



APPROVED 8-4-2021

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**MEMBERS**

Gary Labrie, Chairman  
George Balakier, Vice Chairman  
Frank Laflamme  
Stanley Walczak  
William Courchesne

**MINUTES**  
**January 25, 2021**

The following are the minutes of a public hearing held Tuesday, January 25, 2021 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

**Members Present** Labrie, Balakier, Laflamme, Walczak

**Not Present** Courchesne

**Also Present** Daniel Garvey (Associate City Solicitor), Sharyn Riley (Auditor), John Beaulieu (Assistant to the DPW Superintendent) Councilor Krampits,

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.

Councilor Laflamme excused himself from Item #1

**ITEM #1**

Claim 21-3

Janine Bonin, 386 Grattan Street #2

Vehicle Damage

Restitution Sought \$131.57

Damages Awarded \$131.57

Claimant was present she stated that she was going up Buckley Boulevard and there was a hole. She stated that they removed the pipes and put some barrels and cones. She stated that she got too close and there was a big pothole and she heard her tire pop.

**Councilor Walczak** stated that he drives up Buckley Boulevard often and noticed a particular problem on that street

**John Beaulieu** stated that it rained so much that we couldn't get the cones down and the barrel was moved a little bit from the rain.

Councilor Walczak motion to pay the \$131.57 – Councilor Labrie 2<sup>nd</sup> the motion – motion passed

## **ITEM #2**

Claim 21-4

Cathleen Curran, 24 Social Street

Property Damage

Restitution Sought \$154.91

Damages Awarded \$154.91

Claimant was present she stated that Goncalves Construction damaged her sprinklers. She stated she was told by them that they would replace it. She stated that they also did a lot of damage on her lawn but she was able to fix that herself.

**John Beaulieu** stated that Goncalves Brothers are in a battle with each other. They don't want to pay these people for damages because they feel they were shorted by us on a contract.

**John Beaulieu** stated that all the liquidated damages were settled, the sign offs were complete and final payment has been issued. He stated that these folks shouldn't have to wait for payment any longer.

**Attorney Garvey** stated that you should consider not using this contractor anymore.

**John Beaulieu** stated because the contractor has an issue with us we felt these folks shouldn't have to go through this.

**Sharon Riley** stated that money would have to go back to Claims and Accounts.

**Councilor Laflamme** stated that these are two brothers battling in the same company.

**Attorney Garvey** stated that it is the lowest qualified bidder. You can go to the next higher qualified bidder. He stated that he understands what Elizabette Botelho is saying that Goncalves is responsible, we have fought with them but it has not yet come to a head. He stated that we can try to seek reimbursement but Auditing would know more in regards to this.

**Sharon Riley** stated that we refer claimants to contractors a lot. She stated that the claimants say that when they call the contractors they ignore them.

**Councilor Krampits** stated that normally when there's a construction project the contractor has the responsibility to pay damages. He stated that they weren't responding to the claimant's and basically ignoring everything. He stated that he was receiving calls from three people on Munger Road that had damages from Goncalves Construction.

**Councilor Laflamme** stated that this should be referred to the Law Department. He stated that we have guidelines and they cannot be altered.

**Councilor Krampits** stated that they filed late simply because they did not get a response from the contractor. He stated that they filed the claim with the DPW.

**Sharon Riley** stated that the contractors are required to have performance bonds because of damages.

**Attorney Garvey** stated that we as a city referred them to a contractor in a thirty day window. If we had not referred them to a contractor they would have been able to make that thirty day window.

**Councilor Walczak** asked who is responsible to check on the contractor's work.

**John Beaulieu** answered the City Engineer.

Councilor Laflamme motion to pay \$151.91 – Councilor Walczak 2<sup>nd</sup> the motion – motion passed

**ITEM #3**

**Claim 21-5**

Penelope Trigilio, 70 Munger Road

Property Damage

Restitution Sought \$240.00

Damages Awarded \$240.00

Claimant was present she stated that Engineering recommended that I pay out of pocket to get it done faster because they were having an issue with the contractor. She issued a bill to the contractor and they said they won't pay it because the City of Chicopee isn't paying them. She stated that they went back and forth for months. She stated that her lawn still isn't fixed and there was four sprinkler heads damaged. She stated that they parked their bulldozer on the sprinklers. She stated that she feels it's an insult that she has to come here tonight to ask for this payment. She said it seems unfair that she has to explain her case when it's so obvious. She stated she thinks it's a problem when you have a contractor and the City in a dispute and it involves the citizens of Chicopee. She stated that three or four feet of her lawn was damaged. The City of Chicopee came and seeded but it just washed away. She stated that this has been going on for a while and the back and forth is frustrating.

**Councilor Laflamme** stated that we don't know what is going on that's why we have these meetings. He stated that this is a benefit that we offer to our residents.

**Councilor Labrie** stated that this is the same situation with the same contractor.

Councilor Walczak motion to pay \$240.00 – Councilor Labrie 2<sup>nd</sup> the motion – motion passed

**ITEM #4**

**Claim 21-6**

Joanna Krupa, 270 Granby Road

Property Damage

Restitution Sought \$26.18

Restitution Awarded \$26.18

Claimant was not present however Councilor Balakier was able to leave a message for her to call into the meeting.

Councilor Laflamme motion to postpone to the end of the meeting – Councilor Labrie 2<sup>nd</sup> the motion – motion passed

Claimant called in and stated that she was collecting the trash and noticed that the mailbox was on the ground and there was a letter from the city driver apologizing that the arm of the truck hit the mailbox and broke it. She stated that she called the City and they said they would pay for the damage.

Councilor Laflamme motion to pay \$26.18 – Councilor Labrie 2<sup>nd</sup> the motion – motion passed

**ITEM #5**

**Claim 20-1**

Krzysztof Socha, 15 Wintworth Street

Vehicle Damage  
Restitution Sought \$300.00

Claimant was not present at the meeting do to being ill.  
Motion made by Councilor Laflamme and second by Councilor Labrie to postpone to the next meeting. Motion passed.

Meeting adjourned at 7:22 PM.