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CITY COUNCIL
CHICOPEE MA

Minutes from the City Council Meeting on Tuesday April 6, 2021 at 7:10 pm in the Auditorium are as follows:

Brooks, Shane D.	Ward 2 Councilor	Absent
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
Galecki, Lucjan J.	Ward 3 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

Public Input -none

MO-1 Mayors appropriation of Eighty six thousand and 00/100 dollars (\$86,000.00) to the following named account: Police Expense Account for Departmental Equipment from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated equipment for the police department for a TRT team. Special units. Councilor McAuliffe stated motion to refer to Finance Committee and Public Safety Committee. Created a crowd control team, need clarification. Want to hear exactly what this is for. Positivity that came out of events of the summer. Police are dramatically underpaid. Councilor Galecki stated important, shouldn't go to committee. Councilor Tillotson stated want to vote for this tonight. Need some, things are not public. No reason to postpone. Some items may never be used but be prepared. Police in other places don't feel safe. Councilor Zygarowski stated no way would I support referring this. We need to give police all they need. Delay would just be bad. Pass it tonight. Councilor Roy agreed, don't want to delay. They know what they need. They only ask for what they need. Councilor Courchesne stated not everything for officer safety can be transparent. Equipment is also for a regional SRT team. Have to look at officer safety. Councilor Walczak stated vote for this tonight. Not normal times, lets support Chicopee and fund our police. Need the proper equipment. Councilor McAuliffe appreciates where his colleagues are coming from. Don't believe any department should be given a free check. Wish this order was to raise police salaries. Public wants clarification. Councilor Zygarowski stated not going to vote to refer. Never denied the police department things they need. Certain things shouldn't be public. Councilor Galecki stated why we need crowd control, watch the news. Councilor Tillotson stated trying times. Public relations are always a plus, move this forward. Capt. Henry can come in and give information, let's be prepared. Councilor Laflamme thanked Chief Dakin and Capt. Henry, he asked to speak with them. Capt. Henry spent time explaining, will answer to any residents that want. Give credit to the Fire and Police, C3 program is good, have a PR officer. Time is not always on your side. Will be put on a list, start officers now. Want to protect all our officers. Motion made by Councilor McAuliffe to refer to the Finance and Public Safety Committees. Motion defeated by a roll call vote of 2 yes, 10 no. Councilors McAuliffe and Dobosz voting yes, Councilor Brooks absent. Motion made by Councilor McAuliffe to receive and pass with a meeting after of the Finance and Public Safety Committees. Motion defeated by a roll call vote of 2 yes, 10 no.

Councilor McAuliffe and Dobosz voting yes, Councilor Brooks absent. Motion made by Councilor Dobosz to receive and pass. Motion passed through all stages by a roll call vote of 11 yes, 1 abstained. Councilor McAuliffe abstained, Councilor Brooks absent.

MO-2 Ordered that the City Council accept an In-Kind donation from Lemelin Photography with estimated value of Six hundred and 00/100 dollars (\$600.00) to the Chicopee Police Department. Said donation is for head shots of Police Department employees and it is accepted in accordance with M.G.L. Chapter 44 Section 53A and 53A ½.

--Motion made by Councilor Courchesne to receive, pass and the donation accepted. Councilor Courchesne stated appreciate them doing this. Letter of thanks. Motion passed through all stages by a unanimous roll call vote. Councilor Brooks absent.

MO-3 Mayors appropriation of Four thousand eight hundred eighty one and 68/100 dollars (\$4,881.68) to the following named account: Human Resources Special Account for Indemnifications of Police & Fire from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated something we do all the time. Self-insured. Motion passed through all stages by a unanimous roll call vote. Councilor Brooks absent.

MO-4 Mayors appropriation of Nine hundred fifty four and 19/100 dollars (\$954.19) to the following named account: Golf Special Account for Golf Course Maintenance from available funds in the Golf Salary Account for Seasonal Golf Assistants.

--Motion made by Councilor Balakier to receive and pass. Councilor Balakier stated account transfer to fulfill a city contract. Motion passed through all stages by a unanimous roll call vote. Councilor Brooks absent.

MO-5 Chapter 7 Ordinance Revisions: Create three new title positions to be subject to the Chapter 7 Ordinance; Group 4; OO Human Resources.

- Pandemic Response Clerk \$15.00/hour
- Pandemic Response Nurse \$40.00/hour
- Pandemic Response Lead Nurse \$50.00/hour

--Motion made by Councilor Tillotson to receive, 1st reading and refer to the Ordinance Committee. Councilor Tillotson stated will be critical if we open the vaccine site. Planning on staying ahead of the game. Will be heard on the 13th. Motion passed through all stages by a unanimous roll call vote. Councilor Brooks absent.

MO-6 Mayors appropriation of One million and 00/100 dollars (\$1,000,000.00) to the following named account: Treasurer's Special Account for OPEB from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated transfer, basically a down payment on future benefits. Motion passed through all stages by a unanimous roll call vote. Councilor Brooks absent.

MO-7 To the City Council:

You are hereby notified that I have this day appointed, Denise T. Przybylowicz, 11 Caddyshack Drive, Chicopee, Massachusetts as a member of the Board of Registrars of Voters to serve in such office for the term expiring on the 1st of April, 2024. To which appointment I ask the confirmation of your honorable council.

*New Appointment

--Motion made by Councilor Tillotson to receive, pass and approved this evening. Councilor Tillotson stated known by everyone. All positive, Janina recommends her. She was at the briefing. Councilor Walczak stated think this is a good addition, would recommend her. Councilor Dobosz thanks Denise for volunteering, thank the Mayor for the appointment. Councilor Zygarowski has known her for about 40 years, will be well qualified. Councilor Balakier stated had the pleasure of working with her, will be an asset. Motion passed. Councilor Brooks absent.

MO-8 To the City Council:

You are hereby notified that I have this day appointed, Christina Loy, 451 East Main Street, Chicopee, Massachusetts as a full time member of the Zoning Board of Appeals to serve in such office for the term expiring on the 1st of April, 2026. To which appointment I ask the confirmation of your honorable council.

*Re-Appointment

--Motion made by Councilor Tillotson to receive, pass and approved this evening. Councilor Tillotson stated interesting board, glad to have her. Councilor Dobosz stated served with her, she was fantastic, made a great deal of attention to the speeding problem by her house. Lot of work done for the city. Motion passed. Councilor Brooks absent.

9 A favorable License Committee reports, an application for an Auto Detailing License for A & B Vinyl Designs located at 450 B New Ludlow Road. Applicant: Ocziris Rodriguez, 292 Page Blvd., Springfield, MA 01104.

--Motion made by Councilor Krampits to receive and granted with restrictions. Councilor Krampits stated detailing license, read the restrictions into the record. Motion passed. Councilor Brooks absent.

10 A Zoning Committee report, Special Permit application under 275-50 (A) (1) (g) (1) for the purpose of an off-premise, non-accessory sign (also defined as a billboard) for the Leadfoot Brewing located at 30 Buckley Blvd. and any needed waivers under 275-50 (A) (1). Request the following waivers:

1. A waiver from 275-50.A (1) (g) (1) (a) – To waive the requirement for a billboard to not be located within 1,500 feet of a park or the main building entrance of a school or church.
2. A waiver from 275-50.A (1) (g) (1) (b) – To waive the requirement for a billboard to not be located within 500 feet of a residentially zoned land.
3. A waiver from 275-62 (D) – To waive the requirement that a freestanding sign may be allowed for each building set back as least 25 feet.

--Motion made by Councilor Tillotson to vote on Waiver #1-vote to adopt the committee recommendation. Motion passed through all stages by a unanimous roll call vote. Motion made by Councilor Tillotson to vote on Waiver #2-waiver approved. Motion passed through all stages by a unanimous roll call vote. Motion made by Councilor Tillotson to vote on Waiver #3-waiver approved. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne stated billboard is because it isn't on his own property. Motion made by Councilor Tillotson the special permit be approved with restrictions. Motion passed through all stages by a roll call vote of 11 yes, 1 out of chair. Councilor Roy out of chair, Councilor Brooks absent.

- 11 A Zoning Committee report, Special Permit application under Chapter 275-52 (B) (11) for the purpose of a home occupation permit to legally produce baked goods such as cakes and cookies in a residential kitchen located at 64 McCarthy Avenue. Applicant: Jessica Carrano, 64 McCarthy Ave., Chicopee, MA 01020.

--Motion made by Councilor Tillotson to receive and approved with restrictions. Councilor Tillotson read the restrictions into the record. Adequate refrigeration and fire extinguishers. Councilor Galecki stated good thing they are applying. Councilor Walczak stated resident in the ward, make sure parking doesn't become an issue. Motion passed through all stages by a unanimous roll call vote. Councilor Brooks absent.

- 12 A Zoning Committee report, Special Permit application under 275-40 (G) for the purpose of reduction in required number of parking spaces from 18 to 16 spaces located at 675 Fuller Road. Applicant: Mike Laser Enterprises, LLC, c/o David LaVenture, 428 East Street, Chicopee, MA 01020.

--Motion made by Councilor Tillotson to receive and postponed to the call of the chair. Councilor Tillotson stated they granted a time extension. Motion passed by a unanimous roll call vote to postpone. Councilor Brooks absent.

- 13 A Zoning Committee report, Special Permit application under 275-72 for the purpose of the establishment of an Adult Use of Marijuana – Marijuana retailer – License Group B located at 1269 Memorial Drive. Applicant: JimBuddy's Rec Shop, Inc., James Robinson, 30 Vadnais Street, Chicopee, MA 01020.

--Motion made by Councilor Tillotson to receive and granted. Councilor Tillotson read the restrictions into the record. Councilor Roy asked if we have expired all licenses? Councilor Tillotson stated on is in litigation. Motion to grant passed through all stages by a unanimous roll call vote. Councilor Brooks absent.

- 14 To the City Clerk:

You are hereby notified that I have this day appointed Timothy J. Wagner, 103 Oakridge Street, Chicopee, Massachusetts as a member of the Charter Review Commission to serve in such office for the term expiring on the 6th of April 2022.

*New Appointment

--Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated most of you should know Tim, he is an advisor to the School Committee. Has a lot of great ideas. Councilor Courchesne stated happy to see this nomination, brings knowledge. Councilor Galecki asked if he is old enough to vote? Motion passed. Councilor Brooks absent.

15 To the City Clerk:

You are hereby notified that I have this day appointed Al Picard of 46 Harvey Street, Chicopee, Massachusetts as a member of the Charter Review Commission.

*New Appointment

--Motion made by Councilor Tillotson to receive, pass and approved tonight. Councilor Tillotson stated other end of the spectrum, teacher. Vice-principal took over the Friends of Seniors. Will work together very well. Councilor Balakier stated know Al for years, passionate about Chicopee. Will bring a lot of good things. Councilor McAuliffe stated know the good works he will do for this committee. Motion passed. Councilor Brooks absent.

16 To the City Clerk:

You are hereby notified that I have this day appointed David Amo of 72 Fairway Drive, Chicopee, Massachusetts as a member of the Charter Review Commission.

*New Appointment

--Motion made by Councilor Dobosz to receive, pass and approved this evening. Councilor Dobosz stated family friend, been active in the community for years. Known in ward 6. Motion passed. Councilor Brooks absent.

17 To the City Clerk:

You are hereby notified that I have this day appointed Joshua Clark of 517 McKinstry Avenue, 2nd floor, Chicopee, Massachusetts as a member of the Charter Review Commission.

*New Appointment

--Motion made by Councilor Labrie to receive, pass and approved this evening. Councilor Labrie stated lifelong Ward 8 resident, Chairman of the Historical Commission, teacher at Comp. Happy to make the appointment. Councilor McAuliffe stated appointments just keep getting better. Josh is his own man, capable of making his own decisions. Lot of work ahead. Motion passed. Councilor Brooks absent.

18 BE IT ORDERED THAT the DPW install pedestrian warning signs for crosswalks in the area of Charbonneau Terrace, Leslie Street, Walter Street and Yvonne Street.

Motion made by Councilor Courchesne to receive and sent to DPW for implementation. Councilor Courchesne stated continuation of work started last year. Protect the people that work. Motion passed. Councilor Brooks absent.

19 BE IT ORDERED THAT the C3 Program meet with the Public Safety Committee to discuss progress, challenges and initiatives.

--Motion made by Councilor Courchesne to receive and refer to the Public Safety Committee. Councilor Courchesne stated been a while since it started. Meet with the program, see if we can help. Still problems in the center. Motion passed. Councilor Brooks absent.

20 BE IT ORDERED THAT the Acting Chief and Captain of the Traffic Bureau meet with the Public Safety Committee to discuss initiatives to combat speeding, and illegal dirt bikes and mufflers, with the option to adjourn to executive session if necessary.

--Motion made by Councilor Courchesne to receive and refer to the Public Safety Committee. Councilor Courchesne stated continuance of hearing, hoping to be pro-active. Officers feel their hands are tied at some points. Collective minds together, see where they are at. Think it will be productive. Councilor Dobosz stated thank Councilor Courchesne for bringing this forward, had problems at Litwin School and Williams Park. Motion passed, referred. Councilor Brooks absent.

21 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 260-16 A Establishment; sounding of warning devices.

Delete

300 feet

And insert in place thereof

500 feet

To read:

- A. All territory within 500 feet of the premises of each hospital, each nursing home or any medical health care facility where overnight stays are required by competent medical personnel, in the City of Chicopee, is hereby declared, by the amendment of this ordinance, to be a zone of quiet.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated next four orders are all tied together. Technology has overwhelmed the ordinances. Looking to update, quiet signs. Give the police department one more tool. Motion passed, referred. Councilor Brooks absent.

22 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 260-16 C Establishment; sounding of warning devices.

Add or rev excessively after "at very high speeds"

To read:

C: No person operating any type of motor vehicle within any designated zone of quiet shall sound the horn or use other warning devices, cause the motor to run at very high speeds or rev excessively so as to cause loud noises or to cause his or her vehicles to spin the wheels at a high speed (burn rubber). The only exceptions are emergency vehicles.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated last year they were revving motorcycles needlessly. Another tool for the police department. Motion passed, referred. Councilor Brooks absent.

- 23 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 200-3 B Enumeration of prohibited noises.

Add

The excessive or otherwise unnecessary revving of motorcycle, automobile or other such motorized vehicle or equipment.

To Read

- B. Noisy vehicles. The use of an automobile, motorcycle or other vehicle so out of repair or so loaded in such a manner so as to create repeated or continuous loud, unnecessary grating, grinding, rattling or other noise. The excessive or otherwise unnecessary revving of motorcycle, automobile or other such motorized vehicle or equipment.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated piggyback on last order. Councilor Galecki stated police can enforce the ordinance. Councilor Courchesne stated one more tool in the toolbox. Motion passed, referred. Councilor Brooks absent.

- 24 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 200-3 E Enumeration of prohibited noises.

Add

Nursing home after "hospital"

To Read

E. Noise near schools and other institutions. The creation of any excessive noise on any street adjacent to any school, installation of learning, church or court while the same is in session, or adjacent to any hospital, nursing home which unreasonably interferes with the workings of such institutions, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital, church or court house. Excessive noise, for the purposes of this section, shall be repeated and/or continuous noise that can reasonably be construed to impair or hamper the activities involved in any of the above stated entities.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated in ward. Councilor Tillotson stated institution of learning. Motion passed, referred. Councilor Brooks absent.

- 25 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 in its entirety Chapter 169-40 Maintenance; violations and penalties; enforcement
And insert in place thereof

ARTICLE V
Receptacle for Used Clothing

--Motion made by Councilor Tillotson to receive, 1st reading and refer to the Ordinance Committee.
Councilor Tillotson stated take up in committee. Motion passed, referred. Councilor Brooks absent.

- 26 BE IT ORDERED THAT Daniel's Truck Center, 18 Montcalm Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Daniel's Truck Center including compliance with restrictions imposed upon and licenses held by Daniel's Truck Center. The Council may modify, suspend, fine, or revoke any license held by Daniel's Truck Center. Violation - Too many vehicles on the lot.

--Motion made by Councilor Walczak to receive and refer to the License Committee. Councilor Walczak stated complaints about the number of vehicles. Motion passed, referred. Councilor Brooks absent.

- 27 BE IT ORDERED THAT the DPW install "Go Slow Children" signs on Empire Street at the beginning of the street and the middle of the street in both directions for a total of 4 signs.

--Motion made by Councilor Galecki to receive and sent to the DPW for implementation. Councilor Galecki stated speeding going on, constituent request. Motion passed, referred. Councilor Brooks absent.

- 28 A proposed ordinance adding to Chapter 260, Parking Regulations, State Street, Even side from the corner of Chicopee Street for 25' in the easterly direction - Parking Prohibited Here to Corner.

--Motion made by Councilor Galecki to receive, 1st reading and refer to the Ordinance Committee. Councilor Galecki stated barber shop, cars parking, don't know where the line is. Motion passed, referred. Councilor Brooks absent.

- 29 A proposed ordinance adding to Chapter 260, Parking Regulations, Empire Street, At 55 Empire Street in front of condo #19 from the corner of the shared driveway of 53/55 Empire Street for 21 feet in the western direction - Parking Prohibited Here to Corner.

--Motion made by Councilor Galecki to receive, 1st reading and refer to the Ordinance Committee. Councilor Galecki stated filed a few months ago, written wrong, will correct the issue. Motion passed, referred. Councilor Brooks absent.

- 30 A proposed ordinance adding to Chapter 260, Parking Regulations, Chicopee Street, In front of 453 Chicopee Street from the corner of State Street for 21 feet in the southern direction on Chicopee Street - Parking Prohibited Here to Corner.

--Motion made by Councilor Galecki to receive, 1st reading and refer to the Ordinance Committee. Councilor Galecki stated same, to correct parking issue. Motion passed, referred. Councilor Brooks absent.

- 31 A proposed ordinance adding to Chapter 260, Parking Regulations, Chicopee Street, In front of 460 Chicopee Street from the corner of Bonner Street for 21 feet in the southern direction on Chicopee Street – Parking Prohibited Here to Corner.
- Motion made by Councilor Galecki to receive, 1st reading and refer to the Ordinance Committee. Councilor Galecki stated same area, to correct parking issue. Motion passed, referred. Councilor Brooks absent.
- 32 A proposed ordinance striking from Chapter 260, Parking Regulations, Armanella Street, West side – 37 feet from East Main Street – Parking Prohibited Here to Corner.
- Motion made by Councilor Krampits to receive, 1st reading and refer to the Ordinance Committee. Councilor Krampits stated placement of a parking sign. Motion passed, referred. Councilor Brooks absent.
- 33 A proposed ordinance adding to Chapter 260, Parking Regulations, Armanella Street, West side – 135 feet from East Main Street – Parking Prohibited Here to Corner.
- Motion made by Councilor Krampits to receive, 1st reading and refer to the Ordinance Committee. Councilor Krampits stated same as previous. Motion passed, referred. Councilor Brooks absent.
- 34 A proposed ordinance striking from Chapter 260, Parking Regulations, Woodlawn Street, North Side – 35 ft from St. James Avenue – Parking Prohibited Here to Corner.
- Motion made by Councilor Krampits to receive, 1st reading and refer to the Ordinance Committee. Councilor Krampits stated resolve placement of signs, making revisions. Motion passed, referred. Councilor Brooks absent.
- 35 A proposed ordinance striking from Chapter 260, Parking Regulations, Woodlawn Street, South Side – 25 ft from St. James Avenue – Parking Prohibited Here to Corner.
- Motion made by Councilor Krampits to receive, 1st reading and refer to the Ordinance Committee. Councilor Krampits stated take up in committee. Motion passed, referred. Councilor Brooks absent.
- 36 A proposed ordinance adding to Chapter 260, Parking Regulations, Woodlawn Street, West side – 75 feet from St. James Avenue – Parking Prohibited Here to Corner.
- Motion made by Councilor Krampits to receive, 1st reading and refer to the Ordinance Committee. Councilor Krampits stated next placement of signs. Motion passed, referred. Councilor Brooks absent.
- 37 A proposed ordinance adding to Chapter 260, Parking Regulations, Woodlawn Street, East side – 75 feet from St. James Avenue – Parking Prohibited Here to Corner.
- Motion made by Councilor Krampits to receive, 1st reading and refer to the Ordinance Committee. Councilor Krampits stated other side of the street. Motion passed, referred. Councilor Brooks absent.
- 38 Application for a NEW Auto Repair License at: 725 Memorial Drive, Metrolube Enterprises Inc. d/b/a Valvoline Instant Oil Change applied for by Robert Ladas, 1 Nipmur Lane, Southborough, MA.

--Motion made by Councilor Walczak to receive and refer to the License Committee. Councilor Walczak stated will take up in committee. Motion passed, referred.

39-41 Junk Dealer's License Renewals for 2021

AJW Realty, LLC	766 Memorial Drive
Furnari Jewelers	1189 Memorial Drive
Rubidia's Sew & Consignment	131 Church Street

--Motion made by Councilor Walczak to receive and granted with restrictions. Motion passed. Councilor Brooks absent.

ATTEST:



Keith W. Rattell
City Clerk