

Minutes from the City Council Meeting on Tuesday May 4, 2021 at 7:00 pm in the Auditorium are as follows:

13

RECEIVED

2021 MAY 20 PM 3:00

CITY COUNCIL
CHICOPEE MA

Brooks, Shane D.	Ward 2 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
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-Mary Hayner-145 Slate Road, spoke about the land on Slate Road.

MO-1 Ordered that the City Council accept the amendment to the Bemis Pond FY2019 S.319 Nonpoint Source Grant from the Commonwealth of Massachusetts Department of Environmental Protection in the amount of Two hundred thousand and 00/100 dollars (\$200,000.00). Said amendment brings the new grant total to Three hundred twenty two thousand and 00/100 dollars (\$322,000.00) and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated to do with lower Abbey Brook/Bemis Pond, thank Nate Moreau and Lee Pouliot for working on this grant. Eventually will close the lower pond, moving forward. Will help control the geese. Need to do this. Motion passed through all stages by a unanimous roll call vote.

MO-2 Mayor's appropriation of Eighteen thousand five hundred fifty and 00/100 dollars (\$18,550.00) to the following named account: Golf Special Account for Purchase of Equipment from available funds in the Golf Revolving Account for Driving Range.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated Golf equipment for improvements from existing budget. Councilor Tillotson stated glad the Mayor put this on the agenda, revolving accounts, to see where it's coming from. Will help save roots and trees. Councilor Walczak stated any damage that happens to golf carts or paths, more money will have to be spent. Motion passed through all stages by a unanimous roll call vote.

MO-3 Ordered that the City Council accept the donation in the amount of One hundred and 00/100 dollars (\$100.00) from Mr. & Mrs. Ralph Gunning to the Chicopee Fire Department. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Courchesne to receive, pass and the donation accepted. Councilor Roy stated donation to the Fire Department in appreciation of good work. Kudo's to them. Motion passed through all stages by a unanimous roll call vote.

MO-4 Ordered that the City Council accept the attached list of donations in the amount of One thousand three hundred ninety five and 00/100 dollars (\$1,395.00) to the Chicopee Public Library. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Zygarowski to receive, pass and the donation accepted. Councilor Zygarowski stated thank God for donations. Thank you should be sent. Councilor Dobosz stated a donation was made in memory of a great uncle, will abstain. Motion passed through all stages by a roll call vote of 12 yes, 1 abstained. Councilor Dobosz abstained.

MO-5 Ordered that the City Council accept the donation in the amount of One hundred and 00/100 dollars (\$100.00) from Shirley Gunning to the Chicopee Police Department. Said donation 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 generous donation. Thank you letter to be sent. Motion passed through all stages by a unanimous roll call vote.

6 A favorable License Committee report: 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 postponed to the call of the chair. Councilor Walczak stated met, recommended provide a new plot plan, make sure to fix the situation. Gave three months to fix. Councilor Laflamme stated thank the chair for working with this gentleman. Where he has vehicles there are too many. Can stack in the back of the property. Too many for sale, glad he's working on it. Motion passed, postponed.

7 A favorable License Committee report: Application for an Auto Repair License for Metrolube Enterprises Inc. d/b/a Valvoline Instant Oil Change located at: 725 Memorial Drive, applied for by Robert Ladas, 929 Boston Post Road, Marlborough, MA.

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak stated Valvoline, new business, looking forward to working with them. Councilor Walczak read the restrictions into the record. Motion passed.

8 A favorable Ordinance Committee report: Be it Ordained that the Director of Public Works submit a report to the Mayor and City Council by December 31 each year for the revenue generated by each clothing receptacle located on City property.

Committee recommends as follows:

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 169-40

E. The Director of Public Works shall submit a report to the Mayor and City Council June 1st and November 1st of each year detailing the revenue generated by each clothing receptacle located on City Property.

--Motion made by Councilor Tillotson for a second and final reading, enrolled and ordained. Councilor Tillotson stated Councilor Laflamme recommended twice a year. Trying to keep accountable, know where the money is going. Appears it is raising money. Councilor Laflamme stated monies, also asked for the amount of weight-what isn't going into the dump. Motion passed through all stages by a unanimous roll call vote.

9 A favorable 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 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 Tillotson for a second and final reading, enrolled and ordained. Councilor Courchesne stated strengthening the noise ordinance. Issues in the ward. Modernizing the noise ordinances. Can call the police at any time. Motion passed through all stages by a unanimous roll call vote.

- 10 A favorable 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 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.

Committee recommends amending to read:

E. Noise near schools and other institutions. The creation of any excessive noise on any street adjacent to any school, institution 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Tillotson stated added nursing home. Councilor Courchesne stated research of noise ordinance allows to be included in the zone. Councilor Labrie stated make sure it reads institutions. Motion passed through all stages by a unanimous roll call vote.

- 11 A favorable 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 260-16 A

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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Tillotson stated increased the zone. Councilor Courchesne stated hopes to modernize, extension needed. Twofold benefit, racing motorcycles, one more tool with ticketing. Motion passed through all stages by a unanimous roll call vote.

- 12 A favorable 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 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Courchesne stated strength/modernize the ordinance. Motion passed through all stages by a unanimous roll call vote.

- 13 A favorable Ordinance Committee report: 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Galecki stated popular barber shop, not too close to the intersection. Motion passed through all stages by a unanimous roll call vote.

- 14 A favorable Ordinance Committee report: 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Galecki stated same as above. Motion passed through all stages by a unanimous roll call vote.

- 15 A favorable Ordinance Committee report: 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Galecki stated parking to close to the driveway. Motion passed through all stages by a unanimous roll call vote.

- 16 A favorable Ordinance Committee report: 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Galecki stated at the barber shop, same as previous. Motion passed through all stages by a unanimous roll call vote.

- 17 A favorable Ordinance Committee report: A proposed ordinance striking from Chapter 260, Handicap Parking: 90 Bonner Street, Handicap Parking.

--Motion made by Councilor Tillotson to receive, second and final reading, enrolled and ordained and be stricken from the record. Councilor Zygarowski stated handicap sign no longer needed. Motion passed through all stages by a unanimous roll call vote.

- 18 A favorable Ordinance Committee report: 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Krampits stated this and the next order are for an issue on Armanella. Motion passed through all stages by a unanimous roll call vote.

- 19 A favorable Ordinance Committee report: 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Krampits stated parking issue needs to be resolved, snow events the street gets narrowed, keep one side of the street clear. Motion passed through all stages by a unanimous roll call vote.

- 20 A favorable Ordinance Committee report: 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 Tillotson to receive, second and final reading, enrolled and ordained. Councilor Krampits stated this and the next three are to resolve a parking issue. Motion passed through all stages by a unanimous roll call vote.

- 21 A favorable Ordinance Committee report: A proposed ordinance add favorable Chapter 260, Parking Regulations, Woodlawn Street, South Side – 35 ft from St. James Avenue – Parking Prohibited Here to Corner.

--Motion made by Councilor Tillotson to receive, second and final reading, enrolled and ordained. Councilor Krampits stated to correct existing signs. Motion passed through all stages by a unanimous roll call vote.

- 22 An unfavorable Ordinance Committee report: 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 Tillotson to receive and defeated. Councilor Tillotson stated best way to go. Councilor Krampits stated initial conversation with Engineering, changed the previous order to leave at the existing 35 feet. Motion passed through all stages by a unanimous roll call vote.

- 23 A favorable Ordinance Committee report: A proposed ordinance adding to Chapter 260, Parking Regulations, Woodlawn Street, West side – 75 feet from St. James Avenue – Parking Prohibited Here to Corner.

Committee recommends as follows: Woodlawn Street – North side – 150 ft from St. James Avenue – Parking Prohibited Here to Corner.

--Motion made by Councilor Tillotson to receive, second and final reading, enrolled and ordained. Councilor Krampits stated changes in the neighborhood, difficulty getting onto Woodlawn. Motion passed through all stages by a unanimous roll call vote.

- 24 A favorable Ordinance Committee report: A proposed ordinance adding to Chapter 260, Parking Regulations: Taylor Street, Heading east 25 feet from Sheridan Street, Parking Prohibited.

--Motion made by Councilor Tillotson to receive and the proposed ordinance defeated. Councilor Dobosz stated sign on a corner was knocked over, two ordinances on the books that are incorrect. Motion passed through all stages by a unanimous roll call vote.

- 25 A favorable Ordinance Committee report: A proposed ordinance adding to Chapter 260, Parking Regulations: Cooney Place, East side – entire length, Parking Prohibited.

--Motion made by Councilor Tillotson to receive, second and final reading, enrolled and ordained, to read Cooney Place. Councilor Brooks stated constituent request. Motion passed through all stages by a unanimous roll call vote.

- 26 A favorable Zoning Committee report: An application for a Zone Change from Commercial A to Residential A for 5,227 SF of property located at 3 Hartford Street for the purpose of me to move in, closing date was December 30th, 2020. I need something, paperwork, is too cold to move to a place without utilities. Applicant: Jose Rosa, 181 Elm Street, Holyoke, MA 01040.

--Motion made by Councilor Balakier to receive and postpone to the call of the chair. Councilor Balakier stated after discussion best course of was to postpone. Split zone, waiting for guidance. Motion passed, postponed.

- 27 To the City Clerk

You are hereby notified that I have this day appointed Joseph J. Chessey, Jr. of 36 Stedman Street, Chicopee, Massachusetts as a member of the Charter Review Commission.

*New Appointment

--Motion made by Councilor Laflamme to receive and approved this evening. Councilor Laflamme stated former Mayor, knowing the ins and outs of the city. Lots of knowledge. Motion passed.

- 28 To the City Clerk

You are hereby notified that I have this day appointed Jennifer L. Wolowicz of 20 Murphy Lane, Chicopee, Massachusetts as a member of the Charter Review Commission.

*New Appointment

--Motion made by Councilor Roy to receive and approve this evening. Councilor Roy stated thank Jen for applying. Many years of experience. Councilor Labrie stated on many committees. Motion passed.

- 29 To the City Clerk

You are hereby notified that I have this day appointed Thomas J. Dachowski of 25 Belvidere Street, Chicopee, Massachusetts as a member of the Charter Review Commission.

*New Appointment

--Motion made by Councilor Balakier to receive and approved this evening. Councilor Balakier stated highly recommended. Former teacher at Chicopee High. Councilor Tillotson stated very active with the senior center. Motion passed.

- 30 Be it Ordered that the Communications Committee meet to discuss issues with Water Department billing and meters.

--Motion made by Councilor Dobosz to amend to read Water Resources Committee. Motion made by Councilor Dobosz to refer to the Water Resources Committee. Councilor Dobosz stated residents got hit with extremely high bills. Meters change, no meeting. The constituent wasn't allowed at the hearing, not an

isolated incident. Bills are 3-4 times what they normally are. Water Dept. needs to meet with residents. Motion passed, referred.

- 31 Be it Ordered that Deputy Police Chief Dakin look into the total cost of purchasing and training officers and supervisors to be equipped with body cameras.

--Motion made by Councilor Zygarowski to receive and refer to the Public Safety Committee. Councilor Zygarowski stated scheduled a meeting for May 19. Discussed with Acting Chief Dakin, concerned with what's going on all over the country, need an idea of cost/training. Good tool, useful to get this going, hopefully support this. Motion passed, referred.

- 32 Be it Ordered that a speed limit sign be installed on Bridle Path Road approximately 20" from the Existing Crime Watch sign.

--Motion made by Councilor McAuliffe to receive and sent to DPW for implementation. Councilor McAuliffe stated constituent request. Motion passed.

- 33 Be it Ordered that the Utilities Committee meet with Chicopee Electric Light to discuss the possibility of using light poles to erect city signs.

--Motion made by Councilor Laflamme to receive and refer to the Utilities Committee. Councilor Laflamme stated talked about in the Ordinance Committee, other cities use poles and we can't. Had conversation with Councilor Courchesne about signs, will see throughout the city, some are too close. Start saving the city some money, right thing to look at. Motion passed, referred.

- 34 Be it Ordered that Mutt Cuts, Mutt Rescue, 102 Grove Street, be called before the City of Chicopee Zoning Committee and City Council to discuss the license (s) currently held by Mutt Cuts, Mutt Rescue including compliance with restrictions imposed upon any licenses held by Mutt Cuts, Mutt Rescue. The Council may modify, suspend, fine, or revoke any license held by Mutt Cuts, Mutt Rescue. Violations – customer complaints and concerns communicated to the City by Thomas J. O'Connor Animal Control & Adoption Center.

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

- 35 An application for a NEW Special Permit under Section 275-50 (c) (1) and 50 (c) (2) (a) of the Municipal Zoning Ordinance for the purpose of relief of setback requirements for new sign placement from 25' to $\pm 0'$ from the property line & erecting a digital sign. Location of property: 675 Fuller Road. Applicant: Chuck Martins, 658 Fuller Road, Chicopee, MA.

--Motion made by Councilor Balakier to receive and refer to the Zoning, Planning, Building & DPW. Councilor Balakier stated will take up in committee. Motion passed, referred.

- 36 An application for a NEW Special Permit under Section 275-58 (c) (4) of the Municipal Zoning Ordinance for the purpose of serve liquor in restaurant. Location of property: 185 Grove Street. Name of Applicant: Falls Pizza, Inc., 185 Grove Street, Chicopee, MA.

--Motion made by Councilor Balakier to receive and refer to the Zoning, License, Health, Planning, Building & Engineering Departments. Councilor Balakier stated will take up in committee. Motion passed, referred.

- 37 An application for a NEW Special Permit under Section 275-58(c)(5) of the Municipal Zoning Ordinance for the purpose of Four residential units and a real estate office which requires a special permit. Location of property: 1692 Memorial Drive. Name of applicant: 896-900 Prospect Street, Inc., 32 Haig Avenue, South Hadley, MA 01075.

--Motion made by Councilor Balakier to receive and refer to the Zoning, Planning, & Building Departments. Councilor Balakier stated will take up in committee. Motion passed, referred.

38 An application for a NEW Hawkers and Peddlers License to sell various items. At: Downtown Chicopee; Market Square Plaza-Springfield Street. May 6, 2021 – October 28, 2021, Thursdays, 10:00 am – 6:00 pm. Applied for by: Chicopee Center TDI Partnership-C/O Patrick McKenna, Assistant Planner.

--Motion made by Councilor Walczak to receive and granted with restrictions. Councilor Walczak stated city, new center project, food trucks, welcome people downtown. Motion passed.

39-42 Home Occupation Renewals for 2021

Waves in Motion Beauty Salon	Marguerite L. Roy	122 Old Lyman Road
Stan & Ann's Ceramics	Ann E. Ogorzalek	93 Melvin Street
	Janina Mijal	79-81 Towne Street
Loyalty Tax Service, LLC	Lena Alekseyenko	222 McCarthy Avenue

--Motion made by Councilor Walczak to receive and granted with restrictions. Councilor Walczak stated annual request. Motion passed.

43-45 Junk Dealer's License Renewals for 2021

Sayegh Jewelers	601 Memorial Drive
Hollister Jewelry & Coins	1260 Memorial Drive
AJ's Gaming	196 East Street

--Motion made by Councilor Walczak to receive and granted with restrictions. Councilor Walczak stated annual request. Motion passed.

ATTEST:



Keith W. Rattell
City Clerk