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Minutes from the City Council Meeting on Thursday September 6, 2018 at 7:15 pm in the City Council Chambers are as follows:

2018 SEP 14 AM 8:56

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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-left at 8:25
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-Shane Brooks, 69 Wanda Street, Councilor Ward 2, take a moment to express gratitude. The events on Friday, had a front row seat to the level of professionalism of the police. Thank you to first responders, police, state police, and especially the teachers. Men & women were doing preparedness training earlier that day. Level of response, was amazed at the number of police available and the fact that they were there in a matter of minutes. The impact hit home. Hats off the first responders and school personnel.

C1 A communication for a Justice Assistance Grant (JAG)

--Motion made by Councilor Zygarowski to receive and refer to the Public Safety Committee. Councilor Zygarowski stated he will set a date as quickly as possible. Motion passed, referred.

MO-1 Mayors appropriation of Two hundred fifteen thousand and 00/100 dollars (\$215,000.00) to the following named account: D.P.W. Wastewater Special Account for Acrebrook Sewer Replacement from available funds in the D.P.W. Wastewater Special Account for WPC Biological Upgrade.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated recent road construction project-they were grading and a concrete sewer pipe collapsed. Engineering is working on bids. Should be replaced by October. One coat will go down by the winter. Councilor McAuliffe thanked Engineering. Will not be paved this season. Will officially be repaved in the spring. Councilor Zygarowski asked Councilor Tillotson if this was his \$100,000 will he get it back? Councilor Tillotson stated his money is gone to this project, they will button it up for the winter. Will coat next spring. Motion passed through all stages by a unanimous roll call vote.

MO-2 Mayors appropriation of Ninety thousand and 00/100 dollars (\$90,000.00) to the following named account: D.P.W. Wastewater Special Account for N. Chicopee Sewer Replacement from available funds in the D.P.W. Wastewater Special Account for WPC Biological Upgrade.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated this is to replace a sewer line entirely. Working on this project for a couple of years. Councilor

Laflamme stated this is a short piece of street, all businesses. Needs total reconstruction. Working on it for five years. Important to help these people. Motion passed through all stages by a unanimous roll call vote.

MO-3 Mayors appropriation of Twenty four thousand one hundred twenty eight and 00/100 dollars (\$24,128.00) to the following named account: D.P.W. Wastewater Salary Account for Billing Manager from available funds in the Sewer Surplus Account.

--Motion made by Councilor Courchesne to receive and pass. Councilor Courchesne stated this is partial funding for a billing manager, will have many responsibilities. Intensive job. Trying to do the right thing right out of the gate. Motion passed through all stages by a unanimous roll call vote.

MO-4 Mayors appropriation of Twenty four thousand one hundred twenty eight and 00/100 dollars (\$24,128.00) to the following named account: D.P.W. Water Salary Account for Billing Manager from available funds in the Water Surplus Account.

--Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated this is money from the water surplus account. Upgrade new lead person in charge of this. Will take 8-9 years to fully implement. Councilor Tillotson stated this is a historic time in our city. Three departments working together. Will all be very high tech. Latest technology. Great to have departments working together. Making progress. City is moving forward with minimal costs. 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 one thousand and 00/100 dollars (\$1,000.00) from Mr. Doug Girouard and Mr. Andrew Poirier to the Chicopee Country Club. Said donation is to be used for Golf Course improvements 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 regarding the country club. The concessioners donating for golf course improvements. Councilor Walczak said people are stating the food and refreshments at the golf course are good. Councilor Zygarowski stated he is in favor but is there any conflict? Councilor Tillotson stated we will always take donations. Motion passed through all stages by a unanimous roll call vote.

6 A favorable License Committee report ordered that Al Lafleur, Inc., d/b/a East Main Street Auto, 467 East Main Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Al Lafleur, Inc., d/b/a East Main Street Auto including compliance with restrictions imposed upon any licenses held by Al Lafleur, Inc., d/b/a East Main Street Auto. The Council may modify, suspend, fine or revoke any license held by Al Lafleur, Inc., d/b/a East Main Street Auto.

--Motion made by Councilor Walczak to receive and removed from the committee and placed on the floor. Motion passed. Motion made by Councilor Walczak to receive and place on file and continue the license. Councilor Walczak stated he was stopped by a state trooper. There are no issues. The gentleman was exonerated. He was innocent. Councilor Laflamme stated he is glad we took care of this in a quick manner. He is very involved in the city. Can hurt a business in the city if there is an issue. Motion passed.

7 A favorable License Committee report, application for a Class II License Car Master, Inc., located at 176 Granby Road. Applied for by: Vladimir I. Zubik, 12 Angeline Street, West Springfield, MA 01089.

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak read the restrictions into the record, said he needed to provide a lease agreement which he did. Motion passed.

8 A favorable License Committee report, application for an Auto Repair License Car Master, Inc., located at 176 Granby Road. Applied for by: Vladimir I. Zubik, 12 Angeline Street, West Springfield, MA 01089.

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak read the restrictions into the record, explained it is shared with the Class II. Motion passed.

9 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 Walczak to receive and the license postponed to the call of the chair. Motion made by Councilor Walczak to receive and refer back to the license committee. Councilor Balakier stated he drove by there recently, need to get some things done still. Waiting for Fire & Building, best to postpone. Councilor Dobosz stated it is a full serve gas station, being referred back as a self-serve. Councilor Brooks stated on the plot plan the spaces are backward, tank isn't safe. Captain Galarneau told him there are things he needs to do. Working to let people know what they need to do. Councilor Zygarowski asked can he operate with the current license? He is allowed full service license. Needs a new license for self-serve. Motion passed.

10 A favorable License Committee report, application for a Gas Storage License located at 158 New Lombard Road for 10,121 aboveground diesel fuel. Applicant: Jason Ouellette, 652 Prospect Street, Chicopee, MA 01020.

--Motion made by Councilor Walczak to receive and the gas storage license granted with restrictions. Councilor Walczak stated this is Chicopee Concrete looking to install tanks. Motion passed.

11 A favorable Utilities Committee report, petition for Columbia Gas of Massachusetts to be granted a location and permission to replace and maintain 650' of 2" MP plastic gas main on Spring Street with such laterals and service connections as it may now or subsequently find necessary.

--Motion made by Councilor Labrie to receive and the petition approved and granted. Councilor Labrie stated there was no opposition from the DPW director. Motion passed.

12 A favorable Ordinance Committee report, be it ordained that the City of Chicopee hereby adopts, approves and authorizes the following sewer betterment ordinance according to the City Charter, the authorizations and requirements of Chapters 80 and 83 of the Massachusetts General Laws and any other law of the Commonwealth of Massachusetts.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained with minor amendments. Motion made by Councilor Tillotson to accept the amendments. Motion passed. Councilor Tillotson stated it should read 230-3 all the way through. Issues that need to be addressed. Cost of replacing sewers and pipes is expensive, this is the first step in this direction. Sewer system needs to be up to date. Councilor Dobosz stated this is a serious issue, people were facing eviction if the city didn't step in to help these people. Huge undertaking, thank everyone involved. Public/private partnership. Chicopee residents were facing evictions. Take this on a case by case basis. Motion passed through all stages by a unanimous roll call vote.

- 13 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:

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 Tillotson to receive and the proposed ordinance defeated. Councilor Tillotson stated the cost of advertising was prohibitive. Still working with the building department. Councilor Laflamme stated he brought this forward on behalf of the residents. Cost of advertisement is around \$400.00 wanted to try and help residents. Cost prohibitive. Looking to help the residents. Law department will review. Motion passed through all stages by a unanimous roll call vote.

- 14 A favorable Ordinance Committee report, Chapter 7 Ordinance Revisions.

-- Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated most of the upgrades are non-union positions. Went over all positions with the Auditor. Law Department got upgrades. Minor adjustments, nothing major. Council and Human Resources got increases, people who are not in the union. Motion passed through all stages by a unanimous roll call vote.

- 15 An unfavorable Ordinance Committee report, be it Ordained by the City Council that Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Chapter 260-28 Parking of Commercial Vehicles

Delete from Chapter 260-28 A (excluding recreational vehicles)

Delete from Chapter 260-28 B (excluding recreational vehicles)

--Motion made by Councilor Tillotson to receive and the proposed ordinance defeated. Councilor Tillotson stated the maker of the ordinance agreed to re-file. Councilor Courchesne stated he brought this forward for the RV parking taking an old ordinance and making it modern. Motion passed through all stages by a unanimous roll call vote.

- 16 A favorable Ordinance Committee report, a proposed ordinance, striking from Chapter 260, Handicap Parking, 135 Prospect Street, Handicap Parking.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated this is not a good place for this spot. Prospect Street is too busy to have the handicap spot. Councilor Courchesne stated things can go wrong with a handicap spot on a steep hill. Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair. Councilor Labrie out of chair.

- 17 A favorable Ordinance Committee report, a proposed ordinance, striking from Chapter 260, Handicap Parking, 89 Beverly Street, Handicap Parking.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated it is no longer needed there. Councilor Vieau stated the property owner states no longer needed. Motion passed through all stages by a unanimous roll call vote.

- 18 A favorable Ordinance Committee report, a proposed ordinance, adding to Chapter 260, Handicap Parking, 49 Elm Street, Handicap Parking.

--Motion made by Councilor Tillotson to receive and postponed to the call of the chair. Councilor Tillotson stated they are waiting for the Commission on Disability. Motion passed.

- 19 A favorable ordinance Committee report, a proposed ordinance, adding to Chapter 260, Handicap Parking, 21 Elmer Drive, Handicap Parking.

--Motion made by Councilor Tillotson to receive and postponed to the call of the chair. Councilor Tillotson stated they are waiting for the Commission on Disability. Motion passed.

- 20 Be it ordained that Chicopee City Council does hereby amend Chapter 275-50 (B) (3) (a) and hereby inserts at the end of said section the following:

Further, notwithstanding anything to the contrary, the Chicopee Police Department, Chicopee Fire Department and Chicopee Emergency Management personnel shall be exempt from this section.

--Motion made by Councilor Tillotson to receive, 1st reading and refer to the Planning, Zoning and Ordinance Committees. Councilor Tillotson agrees with this. Councilor Laflamme stated he proposed putting this together. They have to go through the Superintendent of Public Works to put up signs. Bought portable signs and this is the reason the sign was taken down. This is needed. Councilor Brooks asked why does it have to go to Zoning? Because it is Chapter 275. Councilor Laflamme stated not a rush, working with Police now but need it corrected. Motion passed.

21 Ordered that the DPW restripe the following crosswalks at these locations: Britton St. at poles 31, 35, 46, 47, 48, 49, 51, 52 and at mailbox near pole 35 and at College St. near 19 College and 202 College St. locations.

--Motion made by Councilor Walczak to receive and sent to DPW for implementation. Councilor Walczak stated this are two of the busiest streets in the ward. So many crosswalks because of schools, the library, church, funeral home, and Fair Haven senior housing. Motion passed.

22 Be it ordered that Chicopee Electric Light install two lights on Devlin Drive; one at pole #1 and the other between house #31 and house #37.

--Motion made by Councilor Walczak to receive and sent to DPW for implementation. The street has no street lights at all. Neighbors are in favor. Motion passed.

23 Request that the DPW supply a list of the City's cul de sacs to the Council and who is responsible for the maintenance of these city properties.

--Motion made by Councilor Walczak to receive and sent to DPW for a written response and include islands. Councilor Tillotson asked if we can include islands? Councilor Walczak stated there are a number of them in the city. One of the people called and asked. Are we avoiding or not cleaning up areas? City on top of mowing. Councilor Laflamme stated he is glad to bring this forward. Neighbors do it on his street, Staffing is a major issue. Many areas the growth is awful. Need to do a better job. Councilor Courchesne stated there is liability, the city should maintain these areas. Councilor Tillotson stated it is hard to tell people they have to cut their grass when we aren't doing ours. Need to have a plan and know who's doing it. Councilor McAuliffe stated there are staffing issues-rates of pay-\$12-\$13 per hour. The rest of the state will be paying \$15-waiting for the pay structure review. Councilor Walczak stated the state rotaries are not being mowed. Everyone is saying they are short staffed. Motion passed.

24 Be it ordered that the DPW submit a report to the City Council for all outstanding signs and a plan of action to complete outstanding orders.

--Motion made by Councilor Courchesne to receive and sent to DPW for implementation. Councilor Courchesne stated this is something we should be getting monthly-never happened. Motion passed.

25 Be it ordered that the Public Works Committee meet with the DPW and Police Department to finalize the winter parking ordinance.

--Motion made by Councilor Courchesne to receive and sent to Public Works Committee and invite Police and DPW. Councilor Courchesne stated it will be nice to get it on the books consistently. Reverse parking ban. Councilor Tillotson stated it sounds like a whole new ordinance, even and odd. Motion passed.

26 Be it ordered that the Ordinance Committee meet to discuss proposed changes to the temporary sign ordinance due to the decision handed down by the U.S. Supreme Court.

--Motion made by Councilor Courchesne to receive and refer to Ordinance Committee and Law Department. Councilor Courchesne stated the Supreme Court has said you can't limit signs. Councilor Tillotson stated the Law Department also, interpretation. Motion passed.

27 Ordered that the DPW re-paint the crosswalk at the intersection of South Street and Nonotuck Avenue.

--Motion made by Councilor Brooks to receive and send to DPW for implementation. Councilor Brooks stated this is a busy intersection and needs to get done. Constituent wants it done. It has been sent to DPW before. Motion passed.

28 Be it ordained that the Code of the City of Chicopee for the Year 1991, as amended, be and hereby is further amended as follows:

Chapter 260-28 A Parking of Commercial Vehicles

Delete in its entirety

And insert in place thereof

- A. No driver shall park or stand any motor vehicle and/or motor vehicle attachment having a gross vehicle weight of 26,001 pounds or more or exceeding 24 feet in combined length for more than twelve hours on any day, on any part of any street, way, highway, road or parkway under the control of the City of Chicopee where parking or standing a vehicle is not otherwise prohibited, provided that this regulation shall not apply during actual service or delivery or in the case of emergency. Motor vehicles, regardless of size, owned or operated by the City of Chicopee, the Commonwealth of Massachusetts or the United States of America are hereby exempt from these regulations. Each day in which a motor vehicle is in violation of this provision shall constitute a separate offense.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated hashed it out to make it more modern. More favorable to the community. Councilor Labrie stated will take this up in committee. Can they park 12 hours every day? Motion passed, referred.

29 Be it ordained that the Code of the City of Chicopee for the Year 1991, as amended, be and hereby is further amended as follows:

Chapter 260-28 Parking of commercial vehicles

Add

D. Violations of this section shall be as follows

(1) First offense: \$50

(2) Second offense: \$100

(3) Third offense: \$200

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne Stated part of the Ordinance needs to be removed. Motion passed, referred.

30 A proposed ordinance, adding to Chapter 260-67 Parking Prohibited Certain Hours, Rolf Avenue - At 221 Rolf Avenue for a distance of 18 feet after driveway Monday - Friday 8 AM - 3 PM September - June, Parking Prohibited Certain Hours.

--Motion made by Councilor Labrie to receive, 1st reading and refer to the Ordinance Committee. Councilor Labrie stated no parking by the Comp gate. Requested by constituent. Motion passed, referred.

31 A proposed ordinance, adding to Chapter 260, Bus Stops, Court Street-Stop #6633 - Court Street #2 between 100 and 200 feet North of the Fire Department Driveway, Bus Stop.

--Motion made by Councilor Balakier to receive and refer to the Ordinance Committee and Engineer for recommendation. Councilor Balakier stated have to do our business to what we have to do about it. Councilor Laflamme stated he would like clarification/ pictures of placement. Motion passed, referred.

32 A proposed ordinance, adding to Chapter 260, Parking Regulations, Debra Drive- from the beginning of the right of the driveway at 77 Debra Drive to the property line, Parking Prohibited.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated this is a neighborhood issue. Motion passed, referred.

33 A proposed ordinance, adding to Chapter 260, Parking Regulations, Debra Drive- from 100 Debra Drive to 84 Debra Drive, Parking Prohibited.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated this is part two. Motion passed, referred.

34 A proposed ordinance, striking from Chapter 260, Bus Stops, Meadow/Charpentier- Stop #559 - 261 Meadow Street, Bus Stop.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated this was from Engineering and PVTA. Motion passed, referred.

35 A proposed ordinance, adding to Chapter 260, Bus Stops, Meadow/Charpentier- Stop #559- 251 Meadow Street, Bus Stop.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated this was from Engineering and PVTA. Councilor Krampits stated pictures and a definitive placement should be submitted. Councilor Laflamme stated no letter is needed to be sent to PVTA. Motion passed, referred.

- 36 A proposed ordinance, striking from Chapter 260, Bus Stops, Meadow/Ducharme- Stop #568-330 Meadow Street, Bus Stop.
- Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated same course. Motion passed, referred.
- 37 A proposed ordinance, adding to Chapter 260, Bus Stops, Meadow/Ducharme- Stop #568-356 Meadow Street, Bus Stop.
- Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated same course. Motion passed, referred.
- 38 A proposed ordinance, adding to Chapter 260, Bus Stops, Meadow/St. Anthony- Stop #6473-238 Meadow Street, Bus Stop.
- Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated this is per Engineering. Motion passed, referred.
- 39 A proposed ordinance, striking from Chapter 260, Bus Stops, Grattan/Providence- Stop #587-700 Grattan Street, Bus Stop.
- Motion made by Councilor Labrie to receive, 1st reading and refer to the Ordinance Committee. Councilor Labrie stated will take up in Ordinance. Motion passed, referred.
- 40 A proposed ordinance, adding to Chapter 260, Bus Stops, Grattan/Providence- Stop #587-688 Grattan Street, Bus Stop.
- Motion made by Councilor Labrie to receive, 1st reading and refer to the Ordinance Committee. Councilor Labrie stated will take up in Ordinance. Motion passed, referred.
- 41 An application for a NEW Special Permit under section 275-58E(1) and 275-50(C) of the Municipal Zoning Ordinance for the purpose of: See attached narrative. Location of Property: 1445-1505 Memorial Drive. Applicant: OSJ of Chicopee, LLC, 375 Commerce Park Road, N. Kingston, RI 02852.
- Motion made by Councilor Brooks to receive, 1st reading and refer to the Zoning Committee. Councilor Brooks stated will take up in committee. Motion passed, referred.

ATTEST:



KEITH W RATTELL
CITY CLERK