

Minutes from the City Council Meeting on Tuesday March 17, 2020 at 7:15 pm in the City Council Chambers are as follows:

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 CITY COUNCIL
 CHICOPEE MA

Brooks, Shane D.	Ward 2 Councilor	Present
Laflamme, Frank N.	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Absent
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	Absent
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

MO-1 Mayors appropriation of Ninety five thousand seventy three and 34/100 dollars (\$95,073.34) to the following named Police and Fire Salary Accounts in accordance with the recently signed settlement of agreement between the City of Chicopee and the Patrolmen's Union I.B.P.O. Local #401 from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated contract negotiations. Councilor Dobosz stated 5% raise, 3 1/2% from an increase in hours, raise patrolman's salary to get us equal to other cities. Councilor Tillotson stated they agreed to GPS tracking, increased roll call time. Gained more by going 40 hours per week, other departments got more by going 35-40 hours per week. Councilor Zygarowski stated each officer will carry narcan, change in dispatch, long overdue. Councilor Courchesne stated the starting salary is much lower than sistering communities. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-2 Mayors appropriation of Forty four thousand nine hundred ninety seven and 02/100 dollars (\$44,997.02) to the following attached named Police Salary Accounts in accordance with the recently signed settlement of agreement between the City of Chicopee and the Police Supervisor's Union I.B.P.O. Local #440 from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated same as previous, just the supervisors union. Motion passed through all stages by a roll call vote of 9 yes, 1 abstained. Councilor Laflamme abstained, Councilors Roy, Galecki, and Walczak absent.

MO-3 Ordered that the City Council accept the U.S. Department of Justice, United States Marshals Service Investigative Operations Reimbursement Grant in the amount of Six thousand one hundred eleven and 01/100 dollars (\$6,111.01) from the United States Marshals Office to

the Chicopee Police Department. Said reimbursement is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated money from the Marshalls Service used for compliance checks of local sex offenders. Being paid for by the government. Councilor Laflamme stated it is being put on hold for now but will be done soon. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-4 Ordered that the City Council accept the FY'17 Bulletproof Vest Grant in the amount of Three thousand one hundred fifteen and 00/100 dollars (\$3,115.00) from the Commonwealth of Massachusetts Executive Office of Public Safety and Security to the Chicopee Police Department. Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Balakier to receive, pass and the grant accepted. Councilor Balakier stated this is a grant for the Police Department to purchase seven bullet proof vests. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-5 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from the Silverbrick Group, 4 Perkins LLC to the Chicopee Police Department. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Zygarowski to receive, pass and the donation accepted. Councilor Zygarowski stated extremely important. Trying to get involved in the community. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-6 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from the Silverbrick Group, 4 Perkins LLC to the Chicopee Fire Department. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Courchesne to receive, pass and the donation accepted. Councilor Courchesne stated match the Fire Department with the Police Department donation. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-7 Mayors appropriation of Twenty eight thousand three hundred two and 25/100 dollars (\$28,302.25) to the following named account: Library Special Account for Purchase of Vehicle from available funds in the Library Salary Account for Library Associate.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated to replace the only vehicle, money will replace the vehicle. Councilor Tillotson stated need vehicle, money is coming out of their own accounts. Win win for the city.

MO-8 Mayors appropriation of Twenty five thousand and 00/100 dollars (\$25,000.00) to the following named account: School Special Revenue Account for Chicopee TV Public Access from available funds in the Receipts Reserved for Appropriation PEG Access Related Expenditures Account.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated from the Charter Communication account, important right now well spent money. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-9 Mayors appropriation of Twenty thousand and 00/100 to the following named account: D.P.W. Water Expense Account for Special Services from available funds in the D.P.W. Water Salary Account for Water System Maintenance Man.

--Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated funding to get info on modifications to the water purity. To look at modeling software, allow water department to determine where to make modifications. Councilor Dobosz stated reassure the public the water is safe. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-10 Mayors appropriation of Three thousand seven hundred ninety seven and 50/100 dollars (\$3,797.50) to the following named account: Reserve for School Special Custodians from available funds in the Parks and Recreation Special Account for Summer Programming.

--Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated overtime for the custodians to open the pools. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-11 Ordered that the City Council accept the attached list of donations in the amount of Three hundred fifty and 00/100 dollars (\$350.00) to the Chicopee Parks Department. Said donations are to be used for the Annual Easter Egg Hunt and are accepted in accordance with M.G.L. Chapter 44 Section 53A and 53A ½.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated glad they're going to have this. It may not happen, hopefully will eventually happen. Hope they re-schedule. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-12 An order authorizing the exemption of interest for Chief of Staff, John Beaulieu, to serve as a "Special Municipal Employee" as a member of Unified Track/Field Assistant Coach for Chicopee and Chicopee Comprehensive High School in accordance with the provision of Massachusetts General Laws 268A Section 20.

--Motion made by Councilor Balakier to receive, pass and the special exemption granted. Councilor Balakier stated big giver, city employee. John is well known, should be granted this evening. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

MO-13 Mayors appropriation of One thousand twenty two and 06/100 dollars (\$1,022.06) to the following named account: Council on Aging Salary Account for Cafe' Assistant/Program Assistant from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Zygarowski to receive, pass with a second by Councilor Laflamme as acting chair. Councilor Zygarowski stated money to pay café assistant.

Program to help when they hire to replace vital to operation down there. Councilor Tillotson stated will allow head of the senior center to hire a new person. Motion passed through all stages by a roll call vote of 9 yes, 1 abstained. Councilor Brooks abstained, Councilors Roy, Galecki, and Walczak absent.

- 14 A favorable Ordinance 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:

Replacing §275-40 (D) "Residential Use Parking Restrictions"

Mobile Dwelling Unit Parking Restrictions

Mobile Dwelling Units, as defined in the City's Zoning Ordinance, may be used in Residential Districts for up to fourteen (14) consecutive days. Should a Mobile Dwelling Unit, as defined in the City's Zoning Ordinance, be used in Residential Districts for more than fourteen (14) consecutive days, such use must be authorized in writing pursuant to the Massachusetts Building Code, for a specified amount of time, by the City of Chicopee Building Commissioner. Mobile Dwelling Units are restricted for use in all public rights-of-way (ROW) and all other Zoning Districts as defined in this Chapter. Exceptions to the above as provided in §275-35L and §275.55.

--Motion made by Councilor Tillotson to receive & postponed to the call of the chair. Motion made by Councilor Tillotson to amend to defeat the proposed ordinance. Councilor Tillotson stated there are some issues. Counselor Garvey stated Planning had a different theory on what it should be, will be refiled. Councilor Tillotson stated still in committee. Councilor Courchesne asked can this be defeated now? Planning is updating to current times. Motion to defeat passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

- 15 A favorable Ordinance Committee report, Chapter 7 Ordinance Revisions.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated one individual in HR and Camp Opee staff. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

- 16 A favorable Ordinance 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 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 Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated ordinance on the books for several years. Councilor Dobosz stated thank colleagues, traffic is top concern on Burnett Road. Need special permit for a new development. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

- 17 A favorable Ordinance 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:

Chapter 144-1 Definitions

Delete

ANIMAL CONTROL OFFICER – The person or persons designated to enforce this chapter.

And insert in place thereof

ANIMAL CONTROL OFFICER – Any person designated by the City to enforce this Ordinance or Section 137 to 174F, inclusive of Chapter 140 of the Massachusetts General Laws, including but not limited to police officers, reserve officers, special police officers, employees of the Board of Health, and agents of the Thomas J. O'Connor Animal Control and Adoption Center or its successor.

Add H under PUBLIC NUISANCE

H Defecates on property of a third party which is not immediately removed by the owner.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated the explanation was broadened more people able to issue tickets. Helping to enforce animal laws. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

- 18 A favorable Ordinance 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:

Chapter 144-21 Animal Waste

Delete A, B, C

And insert in place thereof

- A. The owner of every animal shall be responsible for the removal of fecal matter deposited by the owner's animal(s) on his or her property, public walks, recreation areas or private property. Owner" shall include any person(s) who possess, feed, shelter, or otherwise care for the animal.
- B. The owner or person(s) who possess or otherwise care for an animal as described above shall control the animal when appearing with the animal on any public walk, street, recreation area, or private property and the owner shall possess the means of removal of any fecal matter left by such animal.

C. For the purposes of this regulation, the means of removal shall include any tool, implement, or other device carried for the purpose of picking up and containing such fecal matter. Disposal shall be accomplished by transporting such fecal matter to a place suitable and regularly reserved for the disposal of human fecal matter, specifically reserved for the disposal of animal fecal matter or otherwise designated as appropriate by the Director of Public Health.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated deleted A, B & C and added three new paragraphs, animal, not just dogs, new designed to help the city. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

19 A favorable Ordinance Committee report, 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 Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Labrie stated this is a safety issue, need about 25 feet to get a fire truck down that street. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki, and Walczak absent.

20 A favorable Ordinance Committee report, 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 Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Krampits stated for an extension/new section of Jean Circle, now being used as a cut-through. Would like a stop sign to reduce speed. Motion passed through all stages by a unanimous roll call vote. Councilors Roy, Galecki and Walczak absent.

21 A Finance Committee report:

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 MGL C. 83 Section 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 Laflamme to receive and refer back to committee. Councilor Laflamme stated weren't able to meet. Motion passed, referred. Councilors Roy, Galecki, and Walczak absent.

22 A proposed ordinance, adding to Chapter 260, 260-82 NO THROUGH TRUCKS, Deslauriers Street – Corner of Deslauriers Street (Falmouth Road side) and Pendleton Avenue, No Through Trucks.

--Motion made by Councilor McAuliffe to receive, 1st reading and refer to Engineering, DPW and Ordinance Committee. Councilor McAuliffe stated filed this because there was a truck came down Deslauriers Street and took down power lines. Councilor Tillotson stated Pendleton Avenue is in the works, count the vehicles, 3-5% have to be the number of vehicles. Can't exclude delivery trucks, will look at this after. Councilor Labrie stated he will be interested to see how this works out. Tried the same thing on Dallaire Avenue, there was 20% so it worked opposite. Anxious to see how this works out. Councilor Tillotson stated have to offer an alternate route. Dallaire is a wide street, alternate route is offered. Motion passed, referred. Councilors Roy, Galecki, and Walczak absent.

- 23 A NEW Special Permit application under Section 275-23 & 275-54 C of the Municipal Zoning Ordinance for the purpose of rehabilitating an existing six (6) family residential building that was damaged by fire. Location: 38-52 Front Street. Applicant: Angelo Scuderi, Manager of CDM Properties, LLC, 73 East Street, Ludlow, MA 01056.

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

- 24 A RENEWAL for a Hawkers and Peddlers License to sell ice cream. Applied for by: Jeffrey Kline, 330 West Ave., Ludlow, MA 01056.

--Motion made by Councilor Krampits to receive and granted with restrictions. Councilor Krampits stated applied for the past several years. Motion passed. Councilors Roy, Galecki, and Walczak absent.

ATTEST:



KEITH W RATTELL
CITY CLERK