

Minutes from the City Council Meeting on Tuesday March 19, 2019 at 7:15 pm in the City Council Chambers are as follows:

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CITY COUNCIL
CHICOPEE MA

Vieau, John L.	Ward 3 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
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	Absent

Public Input-Michael Pise, 33 Bonneville Avenue, remind the Council of the meeting Thursday the 21st at CHS to better fund schools. Bring issues to the state legislature. Fourteen million dollar deficit, difficult for students to compete.

MO-1 Mayors appropriation of Nine hundred thirty one thousand four hundred and 00/100 dollars (\$931,400.00) to the following named account: D.P.W. Highway Special Account for 2019 Road Program from available funds in the Undesignated Fund Balance "Free Cash" Account. Said amount is eligible for Chapter 90 Reimbursement.

--Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated this is funding for road resurfacing. Councilor Tillotson stated up front money to get reimbursed from the state. Have to appropriate the funds to get reimbursed. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-2 Mayors appropriation of Four hundred twenty eight thousand two hundred and 00/100 dollars (\$428,200.00) to the following named account: D.P.W. Highway Special Account for 2019 Road Program from available funds in the Undesignated Fund Balance "Free Cash" Account. Said amount is available for Chapter 90 Reimbursement.

--Motion made by Councilor Roy to receive and pass. Councilor Roy stated this is reimbursable money, eligible for Chapter 90 monies. Councilor Laflamme stated glad to see this one come forward. Lot of businesses, road is pitched in the wrong direction. Water goes into buildings, working with businesses down there. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-3 Mayors appropriation of Three hundred thousand and 00/100 dollars (\$300,000.00) to the following named account: Assessors Special Account for Update for Revaluation from available funds in the Overlay Surplus Account.

--Motion made by Councilor Krampits to receive and pass. Motion to amend made by Councilor McAuliffe to refer to the Finance Committee. Councilor Krampits stated this is basically to transfer money for re-evaluation/re-inspection program every 5 years. Have to hire outside company to review. Councilor Dobosz stated he has a couple concerns about this, would like to send to Finance, wanted more information. Councilor Tillotson stated no need to send to Finance, don't have the technical expertise to do the work themselves. Backup explains word for word what it's for. Money

was put aside, they are putting 2 million back to the City. Councilor Courchesne stated he reached out, spoke to Laura, great to have someone from the outside. No skin in the game, keep them honest. Councilor Laflamme votes to send to Finance if he wants more explanation. Councilor Dobosz stated he thinks it's a lot of money to spend annually. Want to know more about why we need to hire an outside firm. Outsider doesn't make anyone more honest. Like to hear more information. Councilor Tillotson stated every 3-5 years the state requires an evaluation. Councilor Balakier stated this is done every 5 years, was involved in 1980-people look at this. Can't just rely on assessors staff this would decimate them. \$300,00.00 is miniscule. This is a big project. This is a bargain. Councilor McAuliffe stated wanted to comment, part is because its antiquated to have elected assessors in the city. We hire laymen to do a professionals job. Councilor Laflamme stated he agrees with money he is just agreeing to refer. Motion to refer passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-4 Mayors appropriation of Eighteen thousand five hundred forty three and 06/100 dollars (\$18,543.06) to the following named account: D.P.W. WasteWater Special Account for Settlement of Claims from available funds in the Sewer Surplus Account.

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated the sewer line was blocked, backflow valve program offered to this constituent. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-5 Mayors appropriation of Three thousand five hundred and 00/100 dollars (\$3,500.00) to the following named account: Mayor's Salary Account for Overtime from available funds in the Undesignated FundS Balance "Free Cash" Account.

--Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated there are only three staff members. Doing extra duty. Money is needed. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-6 Ordered that the City Council accept the attached list of donations from area businesses to the Chicopee Parks Department in the amount of Two thousand five hundred twenty five and 00/100 dollars (\$2,525.00). Said donations are to be used for the Annual Easter Egg Hunt to be held at Szot Park on Saturday, April 20, 2019 and are accepted in accordance with M.G.L. Chapter 44 Section 53A and 53 A 1/2.

--Motion made by Councilor Tillotson to receive, pass and the donation accepted. Councilor Tillotson stated a letter of thanks should be sent. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-7 Ordered that the City Council accept the donation of 104 new stuffed bears in plastic bags from the D.A.W.N. Committee of Columbia Gas of Massachusetts to the Chicopee Fire Department. Said donation is valued at Two hundred fifty and 00/100 dollars (\$250.00) and is accepted in accordance with M.G.L. Chapter 44 Section 53A ½.

--Motion made by Councilor Balakier to receive, pass and the donation accepted. Councilor Balaker stated this is a donation of new stuffed bears to the Fire Department. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-8 To the City Council:

You are hereby notified that I have this day appointed, Richard Merchant, 24 Laurel Ridge Road, Southwick, Massachusetts as Acting Human Resource Director to serve in such office for the term expiring on December 31st, 2020. To which appointment I ask the confirmation of your honorable council.

*New Appointment

--Motion made by Councilor Zygarowski to receive and confirmed. Motion amended by Councilor Zygarowski to amend by removing the word acting. Amend by Councilor Zygarowski to be approved this evening to the term specified. Councilor Zygarowski stated need consistency in that office. Councilor Krampits stated the Mayor appended this during the briefing. Councilor Vieau stated this amendment is on the recommendation of the Mayor. Councilor McAuliffe stated the Mayor approved this, Dan Garvey states there is an employment contract. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

MO-9 To the City Council:

You are hereby notified that I have this day appointed, Gary Laperle, 27 Moore Street, Chicopee, Massachusetts as a member of the Chicopee Golf Commission to serve in such office for the term expiring on the 1st of November, 2023. To which appointment I ask the confirmation of your honorable council.

*New Appointment

*Replace Jennifer Wolowicz

--Motion made by Councilor Courchesne to approve this evening. Councilor Courchesne stated trust fellow Councilors for their support of this. Councilor Laflamme wanted to thank Jennifer himself. Members of commission thanks for sending letter to Mrs. Wolowicz. Councilor Balakier stated Gary is on many Committees will be an asset for this commission. Motion passed. Councilor Walczak absent.

10 MO-4 - A postponed Mayors Order, Mayors appropriation of Twenty thousand and 00/100 dollars (\$20,000.00) to the following named account: Golf Expense Account for Maintenance of Grounds from available funds in the Golf Pro Shop Revolving Account.

--Motion made by Councilor Dobosz to receive and pass with a second by Councilor Brooks as acting Chair. Councilor Dobosz stated this is money for maintenance for the Golf Course. Motion passed through all stages by a roll call vote of 11 yes, 1 abstained. Councilor Vieau abstained, Councilor Walczak absent.

11 A favorable Zoning Committee report, Special Permit application under Chapter 275-52 (B) (11) and Chapter 275-41 for the purpose of home occupation permit for home business. Business will provide transportation services one vehicle and one employee located at 40 Shaban Drive. Applicant: Nosheen Attigue, 40 Shaban Drive, Chicopee, MA 01020.

--Motion made by Councilor Brooks to receive and the Special Permit granted with restrictions. Councilor Brooks stated the issues were on the background check and have been fixed. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

12 A favorable Communications Committee report, BE IT ORDERED that Chicopee TV live stream regularly scheduled City Council and School Committee meeting on the internet for the viewing of the general public.

--Motion made by Councilor Zygarowski to receive and placed on file with amendment. Motion amended by Councilor Tillotson to send to the Mayor for funding. Councilor Zygarowski stated long discussion, telecom did a good job explaining. Councilor McAuliffe stated good job done by telecom, enthusiastic to do this. Stream should be up in case of technical difficulties. Councilor Courchesne stated they may need to come forward for some funds. Councilor Balakier stated should approve this. Councilor Tillotson stated should send request to Mayor for funding, we have no control of the

funds. Councilor McAuliffe stated money that appears on each cable bill, can be pulled from the Charter account. Councilor Tillotson stated we can't tell the Mayor what to do. Up to the Mayor. Motion passed. Councilor Walczak absent.

- 13 A favorable Ordinance Committee report, BE IT ORDAINED that the City of Chicopee hereby deletes Article XXIII – Chapter 16-100 and Chapter 16-101 from the City of Chicopee Code in its entirety and insert in place thereof the following:

Article XXIII – Water & Sewer Commission

See Exhibit A attached hereto and incorporated herein for a full description.

--Motion made by Councilor Tilotson to receive, 2nd and final reading, enrolled and ordained as amended. Councilor Tillotson stated there was controversy can live outside the city. Changed to required to live in the city. Motion passed through all stages by a roll call of 11 yes, 1 out of chair. Councilor McAuliffe out of chair, Councilor Walczak absent.

- 14 A favorable Ordinance Committee BE IT ORDAINED that the City of Chicopee hereby deletes Chapter 230 from the City of Chicopee Code in its entirety and insert in place thereof

Chapter 230 – Water & Sewer Commission Sewer Ordinance

See Exhibit A attached hereto and incorporated herein for a full description.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated went through each item in format to be adopted. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 15 A favorable Ordinance Committee report, BE IT ORDAINED that the City of Chicopee hereby deletes Chapter 231 from the City of Chicopee Code in its entirety and insert in place thereof

Chapter 231 – Water & Sewer Commission Storm Water Management Ordinance

See Exhibit A attached hereto and incorporated herein for a full description.

--Motion made by Councilor Tilotson to receive, 2nd and final reading, enrolled and ordained as amended. Councilor Tillotson stated minor changes good meeting with everyone on the committee. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 16 A favorable Ordinance Committee report, BE IT ORDAINED that the City of Chicopee hereby deletes Chapter 269 from the City of Chicopee Code in its entirety and insert in place thereof

Chapter 269 Water & Sewer Commission Drinking Water Ordinances

See Exhibit A attached hereto and incorporated herein for a full description.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained as amended with the new table of contents. Motion made by Councilor Tillotson to change the table of contents. Motion passed through all stages by a unanimous roll call vote. Councilor Tillotson stated change the table of contents. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 17 A favorable Ordinance Committee report, BE IT ORDAINED by the City Council that the Code of the City of Chicopee of the Year 1991, as amended, be and is hereby further amended as follows:

Chapter 77

Delete 77-1 B

And insert in place thereof

There shall be no more than seven (7) canine units within the Police Department.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Motion made by Councilor Tillotson to delete as amended on the committee report. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent. Councilor Tillotson stated seven was a good number, but if we want more dogs, there is flexibility. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 18 A favorable Ordinance Committee report, BE IT ORDERED THAT the PVTA come in before the Ordinance Committee to discuss bus stop locations.

--Motion made by Councilor Tillotson to receive and placed on file. Councilor Tillotson stated some locations they know we aren't happy with. Talked about other changes. Keep lists up to date so we are on the same page. Councilor Laflamme stated thank Liz for getting PVTA to meet. Station 5-no parking signs but stop put a sign where there was no parking signs. Reviewed other areas at the same time. People are moving signs themselves. Some are at the corner of streets. Motion passed. Councilor Walczak absent.

- 19 A favorable Ordinance Committee report, BE IT ORDERED THAT business sized dumpsters cannot be emptied or placed on Residential property more than four times per year.

--Motion made by Councilor Tillotson to receive and discussed. Councilor Tillotson stated it was a good meeting, the building inspector was there. Do we need a new ordinance? Was going to be discussed between Law Department and Building. Law is working on a new ordinance. Councilor Dobosz stated thank the board for working on this. Gentleman has a business sized dumpster on his property. Appreciate support, thank Law and Building. Building Inspector is removing dumpster. Motion passed. Councilor Walczak absent.

- 20 A favorable Ordinance Committee report, adding to Chapter 260, Parking Regulations, Cabot Street - In front of 63 Cabot Street, 30 Minute Parking – Time Limit Parking.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Brooks stated it is a constituent request. Help attract customers. Worked in other places. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 21 A favorable Ordinance Committee report, adding to Chapter 260, Parking Regulations, Sergeant Avenue – Entire length on the odd side, Parking Prohibited.

--Motion made by Councilor Tillotson to receive and the ordinance be postponed to the call of the chair. Councilor Tillotson stated it moved from one side of the street to the other. Councilor Dobosz stated interesting, even side would allow for the most parking. People are parking on the sidewalk. Motion passed. Councilor Walczak absent.

- 22 A Community Development Committee report, BE IT ORDERED THAT the Chicopee Cultural Council come before the City Council to provide a briefing on their efforts.

--Motion made by Councilor Tillotson to receive and place on file. Councilor Labrie stated really good meeting, 10 councilors were present. Susan Knightly made a presentation. Many ideas to draw people downtown. Looking to add to the budget. Want to start downtown/west end. Councilor

Tillotson stated he was impressed with Susan Knightly. Looking for \$10,000 but was told the Mayor does the funding. Need seed money to go after more money. Councilor Balakier was also at the meeting, extremely well prepared. Looks like a homerun. Councilor Courchesne stated he is impressed at what they are doing, \$10,000 in the eyes of the state would bump them up. Working on a 3 million dollar grant. Councilor Brooks stated the 3 million dollar grant is a gateway grant. MassDevelopment saw this, grants from planning/Lee are amazing. Chicopee is creating a roadmap. Councilor Dobosz stated the Cultural Council is an asset to the city. Trying to get more traffic to the city. Councilor McAuliffe stated regrettably he wasn't able to attend. What a wonderful group of people they are. At his day job, they often figure out where to spend money. Excited to see this group of active people. Councilor Tillotson stated she will call the Mayor. Council goes on record as supporting this. Councilor Labrie stated she has a meeting scheduled with the Mayor already. Motion passed. Councilor Walczak absent.

- 23 BE IT ORDERED THAT the following Mayor's Order referred to the Finance Committee on February 19, 2019 be removed from committee and acted upon:

Ordered that the sum of Thirty eight thousand eight hundred sixty and 90/100 dollars (\$38,860.90) to the following named account: Police Expense Account for K-9 Expenses from available funds in the Police Salary Account for Witness Fees.

--Motion made by Councilor Brooks to remove from the committee and placed on the floor for a vote. Motion passed. Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated the ordinance had to be changed first. Councilor Tillotson stated there was a glitch. Councilor Laflamme stated the ordinance said we could only have 2 dogs, needed to change the ordinance first. Motion passed through all stages by a unanimous roll call vote. Councilor Walczak absent.

- 24 BE IT ORDERED THAT nominations for City of Chicopee Library Board of Trustees be opened for nomination.

BE IT FURTHER ORDERED THAT Carolyn Fitzgerald be considered for said position and final appointment be voted upon.

Motion made by Councilor Tillotson to open nominations for trustee of the Chicopee Public Library. Motion passed. Motion made by Councilor Tillotson to nominate Carolyn Fitzgerald for another term. Councilor Tillotson stated usually have more notice, been there for a long time, agree with another term. Councilor Krampits stated very dedicated & passionate. Councilor Balakier stated long term high school teacher, passionate, excellent choice. Councilor McAuliffe echoed the sentiments. Motion made by Councilor McAuliffe to close nominations. Motion to nominate Carolyn Fitzgerald for another term passed. Councilor Walczak absent.

- 25 ORDERED THAT Murray Automotive, LLC, 102 Old Fuller Road, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Murray Automotive, LLC including compliance with restrictions imposed upon any licenses held by Murray Automotive, LLC. The Council may modify, suspend, fine, or revoke any license held by Murray Automotive, LLC.

--Motion made by Councilor Krampits to receive and refer to the License Committee. Motion amended by Councilor Dobosz to postpone to the next City Council meeting. Councilor Krampits stated will discuss in committee. Councilor Dobosz stated allowed 13 cars outside, had 30, giving time to comply with the rules. One more meeting. Councilor Roy stated thank you Derek, young man trying to make his business work. Motion passed, postponed. Councilor Walczak absent.

- 26 A NEW application for a Special Permit under Section 275-58(E) (1) of the Municipal Zoning Ordinance for the purpose of reduction of the required setback for a ground sign from 25' to 3'. Located at: 1633 Memorial Drive. Applicant: Jeffrey R. Duga, 101 Cottage Road, Enfield, CT 06082.

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

- 27 A NEW application for a Special Permit under Section 50C (1) (2) of the Municipal Zoning Ordinance for the purpose of installation of a digital sign and setback relief from 25' to 10' for sign location. Located at: 460 Granby Road. Applicant: Sign Techniques Inc. (Tracy Janik), 361 Chicopee Street, Chicopee MA 01013.

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

- 28 A NEW application for a Special Permit under Section 275-30 of the Municipal Zoning Ordinance for the purpose of adding an outdoor storage container supporting the growth of the business 40' X 8". Located at: 47 Veterans Drive. Applicant: Mark Wysk, 47 Veterans Drive, Chicopee, MA.

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

- 29 A NEW application for a Special Permit under Section 275-72 of the Municipal Zoning Ordinance for the purpose of Apical Inc., is requesting a Special permit for a Marijuana Establishment categorized under License Group A and located at 77 Champion Drive, Chicopee, MA and used for Marijuana Cultivation and Marijuana Product Manufacturing. Furthermore, Apical is seeking the following waivers:

1. A partial waiver of the requirement for a 100 ft. vegetative screen along the Southern Parcel boundary.
2. A partial waiver of the requirement for a 100 ft. vegetative screen along the Western Parcel boundary.

Located at: 77 Champion Drive, Chicopee, MA. Applicant: Apical, Inc., 19 Wemelco Way, Southampton, MA 01073.

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

- 30 A petition from Columbia Gas of Massachusetts, hereby requests that it be granted a location and permission to replace and maintain 1,515' of 2" MP plastic gas main on Acrebrook Drive, with such laterals and service connections as it may now or subsequently find necessary. Said installation will be installed in accordance with the plans enclosed.

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

- 31 A petition from Columbia Gas of Massachusetts, hereby requests that it be granted a location and permission to replace and maintain 4,105' of 2" and 4" MP plastic gas main on Blecher Street, Maple Street, Linden Street, East Street, Fuller Street, East Street Avenue, Page Court, and Regency Court with such laterals and service connections as it may now or subsequently find necessary. Said installation will be installed in accordance with the plans enclosed.

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

- 32 A RENEWAL for a Poppies Drive held by: Post 625, VFW Home Assoc., Inc. at various locations in Chicopee for the dates of May 22 to May 28, 2019. Applied for by: Leroy Williams, 47 Labelle Drive, Chicopee, MA 01020.
- Motion made by Councilor Krampits to receive and granted. Councilor Krampits stated every year. Police Dept. is sent a copy. Motion passed. Councilor Walczak absent.
- 33 A RENEWAL for a Hawkers and Peddlers License to sell flowers at 168 Chicopee Street for April 19, 20 and 21 and May 11 and 12. Applied for by: Elaine Dowd, 18 Surrey Lane, Chicopee, MA.
- Motion made by Councilor Krampits to receive and granted. Councilor Krampits stated done for several years. Motion passed. Councilor Walczak absent.
- 34 A RENEWAL for a Hawkers and Peddlers License to sell ice cream at various locations. Applied for by: Jeffrey Kline, 330 West Avenue, Ludlow, MA.
- Motion made by Councilor Krampits to receive and granted. Councilor Krampits stated sent to Health. Past few years he's had this permit. Motion passed. Councilor Walczak absent.
- 35 A RENEWAL for a Hawkers and Peddlers License to sell ice cream at various locations. Applied for by: Mehmet H. Sarikciogly, 761 Matianuck Avenue, Windsor, CT.
- Motion made by Councilor Krampits to receive and granted. Councilor Krampits stated has done in the past, ice cream truck. Motion passed. Councilor Walczak absent.
- 36 A NEW application for a Service Station License located at 1057 Montgomery Street. Applied for by: Nazim Fizan.
- Motion made by Councilor Krampits to receive and refer to the License Committee. Councilor Krampits stated will take up in committee. Motion passed, referred. Councilor Walczak absent.

ATTEST:



KEITH W RATTELL
CITY CLERK