

The briefing for the City Council Meeting to be held on Tuesday, March 16, 2021 will be held at 6:30 pm in the Auditorium and Zoom.

Agenda for the City Council Meeting on Tuesday, March 16, 2021 immediately following the Mayors Briefing in the Auditorium and Zoom is as follows:

Public Input

- C-1 A Communication from Glen Buckley regarding proposed Zone Change from Res A to IPUD-1 for 57.46 acres at 0 Fuller Road for the purpose of developing an Industrial Park.
- MO-1 Mayors appropriation of Three hundred fifty thousand and 00/100 dollars (\$350,000.00) to the following named account: Fire Salary Account for Overtime from available funds in the Undesignated Fund Balance "Free Cash" account.
- MO-2 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from the Silverbrick Group to the Chicopee Fire Department. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-3 Mayors appropriation of Eleven thousand and 00/100 dollars (\$11,000.00) to the following named account: Collector's Expense Account for Postage from available funds in the Undesignated Fund Balance "Free Cash" account.
- MO-4 Mayors appropriation of One thousand one hundred sixty six and 50/100 dollars (1,166.50) to the following named account: City Clerk's Expense Account for Printing & Binding from available funds in the Undesignated Fund Balance "Free Cash" account.
- MO-5 Mayors appropriation of Twenty thousand four hundred ninety six and 22/100 dollars (\$20,496.22) to the following named Law Salary account:

City Solicitor	\$ 3,157.60
Asst. City Solicitor	6,615.10
Chief of Litigation	6,591.20
Council Legal Counsel	<u>4,132.32</u>
Total:	\$20,496.22

From available funds in the Law Expense Account for Special Services.

- MO-6 An order authorizing the exemption of interest for Assistant to the DPW Superintendent, John Beaulieu, to serve as a Special Municipal Employee as a member of Unified basketball-assistant coach for Chicopee and Chicopee Comprehensive High School in accordance with the provisions of Massachusetts General Laws 268A Section 20.
- MO-7 An order authorizing the exemption of interest for School Resource Officer, Mark Hammon, to serve as a Special Municipal Employee as a member of Unified basketball coach for Chicopee and Chicopee Comprehensive High School in accordance with the provisions of Massachusetts General Laws 268A Section 20.
- MO-8 Be it Ordered by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and hereby further amended as follows: Chapter 144 (see attached)

MO-9 Be it ordered that the City Council approve the requested change in the City of Chicopee Code Chapter 269, Section 4.4 by:

deleting Section 4.4 Shut-Off, Termination, Let-On and Discontinuance.

1. Shut-off

d) The Superintendent may terminate the water service to customers located outside the City of Chicopee who have unpaid balances for sewer use and storm fees. Termination will be in accordance with the Board of Water and Sewer Commission's written policy and regulations titled "Billing, Termination, & Appeal Regulations"

And inserting

1. Shut-off

d) The Superintendent may terminate the water service to customers who have unpaid balances for water, sewer, storm fees and/or charges. Termination will be in accordance with the Board of Water and Sewer Commission's written policy and regulations titled "Billing, Termination, & Appeal Regulations"

MO-10 Ordered that the City Council join the Mayor in support of the "Massachusetts Sports Wagering Act," SD.2237 and HD.3606 presented by Adam Gomez and Orlando Ramos and Cosponsored by Senator John Velis and Representatives David Robertson, and Peter Capano, which established three licenses including approved retailers and provides revenue to the state general fund with direct aid to cities and towns, education, distressed restaurants and police training.

See Attached information.

MO-11 Mayors appropriation of Nineteen thousand seven hundred ninety five and 00/100 dollars (\$19,795.00) to the following named account: Police Expense Account for Department Equipment from available funds in the Police Salary Account for Patrolmen Step 11.

MO-12 To the City Council:

You are hereby notified that I have this day appointed George J. Tarnowski, 6 Elmcrest Drive, Chicopee, Massachusetts as a member of the License Commission to serve in such office for the term expiring on the 1<sup>st</sup> of June, 2022. To which appointment I ask the confirmation of your honorable council.

\*New Appointment

\*Replaces William Pagel

MO-13 To the City Council:

You are hereby notified that I have this day appointed Joseph F. Pasternak III, 200 Beauchamp Terrace, Chicopee, Massachusetts as a member of the License Commission to serve in such office for the term expiring on the 1<sup>st</sup> of June, 2023. To which appointment I ask the confirmation of your honorable council.

\*New Appointment

\*Replaces Bernie St. George

MO-14 To the City Council:

You are hereby notified that I have this day appointed Glenn T. Laplante, 71 Angela Drive, Chicopee, Massachusetts as a member of the Chicopee Golf Commission to serve in such office for the term expiring on the 1<sup>st</sup> of November, 2024. To which appointment I ask the confirmation of your honorable council.

\*Re-Appointment

MO-15 To the City Council:

You are hereby notified that I have this day appointed Brian Mendes, 45 Stearns Terrace, Chicopee, Massachusetts as a member of the Chicopee Golf Commission to serve in such office for the term expiring on the 1<sup>st</sup> of November, 2025. To which appointment I ask the confirmation of your honorable council.

\*New Appointment

MO-16 To the City Council:

You are hereby notified that I have this day appointed Gary Stamborski, 48 Landing Drive, Chicopee, Massachusetts as a member of the Zoning Board of Appeals to serve in such office for the term expiring on the 1<sup>st</sup> of April, 2025. To which appointment I ask the confirmation of your honorable council.

\*Re-Appointment

MO-17 Ordered that the City Council accept the FY'21 State Formula Grant in the amount of One hundred forty five thousand nine hundred thirty two and 00/100 dollars (\$145,932.00) from the Executive Office of Elder Affairs to the Chicopee Council on Aging. Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-18 Ordered that the City Council accept the donations in the amount of Nine thousand two hundred eighty and 25/100 dollars (9,280.25) to the Chicopee Council on Aging. Said donations were received for daily meals for seniors for the month of February, 2021 and are accepted in accordance with M.G.L. Chapter 44 Section 53A.

19 A favorable Ordinance Committee report: Be it ordered that the City Council pursue adopting a Home Rule Petition to include in the current City Charter a recall provision.

20 A favorable Ordinance Committee report:  
BE IT ORDERED that a commission shall be established to review the Charter of the City of Chicopee. This commission shall be convened at ten-year intervals in years ending in one.

- A. This commission, entitled "Charter Review Commission," and hereinafter the "Commission," shall be comprised of no more than eleven (11) members. Each of the nine wards of the City shall be represented on this Commission, with two (2) additional at-large members from any ward. Elected officials serving at the time of the adoption of this ordinance shall not be permitted to serve on the Commission.

- B. The Commission shall appoint a Chairperson, Vice Chairperson, and Clerk from within its membership to administer the activities of the Commission, and the Commission shall be overseen by the Law Department and by the City Solicitor.
- C. All members of the Commission must be registered voters of the City of Chicopee.
- D. The members of the Commission shall be recommended and appointed by the City Council. Each ward councilor shall submit one (1) person from their respective ward to be approved by a simple majority of the City Council. The two (2) at-large members shall be submitted by agreement of the four (4) at-large City Councilors and approved by a simple majority of the City Council.
- E. The Commission shall be convened no later than thirty (30) days after its appointment by the City Council, hold meetings as scheduled by the Commission, and shall file with the City Clerk a report of recommendations for changes to the Charter of the City of Chicopee no later than one (1) year after the appointment of the Commission by the City Council.
- F. The City Council shall review the recommendations of changes to the Charter of the City of Chicopee and follow the appropriate legislation, ordinances, bylaws, or regulations required by the Commonwealth of Massachusetts to adopt the approved changes.
- G. The Commission shall be dissolved upon submission of its report to the City Clerk.

#### EXHIBIT A

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:

Add to Chapter 16

#### § 16-119 Charter Review Commission

A commission shall be established to review the Charter of the City of Chicopee. This commission shall be convened as determined by the Mayor and the City Council.

- A. This commission entitled "Charter Review Commission" shall be comprised of thirteen (13) members. Each of the nine wards shall be represented by one person appointed by the ward councilor and with each of the four At- Large Councilors appointing one representative. Elected officials serving at the time of the adoption of this ordinance shall not serve on the Commission.
- B. The members of the Commission as recommended by a City Councilor shall be approved individually by a simple majority of the City Council.
- C. The Commission shall appoint a Chairperson, Vice Chairperson, and Clerk from within its membership to administer the activities of the Commission. The Commission shall be overseen by the Law Department and by the City Solicitor.
- D. All members of the Commission must be registered voters of the City of Chicopee.

- E. The Commission shall be convened no later than thirty (30) days after the approval of its members by the City Council. The Commission shall hold meetings as determined by the Open Meeting Law and shall file a report of the final recommendations for changes to the Charter to the City Clerk no later than one (1) year after the appointment of members to the Commission by the City Council.
- F. The City Council shall review the Commission's recommendations for changes to the Charter of the City of Chicopee. Subsequent action must follow (M.G.L.) Chapter 43 B. Home Rule Amendment and Home Rule Procedures Act and all City ordinances.
- G. The Commission shall be self-sufficient.
- H. The Commission shall be dissolved upon the submission of its report to the City Clerk.

21 A favorable Ordinance Committee report: A proposed ordinance adding to Chapter 260-79 Schedule XX, Commercial Vehicles Excluded, Pendleton Avenue, From Memorial Drive easterly to Honeysuckle Drive, Commercial Vehicles Excluded.

22 A favorable Ordinance Committee report: A proposed ordinance adding to Chapter 260-79 Schedule XX, Commercial Vehicles Excluded, Honeysuckle Drive, Entire length, Commercial Vehicles Excluded.

23 A favorable Ordinance Committee report: Be it ordained that the attached Chapter 7 Ordinance revisions be adopted:

**AA. Engineering Department**

a. Seasonal Jr. Engineer	\$	13.50 per hour
--------------------------	----	----------------

**BB. Highway Department**

a. Temporary Laborer	\$	13.50 per hour
----------------------	----	----------------

**CC. Sanitation Department**

a. Temporary Laborer	\$	13.50 per hour
----------------------	----	----------------

b. Waste Reduction Enforcement Officer		19.00 per hour
--	--	----------------

**DD. Parks Department**

a. Temporary Laborer	\$	13.50 per hour
----------------------	----	----------------

**EE. Flood Control Department**

a. Temporary Laborer \$ 13.50 per hour

**FF. Golf Department**

a. Seasonal Golf Assistants \$ 13.50 per hour

b. Pro-Shop Assistant 13.50 per hour

c. Cashiers 14.00 per hour

**GG. Water Department**

a. Seasonal Employees \$ 13.50 per hour

b. Intern 13.50 per hour

**HH. Waste Water Treatment Plant**

a. Temporary Laborer \$ 13.50 per hour

b. Intern 13.50 per hour

**II. Parks & Recreation Department**

a. Ranger \$ 13.50 per hour

b. Special Care Taker 13.50 per hour

c. Lifeguard 13.50 per hour

d. Head Lifeguard 18.00 per hour

e. Leader of Recreation/Art 17.00 per hour

f. Assistant Recreation Leaders 14.25 per hour

g. Youth Basketball Scorekeeper 1/game (Age 9-10) 13.50 per game

h. Youth Basketball Scorekeeper 1/game (Age 11-12) 14.50 per game

i. Youth Basketball Scorekeeper 1/game (Age 13-14) 16.00 per game

j. Youth Basketball Referee 2/game (Age 9-10) 14.50 per game

k. Youth Basketball Referee 2/game (Age 11-12) 18.00 per game

l. Youth Basketball Referee 2/game (Age 13-14) 21.50 per game

m. Youth Soccer Referee 2/game (Age 9-10) 13.50 per game

n. Youth Soccer Referee 2/game (Age 11-12) 14.50 per game

o. Youth Soccer Referee 2/game (Age 13-14) 16.00 per game

p. Youth Baseball Umpire 1/game (Age 8-10) or 3rd-4th grade 28.00 per game

q. Youth Baseball Umpire 1/game (Age 11-12) or 5th-6th grade 34.00 per game

r.	Youth Baseball Umpire 1/game (Age 13-14) or 7th-8th grade	39.50 per game
s.	Youth Softball Umpire 1/game (Age 8-10) or 3rd-4th grade	28.00 per game
t.	Youth Softball Umpire 1/game (Age 11-12) or 5th-6th grade	34.00 per game
u.	Youth Softball Umpire 1/game (Age 13-14) or 7th-8th grade	39.50 per game
v.	Camp Director	19.50 per hour
w.	Assistant Director	18.00 per hour
x.	Specialist	17.00 per hour
y.	Senior Counselors	15.25 per hour
z.	Junior Counselors	14.25 per hour
aa.	Aquatics Director	19.50 per hour
bb.	Lifeguard Instructor	17.00 per hour
cc.	Intern	13.50 per hour

**00. Human Resources**

a.	Temporary Clerk	\$	13.50 per hour
----	-----------------	----	----------------

**QQ. Registrars**

a.	Election Recount Workers	20.00 per hour
----	--------------------------	----------------

*Any person hired to assist with an Election Recount should be compensated \$20 per hour. Any current employees of the City assisting with a Recount should be excluded from this ordinance and paid at their current wage rate.*

24 A Community Development committee report: An Order requesting the City Council refer to the Community Development Subcommittee consideration to approve participation in the Massachusetts Commercial Property Assessed Clean Energy Program, (PACE), in accordance with the provisions of Massachusetts General Laws Chapter 23M as amended and authorize the Mayor to enter into a PACE Massachusetts Municipal Assessment and Assignment Agreement with Mass Development.

A report to be provided to the City Council for any potential action.

The following be requested to attend the subcommittee meeting:

John Vieau, Mayor  
 Kathleen Lingenberg, Director of Community Development  
 Marie Laflamme, Treasurer  
 Laura McCarthy, Assessor  
 Victor Anop, Assessor  
 Brian Suchy, Assessor  
 Stanley Iwanicki, Collector  
 Andrew Vernon, Director of IT (for any programming or IT needs)  
 Sharyn Riley, Auditor (for any Financial implications)  
 Julie Cowan, Mass Development Corp.

25 Be it Ordered that the Education Subcommittee meet with school officials to discuss the expansion of pre-k early childhood education in the City of Chicopee.

McAuliffe

26 Be it Ordered that Planning provide recommendations on a tax break incentive program for new construction and renovations in Downtown Chicopee.

Dobosz/Courchesne

27 Be it Ordered that the Water Resources Committee meet to discuss unpaid sewer fees.

Dobosz

28 Be it Ordered that Wal-Mart Store #5278, 591 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Wal-Mart Store #5278 including compliance with restrictions imposed upon any licenses held by Wal-Mart Store #5278. The Council may modify, suspend, fine, or revoke any license held by Wal-Mart Store #5278.

The violations are: trash issues, ordinance violations, and possible restrictions.

Dobosz

29 Be it Ordered that the Utilities Sub-Committee meet to discuss fiber optic internet by Chicopee Electric Light.

Dobosz

30 A renewal of a Hawkers & Peddlers License to sell Ice Cream at various locations: Applicant Jeffrey Kline, 330 West Avenue, Ludlow, MA 01056.

31 A renewal of a Hawkers & Peddlers License to sell flowers at 168 Chicopee Street: Elaine Dowd, 18 Surrey Lane, Chicopee, MA 01013.

ATTEST:



Keith W. Rattell  
City Clerk