

13

RECEIVED

2023 MAR -5 AM 11:00

CITY COUNCIL
CHICOPEE MA

Minutes from the City Council Meeting on Tuesday March 7, 2023, at 7:15 pm in the Auditorium are as follows:

Laflamme, Frank N., President	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Present
Tillotson, James K.	At-Large Councilor	Present via Zoom
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present
Brooks, Shane D.	Ward 2 Councilor	Present via Zoom
Lopez, Delmarina	Ward 3 Councilor	Present via Zoom
Balakier, George A.	Ward 4 Councilor	Present
Krampits, Fred T.	Ward 5 Councilor	Present
Dobosz, Derek Gregory	Ward 6 Councilor	Present
Courchesne, William C.	Ward 7 Councilor	Present via Zoom
Labrie, Gary R.	Ward 8 Councilor	Present
Pniak-Costello, Mary Elizabeth	Ward 9 Councilor	Present

Public Input—Al Kendall, 40 Meadow Street, success in anything is location, location, location. Mayor Vieau surprised him with a certificate for 15 years of service, honored with chairmanship. Completion of a lot of work on the COD. Thanks to all the departments that have supported. Established by President Regan over 30 years ago. Respect each other, care about each other, help each other. COD has a compliment of 9 people the long-term chair Frank Czepiel, focus on disability with ability being capitalized. Proud and appreciative. Very grateful. Beverly Bellavance, 41 Barby Avenue, came to her attention there was an interested party for the land on 523 James Street. Wants to change the residential area to business. Wants to put a Starbucks and change the land to business. Residents of Fairview are opposed to changing the Zoning. Mayors mission of safety on the streets, wild on James Street with traffic. Terrible. Adding a Starbucks to a busy area is against mayors view of safe streets. Lisa Bienvenue, 34 Everett Street, thank Mr. Kendall, good thing to live by. All need to listen to each other. Bigger crowd than usual, people want to be heard. Was surprised/had a thing with the open meeting laws, basis of democracy. Lot of Veterans in the family. Citizens of Chicopee need to understand and appreciate what elected officials surprised by the Attorney General’s ruling. Have to pay attention to the little stuff. Want everything to be public, better for all. Needs to be shared with people who elected you. Open dialogue needed. Sue Nimchick, 362 James Street, show and tell, crossroads of New England being Chicopee. Use major roads for trucks speeding, chewing up the tar. Comprehensive truck route needs to be established. Truck pulled a cable wire off the house, all wiring was pulled off. The pole shook. There were 5 cars behind the truck. Police car picked up pieces and put it on the tree belt. Police never reported the pole damage. Electric Company came to fix the pole. Invite all to public input. Jonathan Tetherly, 29 Arlington Street, on Broadway at East Street it is possible to wait for 4 lights, the light is very short. Let the light remain green longer. Crosswalk on Grove, can come very quickly, few weeks later woman seriously injured. Crossing East Street, a car was blaring the horn. According to the Herald there have been 10 traffic deaths on our streets. New situation is fast driving. No concern for traffic laws. Speed bumps on Front Street are a solution. How long does it take to get them? Penalty for repeat offenders. Sandra

Peret, 54 Bonneville Avenue, Not to purchase the building on Memorial Drive. May be other buildings available. Closing Holy Name and Assumption churches. Ideally a building in the center would be favorable. Downtown Chicopee easier for families to get to.

--Motion made by Councilor Labrie to return to the regular order of business following public input.
Motion passed by a unanimous roll call vote.

MO-1 Mayor's appropriation of One hundred thirty eight thousand one hundred thirty two and 86/100 dollars (\$138,132.86) to the following named account: Police Special Account for Purchase of Cruisers from available funds in the Stabilization for Capital Budgeting.

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated will add two more traffic enforcement cruisers to the fleet. Will be unmarked. Motion passed through all stages by a unanimous roll call vote.

MO-2 Mayor's appropriation of Thirty thousand and 00/100 dollars (\$30,000.00) to the following named account: Police Expense Account for Travel from available funds in the Police Salary Account for Holiday.

--Motion made by Councilor Lopez to receive and pass. Councilor Lopez stated transfer money for travel for conferences and training. Knowledge that is specialized or to train others. Motion passed through all stages by a unanimous roll call vote.

MO-3 Mayor's appropriation of One thousand and 00/100 dollars (\$1,000.00) to the following named account: City Council Expense account for Travel from available funds in the Stabilization Fund.

--Motion made by Councilor Courchesne to receive and pass. Councilor Courchesne stated for Mass Municipal Association training. Motion passed through all stages by a unanimous roll call vote.

MO-4 Mayor's appropriation of Fifty nine thousand five hundred ninety and 00/100 dollars (\$59,590.00) to the following named account: City Hall Maintenance Special Account for Purchase of Pickup w/plow from available funds in the Stabilization for Capital Budgeting Account.

--Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated needed for City Hall Maintenance to plow around the city. Motion passed through all stages by a unanimous roll call vote.

MO-5 Mayor's appropriation of Thirty five thousand seven hundred thirty and 00/100 dollars (\$35,730.00) to the following named account: City Hall Maintenance Special Account for Purchase of City Vehicles from available funds in the Stabilization for Capital Budgeting Account.

--Motion made by Councilor Balakier to receive and pass. Councilor Balakier stated purchase of Ford Escape to replace the pool car for City Hall. Motion passed through all stages by a unanimous roll call vote.

MO-6 Mayor's appropriation of Fifty thousand and 00/100 dollars (\$50,000.00) to the following named account: D.P.W. Wastewater Expense Account for Special Services from available funds in the D.P.W. Wastewater Salary Account for WWTP Attendant.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated money to pay Tighe and Bond to design staffing plans, need professional help to improve and make more efficient. Motion passed through all stages by a unanimous roll call vote.

MO-7 Mayor's appropriation of Twenty four thousand two hundred and 00/100 dollars (\$24,200.00) to the following named account: D.P.W. Water Expense Account for Special Services from available funds in the D.P.W. Water Special Account for Pipeline/Repair Replacement.

--Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated as with the last order to hire Tighe and Bond. Motion passed through all stages by a unanimous roll call vote.

MO-8 Mayor's appropriation of Ten thousand nine hundred twenty nine and 65/100 dollars (\$10,929.65) to the following named Auditing Salary Accounts:

Senior Accountant	\$9,061.48
Sick Buy Back	1,404.00
Assistant Auditor Stipend	<u>464.17</u>
Total	\$10,929.65

from available funds in the Stabilization Fund.

--Motion made by Councilor Roy to receive and rescinded. Councilor Roy stated person changed their mind. Motion passed through all stages by a unanimous roll call vote.

MO-9 Ordered that the City Council accept the attached list of donations in the amount of Sixty and 00/100 Dollars (\$60.00) to the Chicopee Public Library. Said donations are made in memory of Esther Kokoszka and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Krampits to receive, pass and the donations accepted. Councilor Krampits stated donations in memory. Letter of thanks should be sent. Motion passed through all stages by a unanimous roll call vote.

MO-10 To the City Council:

You are hereby notified that I have this day appointed Nancy Shepard-Murray, 260 Moore Street, Chicopee, MA 01013 as an associate member of the Commission on Disability to serve in such office for the term expiring on the 1st of March, 2026. To which appointment I ask the confirmation of your Honorable Council.

*New- Appointment

--Motion made by Councilor Pniak-Costello to receive and refer to the Human Resources Committee. Councilor Pniak-Costello stated Nancy is interested in becoming an associate member of the COD. Came to the meeting to see how it works. Highly recommended by Al Kendall. Councilor Tilloston stated the meeting will be at 6:00 next Tuesday. Motion to refer passed by a unanimous roll call vote.

MO-11 Ordered that the City Council accept the donations in the amount of Five thousand five hundred seventeen and 05/100 dollars (\$5,517.05) to the Chicopee Senior Center. Said donations are for Senior

Meals for the Month of January, 2023 and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor McAuliffe to receive, pass and the donations accepted with a second by Councilor Zygarowski. Councilor McAuliffe stated self-explanatory. Motion passed through all stages by a roll call vote of 12 yes, 1 abstained. Councilor Laflamme abstained.

MO-12 Mayor's appropriation of Twenty-eight thousand and 00/100 dollars (\$28,000.00) to the following named account: Planning Expense Account for GIS Software from available funds in the Stabilization Fund.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated the GIS software used by Planning and the public. Very useful. Motion passed through all stages by a unanimous roll call vote.

MO-13 Whereas, The City Council of the City of Chicopee strongly supports increased economic development to provide additional jobs for residents of Chicopee, Holyoke, and Westfield and expanded commercial and industrial activity within those cities in order to promote and develop a healthy economy and a stronger tax base; and

Whereas, the General Court has enacted M.G.L. Ch. 23A Section 3A-3H, the Massachusetts Economic Development Incentive Program (EDIP), designed to stimulate job creation, attract new business, encourage growth of existing businesses, and to increase overall economic development readiness; and

Whereas, The City of Chicopee has entered into an Inter municipal Agreement with the Cities of Holyoke and Westfield and the three cities have been designated as the Holyoke Regional Economic Target Area (ETA), by the Economic Assistance Coordinating Council (EACC); and

Whereas, The City Council of the City of Chicopee desires job creation opportunities, improvements to distressed commercial properties, and increased economic opportunities within Chicopee; and

Whereas, the City Council of the City of Chicopee has supported the productive reuse of property at 301 Griffith Road; and

Whereas, UFP Site Built, LLC and Griffith Road Property Owner, LLC is investing \$1,400,000 in property improvements; and

Whereas, UFP Site Built, LLC and Griffith Road Property Owner, LLC has committed to create a minimum of 60 permanent full time jobs with preference in hiring residents of the ETA and the City of Chicopee; and

Now, Therefore, be it ordered, and the City Council approves the Certified Project application of UFP Site Built, LLC and Griffith Road Property Owner, LLC and forwards said application for certification to the Massachusetts EACC for its approval and endorsement;

Be it further ordered, the City Council of the City of Chicopee with approval of the Mayor hereby makes a binding commitment to enter into an Tax Increment Financing (TIF) agreement with UFP Site Built, LLC and Griffith Road Property Owner, LLC;

And be it further ordered, that pursuant to M.G.L. Ch. 23A Section 3E, the TIF agreement with UFP Site Built, LLC and Griffith Road Property Owner, LLC shall comply with all laws and regulations regulating such agreements and shall include only exemptions contained in this Order. Said Agreement will provide an exemption on property taxes based on the growth portion in the assessed value of the project. The base valuation shall be determined by the City Assessors as of January 1 of the year after the issuance of a Certificate of Occupancy. Subject to the terms and conditions of the Agreement, Tax Increment Financing Agreement exemption to be applied to the Project Premises is as follows, and such below stated percentage shall be utilized in calculating the real property tax due with respect to the Premises for such respective fiscal year:

First Fiscal Year -	70% of the increased assessed value
Second Fiscal Year-	50% of the increase assessed value
Third Fiscal Year-	20% of the increase assessed value
Fourth Fiscal Year-	5% of the increase assessed value
Fifth Fiscal Year-	5% of the increase assessed value

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated will help the property owner who is investing 1.4 million dollars to get jobs. Councilor Balakier stated vacant building will have 60 full time jobs. Economic growth for the city. Councilor McAuliffe stated good to vote yes and see the board vote yes on economic growth. Motion passed through all stages by a unanimous roll call vote.

- 14 An unfavorable Zoning Committee Report: Special Permit under Chapter 275-52 (B) 3 for the purpose of garage as principal structure located at 19 Dale Street. Applicant: Steve Gardner, 19 Dale Street, Chicopee, MA 01020

--Motion made by Councilor Balakier to uphold the unfavorable committee report. Councilor Balakier stated many times in committee. Committee recommends denial. Councilor Balakier read the reasons for denial into the record. Councilor Labrie stated in Ward 8, interesting order, negative from neighbors, applicant has never contacted him. Has done nothing to help himself. Councilor Pniak-Costello stated thank the residents that are always coming to meetings on this. Motion passed through all stages by a unanimous roll call vote, special permit denied.

- 15 A favorable Zoning Committee Report: Special Permit under Chapter 275-58 (C) (5) for the purpose of converting a single family home in multifamily home, each unit will become a 3-bedroom, 1 bath apartment; 2-units total. The commercial space on the property will remain office space for a business located at 368 Britton Street. Applicant: Zachary Jacobson, 200 Maple Road, Longmeadow, MA 01106

--Motion made by Councilor Balakier to receive and approve the Special Permit with restrictions. Councilor Balakier stated the conditions. There was an outstanding tax bill which has been paid. The Fire Department request must be met. Councilor Pniak-Costello stated property isn't in good condition, will improve the neighborhood. Councilor Balakier made a motion that the permit run with the land. Motion passed through all stages by a roll call vote of 12 yes 1 out of chair. Councilor Dobosz out of chair. Motion to approve the special permit passed through all stages by a unanimous roll call vote.

- 16 A favorable Zoning Committee Report: Special Permit under Chapter 275-58 (E) (1) for the purpose of installation of a new pole sign. Waivers requested- (1) Setback from 25' to +/- 0.5' (2) total sign surface area from 80 SF to 98 SF located at 1801 Memorial Drive. Applicant: Sign Techniques, Inc., Tracy Janik, P O Box 237, Chicopee, MA 01021.

--Motion made by Councilor Balakier to receive and approve the Special Permit. Motion made by Councilor Balakier to approve waiver #1. Motion passed through all stages by a unanimous roll call vote. Motion made by Councilor Balakier to approve waiver #2. Motion passed through all stages by a unanimous roll call vote. Councilor Balakier stated for a sign at the pool place. Councilor Pniak-Costello stated item was discussed thoroughly. Councilor Balakier stated will run with the applicant. Motion passed through all stages by a unanimous roll call vote.

17 An unfavorable Finance Committee Report: Ordered that the City Council consider the School Committee October 19th request to purchase property located at 350 Memorial Drive for School Administration Offices and the answer to these questions be obtained:

1. An assessment of the School Department Administrative space and needs,
2. An appraisal of the property
3. The total cost of retrofitting to space for use as School Administrative Offices
4. The total annual maintenance cost including utilities, landscaping and cleaning
5. A letter from the State allowing the use of Esser monies given the School Department of \$8.3 Million for the purchase of Administrative Offices is allowed under Esser Fund use requirements.

--Motion made by Councilor Krampits to allow Councilor Laflamme to speak. Motion passed by a roll call vote of 12 yes, 1 abstained. Councilor Laflamme abstained. Councilor Laflamme stated have not participated in anything on #17 or #18, will not vote. Will step out of the room for #17 & #18.

--Motion made by Councilor Labrie to uphold the unfavorable committee report.

--Motion made by Councilor Krampits to allow Councilor Zygarowski to speak on this. Councilor Zygarowski stated felt necessary to speak on this. Reasons for voting unfavorable, would lose tax income from the property. Councilor Pniak-Costello stated how much money would the students lose. Recommended not to go forward. Look elsewhere. Time to move on. Councilor Zygarowski stated a yes vote will deny. Motion passed by a roll call vote of 12 yes, 1 out of chair. Councilor Laflamme out of chair.

18 A favorable Finance Committee Report: Be it Ordered that the School Committee's request that the City of Chicopee purchase the real property located at 350 Memorial Drive, Chicopee, Massachusetts for school purposes be sent to the Finance Committee and Education Committee separately for discussion.

--Motion made by Councilor Labrie to place on file. Motion passed by a roll call vote of 12 yes, 1 out of chair. Councilor Laflamme out of chair.

19 A favorable License Committee Report: Application for an Auto Body/Auto Repair license for Tony & Sons Auto Service & Sales, Leasing & Rental, Inc. at 170 South Street. Applicant: Dolcimar Ferreira Sousa, 51 Bliss Street, West Springfield, MA 01089

--Motion made by Councilor Brooks to receive and approved with restrictions and review in 3 months. Councilor Brooks read the restrictions into the record. Motion passed by a roll call vote of 12 yes, 1 out of chair. Councilor Zygarowski out of chair.

20 A favorable License Committee Report: Application for an Auto Detail license for Tony & Sons Auto Service & Sales, Leasing & Rental, Inc. at 170 South Street. Applicant: Dolcimar Ferreira Sousa, 51 Bliss Street, West Springfield, MA 01089

--Motion made by Councilor Brooks to receive and approved with restrictions. Councilor Brooks read the restrictions into the record. Motion passed by a roll call vote of 12 yes, 1 out of chair. Councilor Labrie out of chair.

- 21 A favorable License Committee Report: Application for a Class II License for Montgomery Street Truck, Auto and Equipment Sales, LLC located at 330 Montgomery Street. Applicant: Joel Marchand, 330 Montgomery Street, Chicopee, MA 01020

--Motion made by Councilor Brooks to receive and approved with restrictions. Councilor Brooks read the restrictions into the record. Motion passed by a roll call vote of 12 yes, 1 out of chair. Councilor Labrie out of chair.

- 22 A favorable License Committee Report: Application for an Auto Repair License for Montgomery Street Truck, Auto and Equipment Sales, LLC located at 330 Montgomery Street. Applicant: Joel Marchand, 330 Montgomery Street, Chicopee, MA 01020

--Motion made by Councilor Brooks to receive and approved with restrictions. Councilor Brooks read the restrictions into the record. Motion passed by a unanimous roll call vote.

- 23 A favorable License Committee Report: Application for an Auto Detailing License for Montgomery Street Truck, Auto and Equipment Sales, LLC located at 330 Montgomery Street. Applicant: Joel Marchand, 330 Montgomery Street, Chicopee, MA 01020

--Motion made by Councilor Brooks to receive and approved with restrictions. Councilor Brooks read the restrictions into the record. Motion passed by a unanimous roll call vote.

- 24 A favorable License Committee Report: Application for Hawkers and Peddlers license to sell Ice Cream outside of the properties of various school/park locations. Applicant: Iro Mitchener, 58 Grattan Street, Chicopee, MA 01020

--Motion made by Councilor Brooks to receive and approved. Councilor Brooks stated met all the qualifications. Motion passed by a unanimous roll call vote.

- 25 A favorable License Committee Report: Application for an Auto Repair License for Kins Auto Repair II located at 1098 Chicopee Street. Applicant: Joaquin Rodriguez, 41 Woodside Terrace, Springfield, MA 01108.

--Motion made by Councilor Brooks to receive and postpone to the call of the chair. Councilor Brooks stated applicant didn't appear. Motion to postpone passed by a unanimous roll call vote.

- 26 A favorable License Committee Report: Be it Ordered that United Sons Auto Sales, LLC, 400 D East Main Street, licenses be called in before the License Committee for License review and imposition of restrictions.

--Motion made by Councilor Brooks to receive and the restrictions be updated on the license. Councilor Brooks read the restrictions into the record. Motion passed by a unanimous roll call vote.

- 27 A favorable License Committee Report: Be it Ordered that Wicked Cycles, Inc., 576 East Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Wicked Cycles, Inc., including compliance with restrictions imposed upon any licenses held by Wicked Cycles, Inc. The Council may modify, suspend, fine, or revoke any license held by Wicked Cycles, Inc.
1. Review of plot plan including parking spaces since two licensees are operating at the same location.
- Motion made by Councilor Brooks to receive and the restrictions amended. Councilor Brooks read the restrictions. Councilor Krampits stated two licenses at one location. Thought when the cycles was granted, the one left. Plot plans show divided line. If you look at the building two addresses, see what the building department has. Motion passed by a unanimous roll call vote.
- 28 A favorable License Committee Report: Be it Ordered that Royal Coach Sales, LLC, 576 East Street be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Royal Coach Sales, LLC., including compliance with restrictions imposed upon any licenses held by Royal Coach Sales, LLC. The Council may modify, suspend, fine, or revoke any license held by Royal Coach Sales, LLC.
1. Review of plot plan including parking spaces since two licensees are operating at the same location.
- Motion made by Councilor Brooks to receive and the restrictions amended. Councilor Brooks read the restrictions, modified based on plot plan. Councilor Krampits stated basically doing internet sales, meet people at the office. Motion passed by a unanimous roll call vote.
- 29 A Public Works Committee Report: Be it Ordered that the Public Works Committee meet to review the proposed road line striping change for East Main Street.
- Motion made by Councilor Krampits to receive and approved. Councilor Krampits stated for a change in the line striping from the Veteran's bridge to the Springfield Line. Modified so the lane moves, extended a little bit. Motion passed by a unanimous roll call vote.
- 30 Be it Ordered that the DPW Superintendent present to the Public Safety subcommittee it's plan for pedestrian safety at the March 15th subcommittee meeting.
- Motion made by Councilor Courchesne to receive and refer to the Public Safety Committee. --Motion made by Councilor Courchesne to add update on all orders. Motion passed by a unanimous roll call vote. Councilor Courchesne stated no definitive plan. Get some actual plan. Councilor Zygarowski stated the meeting has been moved to March 23rd. Councilor Lopez stated add that part of this is updates on orders, crosswalks. Pedestrian safety, accidents. Motion to refer passed by a unanimous roll call vote.
- 31 Be it Ordered that the DPW review conditions of road on Anson Street and report to the Public Works Committee for a public hearing.
- Motion made by Councilor Pniak-Costello to receive and refer to the Public Works Committee. Councilor Pniak-Costello stated would like the DPW to look at this. Motion to refer passed by a unanimous roll call vote.

32 Be it Ordered that the issue of excessive resident lighting be referred to the Utilities Committee.

--Motion made by Councilor Pniak-Costello to receive and refer to the Utilities Committee. Councilor Pniak-Costello stated glad Councilor Laflamme referred this, backyard lighting. Motion to refer passed by a unanimous roll call vote.

33 An application for a NEW Special Permit under section 275-58 (C) (5) for the purpose of Four (4) residential units. Location of property: 1682 Memorial Drive. Applicant/Property Owner: 896-900 Prospect Street, Inc., 32 Haig Avenue, South Hadley, MA 01075

--Motion made by Councilor Balakier to receive and refer to the Zoning, Planning, Engineering and Building Departments. Councilor Balakier stated take up in committee. Motion to refer passed by a unanimous roll call vote.

--Motion made by Councilor Labrie to adjourn at 9:17. Motion passed by a unanimous roll call vote.

ATTEST:

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

Keith W. Rattell, City Clerk