tillotson stated the committee did a good job to make sure the residents will be protected. Councilor Krampits stated a request of condition being altered, fire protection engineer. Councilor Tillotson stated there was an email, he can re-apply or have his permit adjusted to make sure there are no shortcuts. He can ask to amend by filing another request. Councilor Balakier stated better to be prudent/stringent, not less stringent. Councilor Dobosz stated he was at the meeting as well. Applicant agreed to let the Fire Department inspect at any time. Main thing making him feel more comfortable. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 18 A Zoning Committee report for a Special Permit application under section 275-52 for the purpose of gentle non-force chiropractic care holistic counsel-yoga, nutrition, activity, rehab, relaxation approximately 3-5 days per month most located at Waite Avenue. Applicant: Ruth Ziemba, 12304 Santa Monica Blvd, Suite 216, Los Angeles, CA 90025.

--Motion made by Councilor Balakier to receive and the Special Permit granted with restrictions. Councilor Balakier stated gentle, non-force chiropractic care. Discussion with applicant, just a couple of days a month. Councilor Krampits stated in his ward, sounded like a decent fit in the neighborhood. Will see how things go, can always bring back in if issued. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 19 A Zoning Committee report for a Special Permit application under 275-50 C (1) & C (2) for the purpose of an accessory sign for proposed automobile service station and a waiver of the setback requirements from 25 feet to 5 feet located at a portion of 0 Memorial Drive (Parcel ID 425-38). Applicant: Robert Ladas, Metrolube Enterprises, Inc., 929 Boston Post Rd East, Malborough, MA 01752.

--Motion made by Councilor Balakier to receive and the Special Permit granted with restrictions. Councilor Balakier stated for a sign for Valvoline, the former HukeLau site. Needed to be in compliance. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 20 A Zoning Committee report for a Special Permit application under 275-67 & 275-67 (K)(3)(b) for the purpose of the construction of a proposed multi-family development and waiver of parking requirement from 88 to 75 spaces located at 0 Oak Street (Parcel ID 147-5H). Applicant: Craig Authier, 1421 Granby Rd., Chicopee, MA 01020.

--Motion made by Councilor Balakier to receive and refer back to the Zoning Committee on 3/24/20 at 6:30 in the Council Chambers. Councilor Balakier stated adjacent to Uniroyal, report from Overlay Dist. Committee is needed, 65 conditions to be taken care of before. Councilor Tillotson stated he received a letter from the Planning Director to make sure the soil is ok to put homes on and have people living on that site. Requested to return to committee, important to get clarification. Reason for delay. Councilor Balakier asked to check with Lee and Building and Counsel to set a date. Motion passed, referred. Councilor Walczak absent.

- 21 A Zoning Committee report for a Special Permit application under 275-30 for the purpose of keeping a storage POD in driveway for a period of one year (need basement waterproofed after house getting frozen pipes-late oil delivery-storage of books and clothes) located at 104 Ann Street. Applicant-Halyna & Tom Adamchak, 104 Ann St., Chicopee, MA 01020.

--Motion made by Councilor Balakier to receive and the Special Permit granted with conditions and restrictions and reflect the 6 month time period. Councilor Balakier stated a couple wants to keep a storage pod for one year, cleaning up the basement, motion to approve for 6 month use of the pod. Councilor Dobosz stated on the problem property list for at least 6 months, support the extension because they have issues. Hopefully they fix the home. Councilor Tillotson stated the committee agreed because the ward councilor was willing to try 6 months. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 22 A Zoning Committee report for a Special Permit application under 275-58 for the purpose of ground sign waiver of 25 feet setback to +/- 1.9 feet located at 30 St. James Avenue. Applicant: Ning Sun, 30 St. James Ave., Chicopee, MA 01020.

--Motion made by Councilor Balakier to receive and the Special Permit granted with restrictions. Councilor Balakier stated this is Family Dentist, tight area. Discussion with the property owner. Councilor Krampits stated pre-existing sign, obstructs view, if sign is elevated it will not obstruct the view. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 23 A Zoning 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 to 275-40 E (5)

Commercial use parking restrictions. No camper, trailer or recreational vehicle of any kind may be used for dwelling purposes or accessory to any commercial building unless authorized in writing by the City of Chicopee Building Commissioner pursuant to Massachusetts Building Code.

--Motion made by Councilor Balakier to receive pass and the proposed ordinance be referred to the Ordinance Committee. Councilor Courchesne stated this already went to ordinance, changes are good. Back to give the Police power to enforce, help Walmart, good change, send to ordinance. Motion to passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 24 A Zoning 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 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, 2020, and terminating on April 1, 2021, except by special permit.

--Motion made by Councilor Balakier to receive and refer to the Ordinance Committee. Councilor Dobosz stated language to help area to limit development, have to come before the council. Councilor Tillotson stated we have to prove what we are doing makes sense. Need to figure out if traffic is that bad. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 25 BE IT ORDERED THAT the Public Works Committee and the Health Department meet to discuss trash and liter issues from businesses on Memorial Drive.

--Motion made by Councilor Dobosz to receive and refer to the Public Works Committee, invite landowners and include Family Dollar on Meadow Street. Councilor Dobosz stated hold other businesses accountable in the ward. Reached out personally to business, give the opportunity to fix on their own. Need to clean up their property. Walmart stepped up, other businesses need to step up now. Spoke with the Mayor, possibly code enforcement, show who complied and who didn't. Stop & Shop, Big Y parking lots called out on Facebook, all businesses need to be held accountable, Aldi's has a serious amount of trash. Are on the problem properties, lot of business trash is out of control. Councilor Laflamme stated landlords should be invited. Landlords are responsible. Landowners of all should be contacted. Councilor Roy stated in co-ordination of this trash thing. Trash barrels in areas of the city, littering signs. Councilor Tillotson stated Memorial Drive the litter wasn't that bad. Potholes are bad. Aldi's doesn't seem that bad, concerned about giving the city a bad image. Spring cleanup, this time of year stuff blows all over. Property behind Aldi's is bad. This is a well-run city, pretty clean. Make property owners responsible. Do this in a balanced way, don't criticize the city. Councilor Dobosz stated he never attacked the city, are attacking some stores and asking businesses to clean up their properties. All trees have plastic bags, not the city's fault, hold businesses accountable. Still want to work with business. Trash really is a problem, trash is not secured. Friendly to invite landowners. Councilor Courchesne stated comes down to enforcement. Want a compliance officer. Will keep spinning wheels. Either way will clean up the city. Councilor Laflamme stated agree, did go behind the stores. Neighborhood was there, not just Memorial Drive. Just talked to attorney, can hold landlords accountable, invite them to the meeting. Walmart came in several times, not all their trash can we help with the rest? With the others that are not complying? Landlords hash out what's what between the tenants. Councilor Courchesne asked if Family Dollar on Meadow Street could be included? Councilor Tillotson stated dumpsters need to be locked. Picking up trash that is not their own. Major thoroughfare isn't that bad. Motion passed, referred. Councilor Walczak absent.

- 26 BE IT ORDERED THAT the Recreation Committee meet to discuss issues at Litwin Park.

--Motion made by Councilor Dobosz to amend the motion to read all city parks, refer to the Recreation Committee. Councilor Dobosz stated Councilor Walczak asked to amend to read all city parks. Highlight problems at Litwin, there is a serious erosion issue, the sidewalk is washing away. Vandalism concerns. Councilor Laflamme stated have Liz come to the meeting. Motion passed, referred. Councilor Walczak absent.

- 27 A proposed ordinance, adding to Chapter 260, Parking Regulations, Naomi Street – North side – Across from 3 Naomi Street (corner of Columba Street and Naomi Street) for a distance of 25 feet to the corner of Columba Street, Parking Prohibited.

--Motion made by Councilor Labrie to receive, 1st reading and refer to the Ordinance Committee. Councilor Labrie stated this is needed for public safety. Motion passed, referred. Councilor Walczak absent.

- 28 A proposed ordinance, adding to Chapter 260, Isolated Stop Signs and Signal Lights, Jean Circle– East side at the intersection of Jean Circle and Laskowski Lane, Isolated Stop Sign.

--Motion made by Councilor Krampits to receive, 1st reading and refer to the Ordinance Committee. Councilor Krampits stated concerns about traffic going through. Motion passed, referred. Councilor Walczak absent.

- 29 A NEW Special Permit application under Section 275-53 (C)(6) of the Municipal Zoning Ordinance for the purpose of waiving lot dimensional requirements as follows frontage from 100 ft to 58 ft lot area from 10,000 sq ft to 8,700 sq ft. Location: 652 Chicopee Street. Applied for by: Andre Marcoux, 67 Catherine St., Chicopee, MA 01013.

--Motion made by Councilor Balakier to receive and refer to the Zoning Committee. Councilor Balakier stated buiding a duplex. Motion passed, referred. Councilor Walczak absent.

- 30 A NEW Special Permit application under Section 275-58 (C)(6) of the Municipal Zoning Ordinance for the purpose of small scale production facility on business A property. Location: 365 Chicopee Street. Applied for by: Gregory + Tracy Janik, 2 Belmont Ave., S. Hadley MA 01075.

--Motion made by Councilor Balakier to receive and refer to the Zoning Committee. Councilor Balakier stated cabinet shop, will take up in committee. Motion passed, referred. Councilor Walczak absent.

- 31 A NEW Zone Change from Business A to Residential C for 1,802 square feet of property located at the rear of 38-52 Front Street for the purpose of eliminating mixed zoning and bringing all of the property into conformity with its use. Applied for by: Angelo Scuderi, Manager, By: Ronald R. LaRocque, his attorney, 641 Grattan St., Chicopee, MA 01020.

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

32 A petition from Columbia Gas of Massachusetts, hereby requests that it be granted a location and permission to install and maintain 1,400' of 6" and 20' of 2" MP plastic gas main on Greenwood Ter from Pendleton Ave to Applewood Dr with such laterals and service connections as it may now or subsequently find necessary.

Said installation will be in accordance with the plans enclosed.

--Motion made by Councilor Dobosz to receive and refer to the Utilities Committee. Councilor Dobosz stated will take up in committee. Motion passed, referred. Councilor Walczak absent.

33 Election Call for the March 31, 2020 Special State Election.

--Motion made by Councilor Laflamme to approve the Election Call for the Special State Election. Councilor Laflamme stated just 7A, 7B, 8A and 9A only. Motion passed. Councilor Walczak absent.

ATTEST:

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

KEITH W RATTELL
CITY CLERK