



**CHICOPEE CITY COUNCIL**  
**RULES COMMITTEE**

**MEMBERS**

Frank Laflamme  
Robert J. Zygarowski  
Shane Brooks  
Gary Labrie  
James Tillotson

APPROVED 7-12-2023

**MINUTES**  
**June 12, 2023**

The following are the minutes of a public hearing held Monday, June 12, 2023 at 6:15 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

**Members Present** Laflamme, Zygarowski, Labrie, Tillotson (zoom)

**Members Absent** Brooks

**Also Present** Dan Garvey (Associate City Solicitor), Timothy Reilly (Associate City Solicitor), Councilor Pniak-Costello, Jerry Rivera (IT), Councilor Krampits (arrived on zoom at 6:20 pm)

The meeting was called to order at 6:15 PM

In compliance with the Open Meeting Law the Chairman asked if anyone in the audience was recording the meeting. Hearing none, the meeting continued.

**Item #1**

BE IT ORDERED THAT THE RULES AND ORDERS OF THE CITY COUNCIL MEETINGS SHALL BE AMENDED AS FOLLOWS:

**DELETE**

Regular meetings of the City Council shall be held on the first and third Tuesday evening of each month, except for the months of July and August, when a single regular meeting shall be held on the first Tuesday of such months. All meetings shall convene at 7:15 P.M., followed by the Pledge of Allegiance. If any such regular meeting shall fall on a legal holiday, or elections such meeting shall be held on the succeeding Thursday evening.

AND INSERT IN PLACE THEREOF

Regular meetings of the City Council shall be held on the first and third Tuesday evening of each month, except for the months of July and August, when a single regular meeting shall be held on the first Tuesday of such months. All meetings shall convene at 6:30 P.M., followed by the Pledge of Allegiance. If any such regular meeting shall fall on a legal holiday, or elections such meeting shall be held on the succeeding Thursday evening.

Attorney Garvey stated that the only change that is being made is that the regularly scheduled meetings will now take place, if approved this evening, at 6:30 PM as opposed to 7:15 PM. The purpose of this is because as it currently stands, since the requirement of posting the Mayor’s Briefing, we must have two separate agendas and two separate postings. This proposal would be one meeting commencing at 6:30 PM.

The process will be that the meeting will be called to order at 6:30 PM followed by the Pledge of Allegiance, then public input and then into the Mayor’s Orders.

**Public Input**

Gerry Roy, 31 Devlin Drive, stated that it may be a good idea to have public input while the Mayor is present.

Motion made by Councilor Labrie and seconded by Councilor Laflamme to approve.

**Roll call**

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)	x				

Motion passed.

**Item #2**

BE IT ORDERED THAT the Rules Committee meet to discuss training for new and current Councilors every two years.

Councilor Pniak-Costello stated that she feels it would be beneficial for new Councilors. Perhaps the President could hold an hour session with new Councilors to briefly provide an overview of how the Council works.

Councilor Labrie made a motion to amend the order to read: BE IT ORDERED THAT the Rules Committee meet to discuss training for new Councilors.

Attorney Garvey stated that a new Rule #43 will need to be added to include this training.

Motion made by Councilor Labrie and seconded by Councilor Laflamme to approve.

**Roll call**

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)	x				

Motion passed.

### Item #3

BE IT ORDERED THAT the Chicopee City council accept the final report completed by the Charter Review Committee and forward the same to the Rules Committee for review and formulation of recommendations to the full City Council for discussion and formal adoption.

Attorney Garvey stated that a couple of years ago the City Council appointed a Charter Review Commission. The commission has now completed the review and has provided a written report on proposed changes to the charter. So, what is needed is groundwork as to how to review these changes. He suggested that the Charter Review Commission be invited to a Rules Committee meeting in the future to provide a brief overview of what they did.

Councilor Zygarowski stated that he would like the Charter Review Commission and the Law Department to come in and discuss the changes they are proposing.

Motion made by Councilor Zygarowski and seconded by Councilor Laflamme to close public input.

Roll call

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)	x				

Motion passed.

Motion made by Councilor Zygarowski and seconded by Councilor Laflamme for the Rules Committee to meet with the Charter Review Commission and Law Department to discuss the Charter review to the call of the chair.

Roll call

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)					

Motion passed.

**Item #4**

BE IT ORDERED THAT Jean Fitzgerald be recognized and given an official citation from the City Council for her work regarding the National Night Out and other community work she has been involved in.

Councilor Pniak-Costello stated that over the years Jean Fitzgerald has worked tirelessly for the city and they felt that it would be nice for the City Council to publicly recognize her with an official citation.

Councilor Laflamme stated that in the past Jean Fitzgerald has been recognized by the City for her service to the community. He is in favor of some sort of recognition for folks who volunteer in the City.

Councilor Zygarowski stated that he remembers attending an event at the Munich Haus Restaurant where Jean Fitzgerald received a plaque for her service to the community. It was well attended.

**Public Input**

Gerry Roy, 31 Devlin Street, stated that it's a good idea to recognize people for their service to the City. It may generate others coming forward to volunteer their service.

Motion made by Councilor Zygarowski and seconded by Councilor Laflamme to postpone to the call of the chair for future discussion.

**Roll call**

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)	x				

Motion passed.

**Item #5**

BE IT ORDERED THAT the Rules Committee meet to discuss adding a rule to the Rules and Orders of the City Council Meetings regarding appointments to Boards and Commissions. For new appointments the candidate will be referred to the Human Resources Committee and reappointments will be voted upon by the Council without having to appear before the Human Resources Committee.

Attorney Garvey stated that as the rule reads now, it's within the discretion of the City Council whether it's a new appointment or a reappointment. The Council on the floor of the City Council meeting has the option to either approve the appointment or send it to the Human Resources Committee. If the words "if necessary" are stricken that takes away the Council ability to appoint someone on the floor without going to Human Resources.

Councilor Labrie stated that from experience on the Human Resources Committee some existing commissioners don't understand why they have to come before the committee when they have already served for several years. He stated that he understands some of the new Councilors may not know the person but many times the new Councilors aren't at the meeting.

Councilor Laflamme stated that he was not in favor of sending to committee, but he sees the benefit now. He believes for transparency it's a good idea; even if all that happens in committee is that we thank the individual for his/her service.

Motion made by Councilor Tillotson and seconded by Councilor Laflamme to retain the rule as it is.

Roll call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Laflamme		X			
Zygarowski		X			
Brooks			X		
Labrie	X				
Tillotson (zoom)	X				

Motion defeated.

Motion made by Councilor Labrie and seconded by Councilor Laflamme to reconsider the vote on Item #5.

Roll call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Laflamme	X				
Zygarowski	X				
Brooks			X		
Labrie	X				
Tillotson (zoom)	X				

Motion passed.

Motion made by Councilor Labrie and seconded by Councilor Laflamme to strike the words "if necessary" from City Council Rule #38.

Roll call

Councilor	Yes	No	Absent	Abstained	Out of Chair
Laflamme		X			
Zygarowski		X			
Brooks			X		
Labrie	X				
Tillotson	X				

(zoom)					
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Motion defeated.

**Item #6**

BE IT ORDERED THAT the Rules and Orders of the City Council Meetings be amended as follows:

Delete Rule 12 D

D The President shall open the meeting to public input. Public input shall be limited to three (3) minutes and shall not include collective bargaining issues, personalities, or any personal attacks. The individual shall give their name and address prior to speaking. At any time a person not present at the close of public input makes a request to address the City Council, he or she will require a two-thirds majority roll call vote of the Council before being allowed to proceed.

And insert in place there of

D The President shall open the meeting to public input. Public input shall be limited to three (3) minutes. No person(s) shall be allowed to yield time to another during public input. The individual shall give their name and address prior to speaking. At any time a person not present at the close of public input makes a request to address the City Council, he or she will require a two-thirds majority roll call vote of the Council before being allowed to proceed.

Attorney Garvey stated according to a recent Mass Supreme Court decision the public does have a right to attack the Council personally. The only things that can be shut down during public input are fighting words. The other change in this rule is that time cannot be yielded to other individuals. Each person is allowed 3 minutes only.

Councilor Labrie asked if Councilors are able to defend themselves if someone attacks their personality. Attorney Garvey stated that Councilors are able to speak during public input. The Councilor will just have to approach the public input microphone. The other option is at the end of the meeting while addressing constituents Councilors can defend themselves.

Attorney Reilly stated that public input is not a debate. The public speaks and the Councilors do not interact with the person speaking.

Councilor Pniak-Costello stated that wouldn't it be better for Councilors who are attacked to address the matter at Public Input because it will be recorded in the minutes? At the end of the meeting the comments are not public record.

**Public Input**

Gerry Roy, 31 Devlin Drive, stated that people don't feel comfortable speaking in public and they may want someone to speak on their behalf. It wouldn't hurt the Council if the Council extended it to 4 or 5 minutes.

Motion made by Councilor Labrie and seconded by Councilor Laflamme to close public input.

Roll call

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)	x				

Motion passed.

Councilor Krampits asked in the case of someone using hate terms or derogatory terms is their public input able to be shut down. Attorney Garvey stated that he would consider those fighting words but it's up to the chairperson to determine if the speech will lead to violence.

Motion made by Councilor Labrie and seconded by Councilor Laflamme to approve.

Roll call

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)	x				

Motion passed.

### **Item #7**

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Motion made by Councilor Labrie and seconded by Councilor Laflamme to approve.

Roll call

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)	x				

Motion passed.

### **Item #8**

Adjournment

Motion made by Councilor Zygarowski and seconded by Councilor Laflamme to adjourn at 7:21 PM.

Roll call

<b>Councilor</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstained</b>	<b>Out of Chair</b>
Laflamme	x				
Zygarowski	x				
Brooks			x		
Labrie	x				
Tillotson (zoom)	x				

Motion passed.