



APPROVED 9-13-2023

FINANCE MEMBERS

Frank Laflamme, Chairman
Robert J. Zygarowski, Vice Chairman
George Balakier
Gary Labrie
James Tillotson
Jerry Roy
Shane Brooks

MINUTES
July 31, 2023

The following are the minutes of a public hearing held Monday, July 31, 2023 at 6:30 PM in the Chambers, 4th floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present Laflamme, Zygarowski, Labrie, Tillotson,

Absent Balakier, Roy, Brooks

Also Present Councilor Krampits, Councilor Dobosz, Councilor López, Councilor Courchesne, Tim Reilly (Associate City Solicitor), Keith Rattell (City Clerk), Barbara Galindo (Registrar), Lisa Sanders (Health Director), Councilor Pniak-Costello (arrived 6:40)

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. The City is recording for future broadcasting.

ITEM #1

BE IT ORDERED THAT pursuant to Massachusetts General Laws Chapter 54 Section 25B, the City of Chicopee hereby elects to opt out of Mail In Voting for the upcoming 2023 primary and general election.

Public Input

Jessica Avery, 118 Ingham Street, stated that the City should maintain mail in voting. Absentee ballot is not the same as mail in voting. Democracy is for all not just a few. The City should reinvert money into the people not a bank account.

Lisa Bienvenue, 34 Everett Street, stated that mail in voting opens the doors for voters and makes voting accessible to everyone.

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

Roll Call

	Yes	No	Absent	Out of Chair	Abstain
Laflamme	X				
Zygarowski	X				
Balakier			X		
Labrie	X				
Tillotson	X				
Roy			X		
Brooks			X		

Motion passed

Councilor Laflamme stated that a letter was sent to the state delegation asking for the state to help offset the cost of mail in voting. A letter was received from the state delegation stating that there is no money from the state to reimburse the city.

Councilor Laflamme continued that this order was filed on behalf of the City Clerk who wanted the taxpayers to know the cost of mail in voting.

Councilor Laflamme stated that he received an email from a 78-year-old handicapped resident of Ward 1 who wrote that she is appalled that an elected official would deny the elderly and handicapped citizens the ability to vote in municipal elections. Councilor Laflamme continued that this order was brought forward for discussion and transparency.

Barbara Galindo stated that the state passed a law that for state and federal elections mail in voting and early voting is mandatory. However, for municipal elections it is not mandatory. She further stated that anyone that asked for an absentee ballot receives a ballot. No one has ever been denied. The state law allows the Board of Registrars to opt out of early in person voting. The Board of Registrars at its July 18th meeting voted to opt out of early in person voting because of the lack of people opting to vote early in person.

Keith Rattell stated that his intent was to inform the Council that the state law allows the City Council to opt out of mail in voting for municipal elections and the cost associated with mail in voting. He stated that he is not attempting to suppress votes. He stated that no one is recommending that the Council opt out. He further stated that when looking at the numbers, whether it's mail in voting or early in-person voting, the needle on participation has not shifted. He also stated that he understands why the order was worded the way it was because the only option that the Council has is to opt out. All municipalities are opted in, so the only option is to opt out. If the Council chooses to do nothing with this order, mail in voting for the upcoming municipal election is in place. Keith continued that information is available for everyone on the Registrar of Voters webpage, the City Clerk's webpage and the Commonwealth webpage on the options available for voting. He stated that early in person voting drew around 7-10 people per day.

Councilor Labrie asked if someone calls to request a ballot mailed to them does someone verify who has requested the ballot. Keith replied that the Registrar of Voters would verify and then the

person would have a ballot mailed. Councilor Labrie asked if 4 people living in one house requested ballots would 4 envelopes be used for the ballots. Keith replied yes.

Councilor López stated that the order could have been worded differently. She further stated that she believes that people would donate money to pay for mail in voting and early voting. She feels that opting out so close to the election is irresponsible of the Council because people may not receive the message, may not understand how to exercise their right to vote. She stated that it's not about money. It's about people's right to vote.

Councilor Krampits stated that he likes consistency. People generally just think of voting not the process of how to vote. They aren't considering if it's a state, municipal or federal election. He likes the same process available for all elections.

Councilor Dobosz stated that he agrees with Councilor Krampits. He further stated that it's late in the election process to opt out of mail in voting.

Councilor Courchesne stated that since early in person voting is eliminating the City should keep mail in voting available to residents.

Councilor Pniak-Costello stated that she agrees with Councilor Krampits. She feels that mail in voting should not be eliminated because it makes it convenient for people. She also stated that mail in voting increases the number of voters. Voting is priceless.

Councilor Laflamme stated that he believes it was a good idea to bring this forward for discussion, to understand the process, and to be transparent. The intent was not to eliminate but to bring it forward for discussion.

Motion made by Labrie and seconded by Councilor Laflamme to opt out of mail in voting.

Roll Call

	Yes	No	Absent	Out of Chair	Abstain
Laflamme		X			
Zygarowski		X			
Balakier			X		
Labrie		X			
Tillotson		X			
Roy			X		
Brooks			X		

Motion defeated.

ITEM #2

BE IT ORDERED THAT THE FOLLOWING NON-BINDING QUESTION SHALL BE PLACED ON THE NOVEMBER 7, 2023 BALLOT FOR THE CITY OF CHICOPEE

BE IT ORDERED that the City of Chicopee employ a code enforcement officer to enforce quality of life, public safety and all other ordinances within the City of Chicopee.

Councilor Courchesne stated that he is getting continued support from the public for him to keep pursuing this matter. Unfortunately, the matter lies with the Mayor and not him. This would be a

non-binding question. It's basically an opinion poll to see what the people want. He does not see any harm in putting this question on the ballot.

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

Roll Call

	Yes	No	Absent	Out of Chair	Abstain
Laflamme	X				
Zygarowski	X				
Balakier			X		
Labrie	X				
Tillotson	X				
Roy			X		
Brooks			X		

Motion passed

Public Input

Jessica Avery, 118 Ingham Street, stated that she is in favor of having this non-binding question on the ballot.

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

Roll Call

	Yes	No	Absent	Out of Chair	Abstain
Laflamme	X				
Zygarowski	X				
Balakier			X		
Labrie	X				
Tillotson	X				
Roy			X		
Brooks			X		

Motion passed

Councilor Tillotson said the question is non-binding; why not see what the people of the city think.

Councilor Labrie stated that it could go on this ballot as a non-binding question, but he did hear the Mayor speak at a couple of neighborhood meetings that he was going to entertain a part-time code enforcement officer.

Lisa Sanders stated that she is not opposed to putting this on the ballot, but she doesn't want the public to get false hopes because right now we already have code enforcement. The issue is not code enforcement. The City hits a wall when a case gets to housing court. She explained that a complaint is received and the Health Department follows up and does everything they can. After that it gets turned over to the Law Department. It's very difficult to get into housing court.

Councilor Zygarowski asked how many code enforcers are there. Lisa replied that Police, Building and Health are all code enforcers.

Councilor Dobosz stated that he fully supports putting this question on the ballot. This is a topic that a lot of residents bring up. Councilor Dobosz continued that Councilor Courchesne has been working on this matter since before he was on the Council, and he has always supported the issue.

Councilor López stated that she supports putting this question on the ballot in November.

Councilor Pniak-Costello questioned the accountability for the people that are code enforcers. She stated that the City needs to be more aggressive and supports putting the question on the ballot.

Councilor Krampits stated that he does not feel comfortable putting this question on the ballot because he is concerned that it is going to start future ballot questions for more positions.

Councilor Laflamme stated that the City Council's former legal counsel is now working with Housing Court cases, and he has been working on processing these cases. He also stated that the Building Department has two open positions for Code Enforcement.

Attorney Reilly stated that "Section 17 of the Charter states the City Council is not to take part in the employment of labor making of contracts either by City Council or any member of the committee shall directly or indirectly take part in the employment of Labor during the employment or removal of any officers. So it's the Law Department's opinion that, the City Council cannot add employment and you can't move forward with this. Moving forward, the ballot question means you are taking part in employment. Now, that being said, if the Council decides to move forward with the ballot question under Mass General Laws 53, Section 18 A the City Council may vote on a ballot question. This is just a specific ballot question. Let's say it had nothing to do with employment. If you move forward and did that, that's fine. The City Council has the power to propose a non-binding ballot question, but it would also have to be approved by the Mayor. That means that if the Mayor doesn't approve it, the City Council cannot override his veto. So, I just wanted to be clear that if the City Council moves forward and proposes this ballot question, the Mayor still must approve the question being put on the ballot. And if the Mayor doesn't approve it, it dies right there. That's how it works."

Councilor López stated that she understands what Attorney Reilly stated but she feels that the Council has every right to propose non-binding questions. She does not agree with the interpretation that this would be the City Council meddling with employment because this is a non-binding question.

Lisa Sanders stated that Housing Court is holding issues up and the property owners know how to work the system. She stated that there is one example where the city evicted and condemned a house and the court put the person back in the house. She continued that the cases in court now are big problem properties; the structurally unsafe ones. The cases that the Health Department has in court effect human life.

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

Roll Call

	Yes	No	Absent	Out of Chair	Abstain
Laflamme		X			
Zygarowski		X			
Balakier			X		
Labrie		X			
Tillotson		X			
Roy			X		
Brooks			X		

Motion defeated.

ITEM #3

Minutes – February 23, 2023

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

Roll Call

	Yes	No	Absent	Out of Chair	Abstain
Laflamme	X				
Zygarowski	X				
Balakier			X		
Labrie	X				
Tillotson	X				
Roy			X		
Brooks			X		

Motion passed

ITEM #4

Adjournment

Motion made by Councilor Zygarowski and seconded by Councilor Laflamme to adjourn at 7:52 PM.

Roll Call

	Yes	No	Absent	Out of Chair	Abstain
Laflamme	X				
Zygarowski	X				
Balakier			X		
Labrie	X				
Tillotson	X				
Roy			X		
Brooks			X		

Motion passed

