

The briefing for the City Council Meeting to be held on Tuesday, February 7, 2023, will be held at 6:30 pm in the Auditorium and Zoom.

Agenda for the City Council Meeting on Tuesday, February 7, 2023, immediately following the Mayors Briefing in the Auditorium and Zoom is as follows:

Public Input

MO-1 Mayor’s appropriation of Two hundred thousand and 00/100 dollars (\$200,000.00) to the following named account: D.P.W. Highway Special Account for Signal Maintenance from available funds in Stabilization Fund.

MO-2 Mayor’s appropriation of One hundred fifty thousand and 00/100 dollars (\$150,000.00) to the following named account: D.P.W Parks Expense account for Water from the following named D.P.W. Parks Salaries Accounts:

Heavy MEO/Laborer	\$ 9,000.00
Working Foreman	\$ 30,000.00
MEO/Laborer	\$ 13,000.00
Laborer	\$ 25,000.00
Park Foreman	\$ 19,000.00
Park Maint. Craftsman	\$ 6,000.00
Grounds Maint. Craftsman	\$ 20,000.00
DPW Maint. Craftsman	\$ 14,000.00
Temporary Laborers	<u>\$ 14,000.00</u>
Total	\$150,000.00

MO-3 Mayor’s appropriation of One hundred fifty eight thousand and 00/100 dollars (\$158,000.00) to the following named account: Capital Projects Special Account for Remediation/Demolition of Uniroyal Buildings from available funds in the Stabilization Fund.

MO-4 Mayor’s appropriation of Seventy thousand and 00/100 dollars (\$70,000.00) to the following named account: Capital Projects Special Account for Remediation/Demolition of Uniroyal Buildings from available funds in the Stabilization Fund.

MO-5 Mayor’s appropriation of Thirty seven thousand eight hundred eighty three and 00/100 dollars (\$37,883.00) to the following named Human Resources Accounts:

Benefits Manager	\$14,846.00
Overtime	\$ 7,500.00
Advertising	\$ 8,537.00
Medical Exams	<u>\$ 7,000.00</u>
	\$37,883.00

from available funds in the Stabilization Fund.

MO-6 Mayor’s appropriation of Thirty five thousand and 00/100 dollars (\$35,000.00) to the following named account: D.P.W. Engineering Salary Account for Senior Engineering Aide from available funds in the D.P.W. Highway Salary Account for Highway Maintenance Man.

- MO-7 Mayor's appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: D.P.W. Central Maintenance Salary Account for Intern/Co-Op from available funds in the D.P.W. Central Maintenance Salary Account for Motor Equipment Repairman.
- MO-8 Mayor's appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: D.P.W. Forestry Salary Account for Intern/Co-Op from available funds in the D.P.W. Highway Salary Account for Highway Traffic Foreman/Signal Maintenance.
- MO-9 Mayor's appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: D.P.W. Highway Salary Account for Intern/Co-Op from available funds in the D.P.W. Highway Salary Account for Highway Construction Foreman.
- MO-10 Mayor's appropriation of Two thousand and 00/100 dollars (\$2,000.00) to the following named account: Parks and Recreation Salary Account for Intern from available funds in the Parks and Recreation Salary Account for Leader of Rec Art.
- MO-11 Mayor's appropriation of Twenty five thousand and 00/100 dollars (\$25,000.00) to the following named account: Police Salary Account for Intern from available funds in the Police Salary Account for Patrolman Step 2.
- MO-12 Chapter 7 Ordinance Revisions
- Insertion of the position of Intern into the following departments: Police, Fire, Human Resources, Mayor, Library, Health, Parks & Recreation
- Insertion of the position of Intern/Co-op into the following departments: Central Maintenance Garage, D.P.W. Parks, D.P.W. Highway, D.P.W. Forestry, D.P.W. Sewer, D.P.W. Water, D.P.W. Engineering, Police.
- MO-13 Ordered that the City Council accept the FY22 State Earmark in the amount of Five hundred thousand and 00/100 (\$500,000.00) from the Commonwealth of Massachusetts through its Executive Office of Economic Development to the City of Chicopee. Said Earmark is for improvements to the former municipal library building and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-14 Ordered that the City Council accept the attached list of donations in the amount of Two thousand eight hundred and 00/100 dollars (\$2,800.00) to the Chicopee Public Library. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-15 Ordered that the City Council accept the grant from the Massachusetts Department of Environmental Protection in the amount of Four million four hundred ninety two thousand one hundred eighty seven and 00/100 dollars (\$4,492,187.00) to the City of Chicopee. Said grant will be used to reduce the effluent nitrogen as required by the City's Federal and State issued NPDES permit and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-16 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from Theory Wellness to the Chicopee Parks and Recreation Department. Said donation is to be used for the Chicopee Community Gardens at Lincoln Grove and Rivers Park and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-17 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from the American Legion Post 337 to the Chicopee Department of Veterans Services. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-18 Ordered that the City Council accept the attached list of donations in the amount of Five hundred fifty and 00/100 dollars (\$550.00) to the Chicopee Public Library. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-19 To The City Clerk

You are hereby notified that I have this day appointed Daniel Mashia, 234 College Street, Chicopee, MA 01020 to the Chicopee Electric Light Commission to serve in such office expiring on the first day of January 2026.

\*New Appointment

MO-20 To the City Council

You are hereby notified that I have this day re-appointed Joshua Clark, 259 East Main Street, Chicopee, MA 01020 as a member of the Mobile Home Rent Control Board to serve until the first of January 2025. To which appointment I ask the confirmation of your honorable Council.

\*Re-Appointment

MO-21 To the City Council

You are hereby notified that I have this day re-appointed Lester Gagne, 24 Kowel Drive, Chicopee, MA 01020 as a member of the Mobile Home Rent Control Board to serve until the first of January 2025. To which appointment I ask the confirmation of your honorable Council.

\*Re-Appointment

MO-22 Be it Ordained by the City Council to adopt the below listed policy regarding the display of flags in front of City Hall on the City Hall traffic island.

Proposed Chapter 88

§88-1 Display of Flags on City Hall Plaza

The purpose of this Ordinance is to establish guidelines for the display by the City of Chicopee of (1) flags of governments recognized by the Federal Government, and (2) other flags in front of City Hall on the City Hall traffic island. Nothing herein shall be construed to conflict with City of Chicopee Code, Ordinances Chapter 87.

§88-2 Policy.

It is the policy of the City of Chicopee that flags should be displayed in conformance with Federal and State policies, as stated in the Federal "Our Flag" publication of the Congress, House Document No. 96-144; Chapter 2, Section 6 of the Massachusetts General Laws and Chapter 2, Section 6A of the Massachusetts General Laws.

§88-3 Order of Precedence

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Outdoor flags will be flown at City facilities in the following order of precedence: first, the United States flag; second, the Commonwealth of Massachusetts flag; and third, the City of Chicopee flag.

§88-4 Special occasions of Federal, State and local proclamation.

- a. Flags in front of City Hall shall be displayed in accordance with the above standards. However, the Mayor may order flags to be lowered to half-staff including, but not limited to flags of the United States of America and the Commonwealth of Massachusetts in honor of the death of a City employee killed in the line of duty, or in observance of a specific event or circumstance.
- b. Pursuant to proclamation of the Mayor, or resolution of the City Council, other flags may be flown by the City in place of the City of Chicopee flag.

§88-5 Other Flags.

The City's flagpoles are not intended to serve as a forum for free expression by the public. The following flags may be displayed by the City as an expression of the City's official sentiments:

- a. Flags of Government Recognized by the United States. Flags of government recognized by the United States may be displayed upon the proclamation of the Mayor or by resolution of the City Council.
- b. Flags displayed in Conjunction with Official Events or Ceremonies as Announced by Mayoral Proclamation or City Council Resolution. By proclamation of the Mayor or resolution of the City Council, other flags may be displayed as official City events or ceremonies.
- c. Ownership of Other Flags. The City shall acquire ownership of all flags that it flies in place of the City of Chicopee flag.

§88-6 This Ordinance shall take effect upon passage.

- MO-23 Ordered that the City Council accept the FY2023 Field Demonstration Project SIG Grant in the amount of Eight thousand and 00/100 dollars (\$8,000.00) from the Executive Office of MCOA to the Chicopee Council on Aging. Said grant will be used for development and implementation of Outreach and Marketing of the COA to older adults and caregivers and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-24 Ordered that the City Council accept the donations in the amount of Seven thousand forty two and 00/100 dollars (\$7,042.00) to the Chicopee Council on Aging. Said donations are for senior meals for the month of December 2022 and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-25 Ordered that the City Council accept the attached list of donations in the amount of Seven thousand one hundred forty one and 00/100 dollars (\$7,141.00) to the Chicopee Council on Aging. Said donations are for senior programming and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-26 Ordered that the City Council accept the attached list of donations in the amount of Seventy two and 00/100 dollars (\$72.00) to the Chicopee Council on Aging. Said donations are for the Rivermills Newsletter and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.

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- 27 A favorable Human Resources Committee report: Appointment of Ernest Mathieu to the Board of Health Commission.
- 28 A favorable Human Resources Committee report: Appointment of Janet Ely to the Board of Health Commission.
- 29 A favorable Human Resources Committee report: Mayoral appointment of Theresa Devlin as a member of the Zoning Board of Appeals to serve in such office for the term expiring on the 3<sup>rd</sup> of January 2026.
- 30 A favorable Human Resources Committee report: Mayoral appointment of Nathan Moreau as a member of the Planning Board to serve in such office for the term expiring on the 3<sup>rd</sup> day of January 2028.
- 31 A favorable Human Resources Committee report: Mayoral appointment of Julia Sudol as a member of the Zoning Board of Appeals to serve in such office for the term expiring on the 1<sup>st</sup> January 2026.
- 32 A favorable Zoning Committee report: Special Permit under Chapter 275-52 (B) 3 for the purpose of garage as a principal structure located at 19 Dale Street. Applicant: Steven Gardner, 19 Dale Street, Chicopee, MA 01020.
- 33 A favorable Zoning Committee report: Special Permit under Chapter 275-50 C 1 + 2 for the purpose of new digital sign with dimensional relief. Waiver requested – front setback from 25' to +/- 1' located at 603 New Ludlow Road. Applicant: Jim Carrier, c/o Lifepoint Church, 603 New Ludlow Road, Chicopee, MA 01020.
- 34 A favorable Zoning Committee report: Special Permit under Chapter 275-58 (E) (1) for the purpose of installation of a new pole sign. Waivers requested – (1) Setback from 25' to +/- 0.5' (2) total sign surface area from 80 SF to 98 SF located at 1801 Memorial Drive. Applicant: Sign Techniques, Inc., Tracy Janik, PO Box 237, Chicopee, MA 01021.
- 35 A favorable Zoning Committee report: Special Permit under Chapter 275-63 for the purpose of increasing outside storage in a IPUD Type 1 District from 2% of the building footprint to 5% as set forth in Section 275-63 F (5). Waiver requested increase amount of outside storage from 3,021 SF (2%) to 7,531 SF (5%) located at 301 Griffith Road. Applicant: Griffith Road Property Owner, LLC, Attorney Peter W. Shrair, 133 Pearl Street, Boston, MA 02110.
- 36 A favorable Zoning Committee report: Special Permit under Chapter 275-9 for the purpose of installing small wireless facility on existing utility pole under Chapter 277. Location 56 Foss Avenue. Applicant: Cellco Partnership d/b/a Verizon Wireless, 1441 Main Street, Suite 1100, Springfield, MA 01103.
- 37 A favorable Finance Committee report: Ordered that the Finance Committee meet to discuss financial issues associated with Bluebird Acres Mobile Home Park.
- 38 A favorable Finance Committee report: Ordered that the sum of One hundred thousand and 00/100 dollars (\$100,000.00) be and hereby is appropriated to the following named account: Law Expense Account for Special Services. Said amount is to be taken from available funds in the Stabilization Fund.

39 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.

McAuliffe/Laflamme

40 Be it Ordered that the Public Works Committee meet to review the proposed road line striping change for East Main Street.

Krampits

41 Be it Ordered that Councilor Krampits be authorized to hold a public hearing regarding loud music complaints from cars parked after hours at Laser Auto Wash at 200 St. James Ave.

Krampits

42 Be it Ordered that United Sons Auto Sales, LLC 400 D East Main Street, licenses be called in before the License Committee for License review and imposition of restrictions.

Laflamme

43 Be it Ordered that CEL install a light on pole #13 on Abbey Memorial Drive.

Zygarowski

44 Be it Ordained by the City Council that the Code of the City of Chicopee for year 1991, as amended, be and is hereby further amended as follows:

Chapter 109 Section 3

There shall be no sale of alcohol bottles or containers that are less than 50 milliliters in size.

Pniak-Costello/Dobosz

45 Be it Ordered that the Law Department review the status of the Traffic Committee.

Pniak-Costello

46 Be it Ordered that the Public Safety Committee meet with the Emergency Management Director, Fire Chief, and Police Chief to discuss disaster preparedness and what the City has in inventory.

Roy/Zygarowski

47 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 275-50 Signs

Delete 275-50 B (F)

F. Duration of placement. Temporary signs may be placed 60 days prior to an event or promotion and must be removed within seven days following an event or promotion.

Courchesne

- 48 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 Motor Vehicle Repair and Storage

Delete from Chapter 275-51 D the following language

“or inoperable or not currently registered or with a current state inspection sticker”

Courchesne

- 49 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:

Delete Chapter 169-13 E

And insert in place thereof

Bulky waste, such as discarded furniture, mattresses, large electronics, tires, floor coverings, large appliances, and similar items can be picked up through the City’s Curbside Bulk Pick-up Program. Disposal of construction/demolition debris, commercial bulk waste, hazardous waste and regular household trash are not eligible for pick-up and shall be the responsibility of the owner.

Courchesne

- 50 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 200-4 Boom boxes and audio equipment.

Add to B the following  
as measured at the property line of where the unreasonable noise originates

To read:

B. Loud and unreasonable noise defined. For purposes of this section, an unreasonable loud noise is defined as a sound which is greater than 50 decibels in the hours between 11:00 p.m. and 7:00 a.m. and 70 decibels at other times as measured at the property line of where the unreasonable noise originates or any sound which is discernible at a distance of 100 feet, provided that such sound is not otherwise authorized by permit or license granted by the Commonwealth of Massachusetts or the City by permission of the Chief of Police.

Courchesne

- 51 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: Chapter 169, Article VII

Enforcement and Violation

The Superintendent of Public Works, Chicopee Police Department, Chicopee Building Department, Chicopee Health Department, Chicopee Fire Department, or any of their designee(s) shall enforce the provisions of Chapter 169 and shall have the authority to issue citations for any said violation(s). Any person violating any of the provisions of this article, except where a different penalty is specially provided, shall be liable to a fine of \$50 for the first offense, \$100.00 for a second offense and \$500.00 for a third and/or subsequent offense within a twelve-month period.

Courchesne

- 52 Be it Ordered that the following question shall be placed on the November 7, 2023 ballot for the City of Chicopee

Shall the City of Chicopee vote to accept the provisions of Chapter 40 Section 6C of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways therein open to public use?

Courchesne

- 53 Be it Ordered that the DPW/Sanitation Department meet to correct and update Chapter 223-1 to Chapter 223-5 to bring language to current regulations.

Courchesne

- 54 Be it Ordered that the DPW assess the intersection of Bonner/State and Chicopee Street for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

Lopez

- 55 Be it Ordered that the DPW assess the intersection of Chicopee Street and Meetinghouse Road for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

Lopez

- 56 Be it Ordered that the DPW assess the intersection of Elcon Drive and Meetinghouse Road for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

Lopez

- 57 Be it Ordered that the DPW assess the intersection of Florence and Chicopee Street for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

Lopez



- 58 Be it Ordered that the DPW assess the intersection of Stedman and Meadow Street for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.
- Lopez
- 59 Be it Ordered that the DPW assess the intersection of Sarah Jane Sherman Park entrance and Chicopee Street for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and drive safety.
- Lopez
- 60 A proposed ordinance adding to Chapter 260, Parking Regulations, Bourbeau Street, Odd side 25 feet to corner of Prospect Street, Parking Prohibited Here to Corner.
- Courchesne
- 61 A proposed ordinance striking from Chapter 260, Parking Regulations, Chicopee Street, In front of 801-805 Chicopee Street, Parking Prohibited.
- Courchesne
- 62 A proposed ordinance adding to Chapter 260, Isolated Stop Signs and Signal Lights, Cherryvale Street, Dead End Side, At the intersection of New Ludlow Road, Isolated Stop Sign with Stop Bar.
- Pniak-Costello
- 63 An application for a NEW Home Occupation License at 82 9<sup>th</sup> Avenue for the purpose of doing Baking Business. Applicant: Susan Gendron, 82 9<sup>th</sup> Avenue, Chicopee, MA 01020.
- 64 An application for a NEW Special Permit under Section 275-66A of the Municipal Zoning Ordinance for the purpose of allowance of a business, commercial, or industrial development on Burnett Road. Location of Property: Burnett Road. Applicant: Scannell Properties #705, LLC (c/o Leo Leighton) 294 Grove Lane, Suite 140, Wayzata, MN 55391.
- 65 An application for a NEW Zone Change from Industrial Garden Planned Unit Development Type 1, to Industrial for 2.58 +/- acres of property located at Burnett Road. Applicant: Scannell Properties #705, LLC (c/o Leo Leighton) 294 Grove Lane, Suite 140, Wayzata, MN 55391.
- 66 An application for a NEW Auto Body/Auto Repair license for Tony and Sons Auto Service and Sales, Leasing and Rental Inc. at 170 South Street. Applicant: Dolcimar Ferreira Sousa, 51 Bliss Street, West Springfield, MA 01089.
- 67 An application for a NEW Auto Detail license for Tony and Sons Auto Service and Sales, Leasing and Rental Inc. at 170 South Street. Applicant: Dolcimar Ferreira Sousa, 51 Bliss Street, West Springfield, MA 01089.
- 68 An application for a NEW Hawkers and Peddlers License to Sell Ice Cream. Outside of the properties of various school/park locations. Applicant: Iro Mitchener, 58 Grattan Street, Chicopee, MA 01020.

69 2023 Class 2 License Renewal  
Family Auto Sales and Repair, LLC 920 A Meadow Street

70 2023 Auto Repair License Renewal  
Monro Muffler & Brake, Inc. 461 Memorial Drive

71 2023 Auto Repair & Auto Body License Renewal  
Family Auto Sales and Repair, LLC 920 A Meadow Street

72 2023 Auto Detail License Renewal  
Family Auto Sales and Repair, LLC 920 A Meadow Street

73 A petition from Eversource : Eversource Gas of Massachusetts, hereby requests that it be granted a location and permission to install and maintain 4,711' of 2" IP plastic gas main on Chicopee St, Emerson St, Erlene St, Tourtellotte Ave, Lucretia Ave, Riverview Pl, Charbonneau Te, Rivers Ave, Adams St, Leslie St, and Blanche St with such laterals and service connections as it may now or subsequently find necessary.

Said gas main will be installed in accordance with the plans enclosed.

ATTEST:



Keith W. Rattell, City Clerk