

13

RECEIVED

2018 APR 11 PM 3:41

Minutes from the City Council Meeting on Tuesday April 3, 2018 at 7:15 pm in the City Council Chambers are as follows:

Vieau, John L.	Ward 3 Councilor	Present
Laflamme, Frank N.	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	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	Present

CITY COUNCIL
CHICOPEE MA

Public Input—Dean Ethier, UFCW 1459-represents admin, laborers, school cafeteria, custodial, firefighters and teachers are all here tonight. Unions are here tonight because they are going on a year with no contract. Why won't they Mayor give a fair contract? How can he not come up with a fair contract? What is so offensive about these people? These people put you in office. Use your collective voice to influence the Mayor. Chuck Clark, lives in Wilbraham, is the president of the CEA. Thank you, last two seasons you have seen fit to allocate funds to school. Hope you endorse funds to school. Kelli Malke, 59 College Street, paraprofessional in Chicopee. Teachers have been there for her son. They need the respect to continue working with the children who need them. Come to the schools for one day and see how teachers work. Step into a classroom for just one period of one day. Laura Damakis, read a communication from Stanley Adamczyk of Sonny's Auto repair. The CTE program is beneficial to students. His son Nick is a student at CCHS. Rick Pikul, 30 Center Street, here on behalf of the children in the city, they are our future. No character assassination. Don't sleep well when he hears things like this. Here to support all sides, let the young be heard. Kween Fernando, 621 Grattan Street, all 13 want kids in school to be taught. All 13 want streets to be taken care of. All 13 would hate to lose valuable teachers. Only one Councilor has supported the UFCW. Asking Councilors to support the union. Make a statement to support CEA and UFCW, it is not your problem, but you can do something about it, for the sake of the future make a pledge to support Chicopee's future. Shane Brooks-make a pledge to his 16 year old daughter that they will get the best education. Make a pledge to his father who is a union steward. Let's not turn this into a three ring circus, hit pause and let cooler heads prevail. Matt Jaworski, represents the school cafeteria/custodians and nurses. This is not a three ring circus, over 250 people stood in the rain to make their voices heard. Nothing gets done without the union here, that's why all of the unions are here. The crowds will get bigger and louder the longer it is without a contract.

MO-1 Mayors appropriation of One million twelve thousand two hundred and 00/100 dollars (\$1,012,200.00) to the following named account: D.P.W. Highway Special Account for 2018 Road Resurfacing Project from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated this is for the resurfacing project, the 2018 resurfacing project. DPW, Engineering and the Mayor proposed a major amount of area to move forward. Lot of patchwork done. Councilor Tilloston stated good point to know, the money will be reimbursed from Chapter 90 money.

Most roads on here need to get done. Councilor Krampits stated sections of East Main Street will get done. Motion passed through all stages by a unanimous roll call vote.

MO-2 Mayors appropriation of Nine thousand four hundred sixty seven and 34/100 dollars (\$9,467.34) to the following named account: City Clerk Special Account for Election Expenses from available funds in the City Clerk Special Account for Election Salaries.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated the software and hardware maintenance for machines needed to be done. Councilor Tillotson stated it's time to be replacing these machines. The beauty is it makes it hard to cheat. The system has paper ballots. Hope to keep the same checks and balances. Councilor McAuliffe commend the clerk and his staff who have done a fantastic job with elections. Motion passed through all stages by a unanimous roll call vote.

MO-3 Ordered that the City Council accept the donation in the amount of Thirty five thousand eight hundred twenty five and 00/100 dollars (\$35,825.00) from the Friends of the Chicopee Senior Citizens, Inc. to the Chicopee Council on Aging. Said donation is to be used for new construction of the patio at Rivermills Center and 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 this is from the friends of the senior citizens, a thank you letter should be sent. Motion passed through all stages by a unanimous roll call vote.

MO-4 Ordered that the City Council accept the donation of patio furniture with a value of Three thousand and 00/100 dollars (\$3,000.00) from the Friends of the Chicopee Senior Citizens, Inc. to the Chicopee Council on Aging. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A ½.

--Motion made by Councilor Zygarowski to receive, pass and the donation accepted. Councilor Zygarowski stated this is a donation for patio furniture, a thank you letter should be sent. Motion passed through all stages by a unanimous roll call vote.

MO-5 Ordered that the City Council accept the donation in the amount of Two hundred fifty and 00/100 dollars (\$250.00) to the Chicopee Parks Department from the Chicopee Firefighters IAFF Local 1710. Said donation is to be used for the purchase of uniforms for the Chicopee Girls Suburban Basketball Program and is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Balakier to receive, pass and the donation accepted. Councilor Balakier stated this is to the Parks Department from the Firefighters for uniforms, a thank you letter should be sent. Councilor Walczak stated the Fire Department has always been generous at various times. Motion passed through all stages by a unanimous roll call vote.

6 A favorable Utilities Committee report for a petition from Columbia Gas to be granted a location and permission to replace and maintain 2,603' of 4" MP plastic gas main and 3,705' of 2" MP plastic gas main on Fairview Avenue, Gaylord Court, Grant Street, Dresser Avenue, Bell Street, Orchard Street, Saratoga Avenue, Louise Avenue, Sitnik Avenue, Van Horn Street, and Moore Street, together with such laterals and service connections as it may now or subsequently find necessary. This project will also include the retest of the existing plastic

gas mains and service work on Bell Street, Orchard Street, Ellen Avenue, Ruth Avenue, Luther Street, and White Street.

--Motion made by Councilor Labrie to receive, accept and the permission granted. Councilor Labrie stated Jeff Neece and the gas company worked out details, everything went smoothly. Councilor Balakier stated the gas company has already laid the plastic on tree belts. Hope it is finished in a timely manner. Motion passed through all stages by a unanimous roll call vote.

- 7 A favorable License Committee report ORDERED THAT Honeyland Farms, 206 Newbury Street, be called before the City of Chicopee License Committee and City Council to discuss the status of the requested site plan for the business.

--Motion made by Councilor Krampits to receive and placed on the floor for discussion. Referred back to the License Committee. Councilor Krampits stated the applicant did not attend the meeting, sent back to the call of the Chair. Councilor Walczak stated they have been rescheduled to the April 30th License Committee meeting. Motion passed, referred.

- 8 A Human Resources Committee report Mayoral appointment of Matthew Bieda, as an associate member of the Zoning Board of Appeals to serve in such office for the term expiring on the 1st of April, 2019.

--Motion made by Councilor Tillotson to receive and the appointment confirmed. Councilor Tillotson stated he will be a welcome addition. Motion passed.

- 9 A favorable Human Resources Committee report Mayoral appointment of Brittany Antuna, as an associate member of the Commission on Disability to serve in such office for the term expiring on the 1st of February, 2021.

--Motion made by Councilor Tillotson to receive and the appointment confirmed. Councilor Krampits stated she is a nurse and the mother of a disabled child. Motion passed.

- 10 An unfavorable 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 256 Tobacco Vending Machines in its entirety

And insert in place thereof

Chapter 256 Tobacco Products

--Motion made by Councilor Tillotson to receive and the ordinance be rejected. Councilor Tillotson stated the full health commission was at the meeting. They are the age enforcement on tobacco sales. Health Dept. regulates this issue. Leave Health Dept. to take care of the issue. Councilor Zygarowski stated on April 22, 2018 the age increase will become effective. Only a matter of time before it is done state wide. Twenty one is not a bad age, has been an advocate for this for many years. Councilor McAuliffe stated he would like to extend appreciation to the Health Board for getting this done. Obligation to do what we can to move this forward. Councilor Tillotson stated we are in the middle of two cities that

have already moved the age to 21. Holyoke and Springfield already passed this. Motion passed through all stages by a unanimous roll call vote.

- 11 A favorable Ordinance Committee report striking from Chapter 260, Parking Regulations – Artisan Street – North side from the corner of Chicopee Street for a distance of 40 feet, Parking Prohibited.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Courchesne explained this is to address an issue of a sidewalk removal. It goes with the next ordinance. Motion passed through all stages by a unanimous roll call vote.

- 12 A favorable Ordinance Committee report adding to Chapter 260, Parking Regulations – Artisan Street – North side from the corner of Chicopee Street for a distance of 50 feet or a point immediately following walkway to the street, Parking Prohibited Here to Corner.

-- Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Courchesne explained this was already discussed. It goes with the next ordinance. Motion passed through all stages by a unanimous roll call vote.

- 13 A favorable Ordinance Committee report adding to Chapter 260, Parking Regulations – Leslie Street – Both sides 25 feet from the intersection of Chicopee Street, Parking Prohibited Here to Corner.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Courchesne stated this is to address an issue where two vehicles can't enter and exit the street at the same time. Motion passed through all stages by a unanimous roll call vote.

- 14 A favorable Ordinance Committee report adding to Chapter 260, Parking Regulations – Whitman Street – Both sides 25 feet from the intersection of Chicopee Street, Parking Prohibited Here to Corner.

-- Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Courchesne stated same course, same reason. Motion passed through all stages by a unanimous roll call vote.

- 15 A favorable Ordinance Committee report adding to Chapter 260, Parking Regulations – Abbey Street – South side in front of house #33 for a distance of 52 feet, Parking Prohibited Between Signs.

-- Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Brooks said it is a challenge, hopefully will alleviate congestion. Motion passed through all stages by a unanimous roll call vote, Councilor Zygarowski out of chair.

- 16 A favorable Ordinance Committee report adding to Chapter 260, Parking Regulations – Abbey Street – North side within 20 feet of the driveway to 27 Tremont Street east and west side, Parking Prohibited.

-- Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Laflamme stated it helps the water department get trucks out in emergency situations. Motion passed through all stages by a unanimous roll call vote.

- 17 A favorable Ordinance Committee report adding to Chapter 260, Parking Regulations – Clarendon Avenue – Both sides – 25 feet from the intersection of Meadow Street, Parking Prohibited.

-- Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Vieau stated it is a narrow street and people are parking too close to the intersection. Motion passed through all stages by a unanimous roll call vote.

- 18 A favorable Ordinance Committee report adding to Chapter 260, Isolated Stop Signs and Signal Lights – Hampshire Street – Hampshire Street going east at the intersection of Hartford Street, Isolated Stop Sign.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Walczak stated this is a busy tight street, busses from many schools. Motion passed through all stages by a unanimous roll call vote.

- 19 A favorable Ordinance Committee report striking from Chapter 260, Handicap Parking – 11 Charbonneau Terrace, Handicap Parking.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, and the ordinance stricken. Councilor Courchesne stated it is taking away a sign that is no longer needed. Motion passed through all stages by a unanimous roll call vote.

- 20 A favorable Zoning Committee report for a Special Permit application under 275-51.1 for the purpose of membrane structure located at 67 Hudson Avenue. Applicant: Jesus Gonzalez, Jr., 67 Hudson Avenue, Chicopee, MA 01013.

--Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks explained the city is being more proactive locating the structures. Councilor Tillotson stated they make sure they meet the building code standard. They are anchored and constructed properly. Motion passed through all stages by a unanimous roll call vote.

- 21 A favorable Zoning Committee report for a Special Permit application under 275-51.1 for the purpose of membrane structure located at 25 Woodcrest Circle. Applicant: Richard D. Dupuis, 25 Woodcrest Circle, Chicopee, MA 01020.

-- Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks explained it meets all requirements. Motion passed through all stages by a unanimous roll call vote.

- 22 A favorable Zoning Committee report for an application for a Zone Change from Residential A to Business A for 44, 690 square feet of property located at (4) – vacant parcels on Route 33: ID No. 0231-0047A, 0231-00051, 0231-00053, and 0231-00052 for the purpose of creating a consistent zone across the subject land parcel which will aid in the development

of the land parcel for a use allowed in a Business A zone. Applied for by: Desai & Sons, Inc., 1533 Elm Street, West Springfield, MA 01089.

-- Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks explained this is up Memorial Drive with Bob Pion just after it, the property abuts. Clean up the area, hotel will go in there, will be a nice addition. Councilor Dobosz stated the residents are happy, this will help them clean up the vacant property. Motion passed through all stages by a unanimous roll call vote.

- 23 An unfavorable Zoning Committee report for a Special Permit application under 275-59 C 1.1 for the purpose of obtaining permission for the construction and operation of a self-storage facility located at 878 Memorial Drive. Applied for by: AMERCO Real Estate Company, Levi Parmerter, 2727 North Central Avenue, Phoenix, AZ 85004.

--Motion made by Councilor Brooks to receive and the special permit denied, including the planning recommendations. Councilor Brooks stated they used several factors. Property formerly the Bridge Café, input from the neighbors and Chapter 275-9, denial. There is heavy traffic already, potential for illicit use. Potential for loud noise and trash. Residents were opposed. Councilor Tillotson asked if the Planning Board recommendations were included. He was disappointed no report anymore. Other members get a blank sheet. Planning board was opposed, many reasons to vote against. No neighbors were in favor of it. Councilor Courchesne commend the zoning committee for doing the right thing. Hard decision but right decision. Councilor Laflamme said let the residents know how tall the building would be. The Planning director is looking at a tool to show how it would affect sun. Long building, Councilor McAuliffe visited the homes of abutters. Whatever ends up there will keep neighborhood quality of life. Pro-business but not if they are not respectful of quality of life. Councilor Zygarowski stated after having the Bridge Café there for so many years hard to picture a 35' tall building. Councilor Walczak stated a couple of objections. No answer to snow removal, when you come down Memorial Drive and come around that corner, there would be more fatalities/traffic issues. Motion passed through all stages by a unanimous roll call vote.

- 24 A favorable Zoning Committee report for a Special Permit application under 275-58 E 1 for the purpose of relief from setback requirements 25' to 1' for front setback; 10' to 2.3' for side yard setback for proposed sign locations at 873 Grattan Street. Applied for by: Sign Techniques, Inc., Tracy Janik, 361 Chicopee Street, Chicopee, MA 01013.

--Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks stated this was applied for by Sign Techniques in ward 8 on Grattan Street. Allow for signage that won't impede traffic, there were no public safety problems. Motion passed through all stages by a unanimous roll call vote.

- 25 A favorable Zoning Committee report for a Special Permit application under 275-58 C (4) for the purpose of 12,000 square foot two-floor restaurant and bar facility located at 116 School Street. Applied for by: Richard S. Harty, 387 Riverdale Street, West Springfield, MA 01089.

-- Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks stated this was the former Max Cap, needs to maintain the special permit to allow the business to operate. No longer operating, getting all the

documents in order. Councilor Tillotson stated anyone that lives near there they have a right to attend License Commission meetings. The only purpose the council has is to grant the special permit. Motion passed through all stages by a unanimous roll call vote.

26 BE IT ORDERED THAT the DPW install a "SLOW CHILDREN AT PLAY" sign at the beginning of Freedom Street.

--Motion made by Councilor Brooks to receive and sent to DPW for implementation. Councilor Brooks stated it is highly sprinkled with children, it was a constituent request. Motion passed.

27 BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Chapter 275-51.1 Membrane-covered structures

Add to Chapter 275-51.1 B (3)

Notwithstanding anything to the contrary, the City Council may waive the dimensional requirements for good cause shown.

To read: The structure complies with the dimensional requirements of the zoning district in which it is located and the requirements of the Massachusetts Building Code.

Notwithstanding anything to the contrary, the City Council may waive the dimensional requirements for good cause shown.

--Motion made by Councilor Laflamme to receive, 1st reading and refer to the Planning, Zoning, and Ordinance Committees. Councilor Laflamme stated will be getting a lot of these coming in. Talked to the building department if it is too close, it needs to go to the board of appeals. Will help people streamline the process. Motion passed, referred.

28 A NEW Special Permit application under Section 275-51.1 of the Municipal Zoning Ordinance for the purpose of membrane covered structure. Located at: 248 Fletcher Circle. Applied for by: Emerson Grant, 248 Fletcher Circle.

--Motion made by Councilor Brooks to receive and refer to the Zoning Committee. Councilor Brooks stated it is much talked about, will take up in committee. Motion passed, referred.

29 A NEW Hawkers and Peddlers License application to sell ice cream at various locations around the city. Applied for by: Nurten Tetik, 51 Van Deene Ave., West Springfield, MA, 01089.

--Motion made by Councilor Walczak to receive and refer to the License Committee. Motion passed, referred.

30 Home Occupation License Renewals

Ricky's Gun Room, Inc.

Richard M. Kumor, Sr.

45 Deroy Drive

--Motion made by Councilor Brooks to receive and renewed this evening with existing restrictions. Councilor Brooks stated he has personally seen this many times. Councilor Dobosz stated he is a very respectable gentleman, no neighbor complaints. Motion passed.

31-33 Junk Dealer License Renewals

ECOATM, LLC	EcoATM, LLC	591 Memorial Drive
Krunali, Inc	H. Kumar Patel	2 Mill Street
Daniel J. Cloutier	Daniel J. Cloutier	207-209 Meadow St.

--Motion made by Councilor Walczak to receive and approved with existing restrictions. Motion passed.

ATTEST:



KEITH W RATTELL