



APPROVED 8-9-2023

MEMBERS

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

MINUTES
July 12, 2023

The following are the minutes of a public hearing held Wednesday, July 12, 2023 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present Laflamme, Zygarowski, Brooks (zoom), Labrie, Tillotson (zoom) , Andrew Vernon

Also Present Kevin Corridan (City Solicitor), Councilor Pniak-Costello, López (zoom), Councilor Krampits (zoom), Denise Noble (Principal Clerk), Andrew Vernon (Chief Information Officer)

The meeting was called to order at 6:30 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.

Public Input

Deborah Sutherland 129 Ludlow Road stated that I understand that it might be against the rules, and we're going to check that out. I really am thankful that you've respected our time and our thoughts. Thank you very, very much. We've returned to tonight's public input because we have something to say and something to save. I'm here tonight to invite these elected officials to be heroes. As you legislate this issue, please keep Chicopee's beauty, safety, environment and reputation front of mind. We require every member of every committee that finds themselves involved with the lead up to any special permit that might be granted to Marion excavating. We request you keep Chicopee morals and values with regards to our environment, your constituents, our future generations. Please hold them steadfast as top priorities. This is an opportunity to have a notably positive impact on local lands. Not all businesses are equal. One wonders what the business ethos is when you practice pushing and grinding and scraping and using heavy equipment to alter landscapes forever. I wonder if that would contribute to feelings of Invincible being invincible. I can't help but believe as a collective of Earth's inhabitants and stewards of the environment. We have seriously and defensively failed ourselves and our children all over the world in ways big and small. My personal intuition is to suggest that no more trees be cut down. No excavating of earth and no cut through on Ludlow Road. Leave us the limited precious buffer that now exists. Those few trees and small berm of land are all that

separate heaven from hell for our neighborhood. The trees and a little small on a little land buffer are all we have to keep some of the sand and the gravel and the concrete, diesel fuel exhaust and noise out of our homes and lungs. It would leave plenty of acreage to scrape and grind and cause forever lasting negative impact on the ecosystem. If you are duly elected, officials can understand that saving trees that filter our air and saving little bits of beauty all over Chicopee, well, that's a heroic accomplishment. Something Chicopee can be proud of. Environmental justice for all. And again, thank you very, very much for this time. I appreciate it.

Councilor Labrie motion to close public input – Councilor Laflamme 2nd the motion.

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

Motion passed.

ITEM #1

BE IT ORDERED THAT the City Council look into establishing a social media page for posting agendas and meetings.

Councilor Labrie motion to close public input – Councilor Laflamme 2nd the motion.

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

Motion passed.

Councilor Priak-Costello stated this is just a request to see if we can put our information as a social media page. The agenda, the minutes. Other departments have social media pages, and I'm just asking if we can look into that.

Andrew Vernon So the answer is yes. If the City Council would like to create their own social media account or accounts, they absolutely can. I would only say that the clerk's office does create a meeting, notifications and agendas and does post them publicly on chicopeema.gov under the meeting notifications section. In my opinion, it would likely be more productive to simply share those out through the future accounts that the city has, but that said, there's absolutely nothing that stops or prevents the City Council from having its own social media page or pages. Thank you.

Councilor Labrie stated who would actually be hosting and answering this page. Would it be something that can just be published. I don't think we have the manpower to do it, but I'd be willing to listen to suggestions. I think it might be labor intensive, and It might take up some valuable resources that we don't have in our department.

Andrew Vernon stated my personal suggestion would be that it's better to come from the Mayor's office page, which residents likely more often are familiar with across several social media platforms, possibly on some routine, perhaps once a week, sharing out the meeting notifications area, just to say this is where you can find the meeting notifications. Having more people and more staff share that out, I don't think is really productive of the obligation under the open meeting law is that it be posted on Chicopeema.gov, which it already is. He stated I think it would be most productive if it were shared from the Mayor's page or pages out to the public who has those accounts already.

Denise Noble stated that all of the beginning notices and agendas are posted on the city works page. There's a meeting calendar that anybody can access. Your staff also posts everything, so it's out on the website twice. It's on the calendar and then it's also on the council page. I would agree with Vern, if you're going to put it on social media, you should have somebody who's already on social media. Our staffing between your staff and our staff, we are overextended already. So to try to have them monitor a social media page, I think it's adding more work for what's already out there twice. So if the Mayor's office were able to just share what's already out there instead of creating more work amongst us.

Motion to send to Law Department & Mayors to review the establishing a social media.

Councilor Tillotson motion to approve – Councilor Laflamme 2nd the motion.

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

Motion passed.

ITEM #2

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.

Councilor Labrie motion to close public input – Councilor Laflamme 2nd the motion.

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

Motion passed.

Charter Commission was not present.

Councilor Pniak-Costello stated that each Charter Review Committee member should get a notice.

Send each Charter Commission member a notification.

Councilor Labrie motion to postpone to the call of the chair – Councilor Laflamme 2nd the motion.

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

Motion passed.

ITEM #3

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 Labrie motion to close public input – Councilor Laflamme 2nd the motion.

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

Motion passed.

Councilor Labrie stated he agrees we should recognize her, and I think we have had a couple of meetings and now here in the Rules Committee.

Councilor Laflamme stated that this is to give her a citation. The Mayor's office usually gives the citations. Mrs. Fitzgerald received one at the Munich house and they had a big ceremony for her. She received a plaque, and she was recognized. She did a great job. He stated that there are many people in the city that give their time. I think it's important that maybe when we have our City Council meeting, we all have an opportunity at the end of our meetings to recognize people, because there's a lot of people that deserve it just as much as her. I wouldn't want to leave someone out. He stated we could ask the Mayor to recognize her on behalf of the city for the whole city, not just from the City Council.

Councilor Brooks stated if we're going to create redundancies with respect to awards and recognition, I think it dilutes what we're trying to really accomplish. She's received significant accolades for her involvement, hadn't been involved in several years, and there are other members of that committee now who have stepped up. I think that if you do it once, but it dilutes it if you do the second and the third time.

Councilor Pniak-Costello stated that I think the platform would have been more involved with direct recognition, with a certificate of appreciation from the City Council. We do have a tremendous admiration for Jean Fitzgerald and the work that she did, especially in regard to National Night Out, because she put in time and started a tremendous event that each and every year the city honors. That's why we wanted to make sure that there was recognition. I'm going to thank Jean Fitzgerald for her dedication to the city.

Councilor Labrie stated that I think she has received a lot of recognition and I'm sure she did a great job.

Councilor Labrie motion to place on file – Councilor Laflamme 2nd the motion.

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

Motion passed.

ITEM #4

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.

Councilor Costello stated that there's been discussion in regard to this, whether or not the new people that are on the City Council can be introduced to even seasoned commissioners, because they don't know them. It's something I think that we have to continue.

Councilor Tillotson stated that he thinks if they've served before and there's no opposition to them, then I think we should reappoint them on the same night rather than force them to have to go into the Human Resources Committee. I don't think that's necessary. Unless someone has issues and would like it to go to the committee. I haven't run across that at all. He stated all the people that we have sent to that committee were all fine people.

Councilor Brooks stated that I think if the suitability of the candidate has already been established with respect to their ability to serve on their respective committees, I think again, we're creating a redundancy. So please come back and see us. Tell us all about yourselves again. They're probably doing an outstanding job. I 100% agree with the idea of referring somebody who has never served in any capacity for the city, to the Human Resources Committee so we can pose questions and find out a little bit about their background, more so than just like a resume in our packet. So I don't necessarily want to subject people to have to go to another meeting, that's been our practice. Our traditional practice has been to reappoint without subjecting them to have to go back to a committee meeting.

Councilor Labrie stated that when the Human Resource Committee meets, we have five and sometimes we only have three members. We've asked the people that have already been reappointed to come in so they can meet the new councilors. It is a little awkward, to have them come in after they have served for many years. I think just out of respect, you should be reappointed that evening and anybody new should be coming to the Human Resource Committee.

Councilor Laflamme stated he is in favor of this. It's important to not only thank them but to get their ideas.

Councilor Labrie motion to close public input – Councilor Laflamme 2nd the motion.

Councilor	Yes	No	Absent	Abstained	Out of Chair
Laflamme	X				
Zygarowski	X				

Brooks	X				
Labrie	X				
Tillotson	X				

Motion passed.

Councilor Labrie to approve – Councilor Laflamme 2nd the motion.

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

Motion passed.

ITEM #5

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.

Lisa Bienvenue 34 Everett Street stated that I know this moving in the meetings also is tied to the Mayor's order, which it doesn't say in that order. I know there's so many things with this A, the Mayor's order, which I realize is the Mayor's briefing, which is currently done at 630 PM. People have the right to go and listen to the Mayor or not listen to the Mayor, that's a whole different subject. Why he has to go through every order, line by line when some of them are self-explanatory, I don't understand why the discussion is happening during the Mayor's order and not during the meeting with the department heads, not with the Mayor, but with the department heads by the City Council. I don't understand. So I realize that there's the idea of pushing the Mayor up into the City Council meeting will make it better. That doesn't make it better. That makes the City Council meeting, in my opinion, the Mayors meeting, that there is no separation between the Mayor and his role in the city and the City Council and their role in the city. You work as a team at times, but you're also there as a check and balances for each other. I know the Mayor may want some things to happen and the City Council may be opposed to it for any number of reasons, but when you roll that Mayor into your meeting, you know where people are going to do public input and then the Mayor is given the forum to speak. It

really dilutes the voice of the public to speak to their elected officials as City Council members. It dilutes the democracy of the city, which is the nicest thing I can say about doing this, that the Mayor has his place and his role, and his function and the City Council has their place and their role and their function, but you're not Siamese twins.

Catherine Peirce 35 Belmont Avenue stated that something about this has unsettled me since I first heard it, and I couldn't quite put my finger on it because it doesn't really change anything for the Mayor this time. It's still going to be his time. Maybe if there's a huge crowd, he'll have to stay longer. I know it'll make it more efficient for you. I'm very sympathetic to that because I know some of your meetings are two, three hours long. That can be frustrating if you have to sit around for 45 minutes waiting for your 7:15 start time. The people that this really impacts will be the public. I learned at the last meeting that this isn't our right. I thought it was our right to come and speak to you publicly. I've seen you be very considerate and not just one councilor, multiple councilors taking items out of order so you can address the things that the public has come to speak to you about immediately. The public is going to have to sit there and listen to whether it's a short Mayor's briefing or a long Mayor's briefing before you're able to take items out of order to address what the public is there to speak to you about. I am sympathetic to the fact that these are long meetings and I do like the idea of them being more streamlined. I hate that you have to go through them twice. I hate that you have to go through it once with the Mayor and then you have to go through and vote again. I am very sympathetic, it's not efficient, but yet I still feel unsettled about it being blurred too much and it becoming one meeting.

Denise Noble stated that so from the point of view of our office staff, we are having two meetings now, I've heard people say it's not two meetings. For two months now, I've been creating two agendas and two minutes. It's much more work. It's the same items and they're going through twice. It's confusing to me when people say that it's not two meetings. I don't understand how it's not two meetings. There has to be an agenda and a set of minutes and an agenda and a set of minutes, it is two completely separate meetings and it's more work. There are no more hours in the day to do the work and it keeps adding. I think what a lot of people don't realize is that this was triggered by the open meeting law, and it wasn't our choice. We certainly didn't want to have two meetings, but that is why this was brought up is because it is two separate meetings.

Councilor Pniak-Costello stated It's a new idea that doesn't seem to be a good idea. That idea to have two meetings, we're talking about public input. When does public input now come, does it come late. We want to hear the dialog with the councilors, or does it become still first when the public doesn't have a chance to hear what we have to say. So I agree with Denise from the Clerk's Office. It was very confusing because reading the agenda, you have two agendas. I don't know if the intent of the Mayor's briefing was ever to become a public agenda where it now becomes published. I don't think we should confuse the public. I think we should make it easy for the public to come. I agree that 6:30 PM may be too early.

Councilor Labrie motion to close public input - Councilor Laflamme 2nd the motion.

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

Councilor Laflamme stated that he thinks it is a great thing to do. That's basically transparency because what was happening before people would always say that we were rubber stamping everything, how do we get our answers. When the Mayor, of course, had all the departments come in and explain what they were asking the money for, so the taxpayers would know where their money is being spent. That's why the Mayor is having a briefing. That's the whole idea of it. On his briefing, the Mayor explains, and the department head explains it for the taxpayer. Then the public can hear from both sides. To me, that's transparency of knowing what's out there I hope the mayor continues to have his briefings for us because I think we all learn a lot from that.

Councilor Brooks stated what would the Mayor's role be if we moved our meetings up to 6:30. That's the one thing I haven't heard yet.

Kevin Corridan stated there should be one City Council meeting with one public comment period. if the City Council is inclined to invite the Mayor to discuss the agenda, he should be item number one. Councilor Brooks stated that one will be some sort of amended Mayor's briefing.

I guess I don't understand the functionality of it. So isn't that more of an opportunity to become a rubber stamp per say. If the Mayor is going to be asked to sit in the front row and wait as we start to go through the orders and he's the order number one. That's a quasi-mayor's briefing isn't it, or am I misunderstanding this.

Kevin Corridan stated that so just by way of history, the Mayor's briefing originally violates the open meeting law, because what it evolved into was a quorum of City Councilors discussing matters that are almost immediately at 7:30 following the Mayor's briefing going to be deliberating on prior to a properly notice meeting, discussing it with the Mayor, which violates the open meeting law. So the proposed workaround was, well, make it a meeting and properly post it. Is that what the City Council wants the Mayor to do. How do you want to receive input from the Mayor. If you're going to talk about transparency, it's best to follow the rules. So the City Council has this meeting. It's free to invite the Mayor to provide input as one of their agenda items. If that's how you want to operate.

Councilor Brooks stated that if it's the Mayor's briefing, is a publicly posted meeting that meets every standard of the open meeting law, and it starts at a time certain where we and the public get to hear how we spend tax dollars or accept donations or hear updates. Is that not in compliance with the open meeting law.

Kevin Corridan stated that the Mayor isn't a member of this body. The Mayor Is not a multi-member body subject to the open meeting law. He can have forums; he can have meetings on his own. He is the executive branch of city government.

Kevin Corridan stated If the City Council wants to hold two meetings, it can choose to hold two meetings. One will have an agenda that has the Mayor on it.

Kevin Corridan stated that I believe that there is actually a mechanism for the mayor to ask for a special meeting of the City Council.

Kevin Corridan stated I think you're correct that if it's a special meeting properly posted, called by the Mayor, then you can have two meetings if you want.

Councilor Brooks stated that I think that by being able to have a standalone meeting, you allow the public to be able to, one, interact directly with the Mayor, because I think the expectation is that's what the public wants. If so inclined, and it's very much time specific, if we have to rename it to call it a special meeting. I empathize with the clerk's office about the additional work, but I think compliance with the meeting law is of the utmost importance and I think that being able to hear what the Mayor has to say about his orders.

Councilor Krampits stated I see kind of both sides of this. I think having the Mayor's briefing public, whether it's tied to our meeting or not is important so that the councilors can ask questions in a public forum.

Councilor Priak-Costello stated are we having two different types of public input. That's where I think there's confusion. Right. So is that going to be addressed?
 Councilor Laflamme stated I think there are too many questions and not enough answers. He suggested we go back to the old way.

Denise Noble stated this is being posted by the City Council office. If you're having two public meetings there has to be two public inputs.

Kevin Corridan stated that the regular City Council meeting definitely has to have public input. I'm not sure about the special meeting, but for consistency's sake and for transparency's sake, it makes sense. Any City Council meeting that allows for public input at the beginning of the meeting should have an attorney.

Councilor Labrie stated if we make him item one on that, every time we allow a city department head to speak, I believe we're going to have to take a roll call vote. I think we need to clarify that more.

Councilor Laflamme stated that we learned a lot here tonight in public as well as between all of the City Council. We want to be transparent. Let the people know where the tax dollar is going.

Councilor Tillotson stated he would like to make a motion to refer back to the City Council and work with the Law Department to come up with something that is going to pass the legal test.

Councilor Laflamme stated he would like to add the city clerk's office to work with on this.

Councilor Tillotson agreed, they're very involved.

Councilor Tillotson stated so hopefully we can figure it out and make sure that we're not violating any open meeting laws or any other legal issues.

Place on file - President, City Clerk, Law Department to review order.

Councilor Tillotson motion to place on file - Councilor Laflamme 2nd the motion.

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

Motion passed.

ITEM #6

Minutes – June 12, 2023

Councilor Zygarowski motion to approve the minutes – Councilor Laflamme 2nd the motion.

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

Motion passed.

ITEM #7

Adjournment

Councilor Zygarowski motion to adjourn – Councilor Laflamme 2nd the motion.

Councilor	Yes	No	Absent	Abstained	Out of Chair
Laflamme	X				
Zygarowski	X				

Brooks	X				
Labrie	X				
Tillotson	X				

Motion passed.

Meeting adjourned at 8:10 PM