

13

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2022 JUL 13 PM 2:40

Minutes from the City Council Meeting on Tuesday July 5, 2022 at 6:57 pm in the Auditorium are as follows:

Laflamme, Frank N., President	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
Brooks, Shane D.	Ward 2 Councilor	Present
Lopez, Delmarina	Ward 3 Councilor	Present
Balakier, George A.	Ward 4 Councilor	Present
Krampits, Fred T.	Ward 5 Councilor	Present
Dobosz, Derek Gregory	Ward 6 Councilor	Present
Courchesne, William C.	Ward 7 Councilor	Present
Labrie, Gary R.	Ward 8 Councilor	Present
Pniak-Costello, Mary Elizabeth	Ward 9 Councilor	Present

Public Input— Herve Gousy, Hillman Street, Chapter 4 of non-enforcement of the City Code .Safety issues, having to go in the street because of overgrowth. City needs to enforce, could be liable. Have to ask a rhetorical question. You get paid to be here on Tuesday nights, constituents aren't. Media covered follow up with meetings. Has there been any work or follow-up on the meetings? Don't think there has been any work done on these. Councilor McAuliffe stated would rather have conversation than confrontation. Lisa Bienvenue, 34 Edward Street, went to 2 of the ward meetings, somewhat alarming seems to be what the citizens want vs what the Council wants. People are concerned for quality of life/safety. Seems citizens are told they don't know what's best. Mayor stated we should use water to abandon, we have great rates. Pollution is the reason we have sewer separation. Should be concerned about the water. There is a number on the cap of retail commissions in Chicopee. None is listed for Chicopee.

--Motion made by Councilor McAuliffe to accept the minutes of 6/21/22 and place on file. Motion passed.

C-1 To the City Council

You are hereby notified that I have this day appointed Frank Boron, III, of 10 Phillip Circle, Granby, MA 01033 as Building Commissioner, effective May 30, 2022.

\*Replacement

--Motion made by Councilor McAuliffe to receive and place on file. Councilor McAuliffe stated self-explanatory. Councilor Pniak-Costello stated congratulate on new position. Motion passed.

MO-1 Mayors appropriation of Three hundred thirty-five thousand six hundred forty-nine and 20/100 dollars (\$335,649.20) to the following named M.I.S. Accounts:

TV Production Director Salary	\$160,649.20
P.T. Chicopee TV Staff Salary	75,000.00
Chicopee TV Facilities/Equip.	<u>100,000.00</u>
Total	\$335,649.20

From available funds in the receipts reserved for appropriation PEG Access Cable Account.

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated annual request for PEG funds. Agreement with Charter Communications. Councilor Tillotson stated first line is two positions. Just to clarify. Motion passed through all stages by a unanimous roll call vote.

MO-2 To the City Council

You are hereby notified that I have appointed Barbara G. Galindo, 20 Andover Road, Chicopee, MA 01020 as Registrar of Voters, effective May 30, 2022 to which appointment I ask the confirmation of your honorable Council.

\*Replacement

--Motion made by Councilor Tillotson to receive and approve. Councilor Tillotson stated rule indicates if the person is qualified and meets the criteria. Mayoral appointment, she is very qualified. Very pleasant and easy to work with. Councilor Pniak-Costello stated working with the office is a pleasure. Her people skills are amazing. Motion passed through all stages by a unanimous roll call vote.

3 A favorable License Committee report: Application for a Hawkers and Peddlers License for The Very Best Soft Ice Cream, located at Various Locations. Applicant: Mehmet Sarikciuglu, 761 Matianuck Avenue, Windsor, CT 06095.

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated vendor for ice cream. No issues, ok with Police. Motion passed.

4 A favorable License Committee report: Application for an Auto Detail License for Everything Window Tint located at 450 B New Ludlow Road. Applicant: Victor Delgado, 100 Lucerne Road, Springfield, MA.

--Motion made by Councilor Brooks to receive and pass with restrictions. Councilor Brooks read the restrictions into the record. Motion passed.

5 A favorable License Committee report: Application for an alteration of Class II and Auto Repair Licenses for a change in corporate officers. Business: Reliable Auto Sales & Service, LLC. Address: 74 Naomi Street.

--Motion made by Councilor Brooks to receive and remain in committee. Councilor Brooks stated the applicant was unavailable. Will hear on the July 15<sup>th</sup> agenda. Motion passed.

6 A favorable License Committee report: Application for an Auto Repair License for Kins Auto Repair II located at 1098 Chicopee Street. Applicant: Joaquin Rodriguez, 41 Woodside Terrace, Springfield, MA 01108.

--Motion made by Councilor Brooks to receive and remain in committee. Councilor Brooks stated will entertain on the July 15<sup>th</sup> agenda. Motion passed.

7 A favorable License Committee report: Application for an Auto Detailing License for Family Auto Sales and Repair, LLC located at 920A Meadow Street. Applicant: Alex Nieves, 137 Undine Circle, Springfield, MA 01109.

--Motion made by Councilor Brooks to receive and granted with restrictions. Councilor Brooks read the restrictions. Motion passed.

- 8 A favorable License Committee report: Application for a Class II License for Family Auto Sales and Repair, LLC located at 920A Meadow Street. Applicant: Alex Nieves, 137 Undine Circle, Springfield, MA 01109.

-- Motion made by Councilor Brooks to receive and granted with restrictions. Councilor Brooks stated requirement of office use only on Sunday, read the restrictions. Motion passed.

- 9 A favorable License Committee report: Application for an Auto Repair & Auto Body License for Family Auto Sales and Repair, LLC located at 920A Meadow Street. Applicant: Alex Nieves, 137 Undine Circle, Springfield, MA 01109.

-- Motion made by Councilor Brooks to receive and granted with restrictions. Councilor Brooks stated same as previous read the restrictions. Councilor Krampits stated Sunday is for clean up outside, no car work. Motion passed.

- 10 A favorable Zoning Committee report: Application for a Special Permit under Chapter 275-53 for the purpose of parking lot for the use of businesses and residents of 333 Front Street located at 28 Grape Street. Applicant: Alex Vilkhovey, 417 Springfield Street, #130, Agawam, MA 01001.

--Motion made by Councilor Balakier to receive, and the Special Permit granted. Councilor Balakier stated for a business on Front Street, transfer parking lot to the new owner. Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair. Councilor McAuliffe out of chair.

- 11 A favorable Zoning Committee report: Application for a Special Permit under Chapter 275-52 B 13 for the purpose of an animal kennel license – 4 pet dogs located at 162 Empire Street. Applicant – Nathan Mahoney, 162 Empire Street, Chicopee, MA 01013.

--Motion made by Councilor Balakier to receive, and the application be denied. Councilor Balakier stated the neighbors spoke, were not in favor. Not favorable to neighborhood. Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair. Councilor McAuliffe out of chair.

- 12 A favorable Zoning Committee report: Application for a Special Permit under Chapter 275-58 (C) 4 for the purpose of transferring a liquor license from current owner to new owner located at 300 Carew Street. Applicant – Tanya M. Picard, 86 Beaumont Avenue, Chicopee, MA 01013.

--Motion made by Councilor Balakier to receive, and the Special Permit granted. Councilor Balakier stated transfer of liquor license, read the restrictions. Councilor Krampits stated the Atlas, haven't received any calls, in favor. Motion passed through all stages by a roll call vote of 11 yes, 1 abstain, 1 out of chair. Councilor Labrie abstained, Councilor McAuliffe out of chair.

- 13 A favorable Zoning Committee report: Application for a Special Permit under Chapter 275-59 (C) (11) for the purpose of adding 3 new drive-up self-storage buildings, (2) 20'x50' and 10'x100' to the existing 7 outside storage units located at 499 Montgomery Street. Applicant – UH Storage (DE) Limited, Jeff Nadeau, PO Box 29046, Phoenix, AZ 85038.

--Motion made by Councilor Balakier to receive, and the Special Permit granted with conditions. Councilor Balakier stated had quite a tale, had some issues with not showing up. We are a motion to approve tonight. Councilor Labrie stated Jeff Nadeau came in, had been sick, good business for the city. Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair. Councilor McAuliffe out of chair.

- 14 A Finance Committee report: Ordered that the Finance Subcommittee meet to discuss the School Department budget.

--Motion made by Councilor Zygarowski to receive and place on file. Councilor Zygarowski stated had the meeting, went very well. Councilor Dobosz stated thank the committee for holding this meeting. Concern about the 1.25 million, agreed with the Mayor after the meeting. Couldn't give specific numbers. Appreciate the Auditor being there. Councilor Tillotson stated was about the 1.25 million dollars. Most of them realized they could live this year without that money. Problem lies in the future, if they put it all into people, when the money from the state runs out it will be difficult. Councilor Pniak-Costello stated thank the Council for having that meeting. Lot of knowledge, transferred between the departments. Was disappointed at the last minute meeting. Hope Councilor Tillotson is correct that the teachers understand. The DOR is looking at the city. Councilor Brooks stated historically we have funded school. Can enhance when needed. Money belongs to the taxpayers. Don't spend money on things that will be annualized. Buildings need work. Will never see this again. Funds need to be expended in order over a number of years. Hope funds are used wisely. Councilor Laflamme stated the President of the CEA and many teachers came in to speak. Wanted an update from the Auditor. In the long run, we don't spend school committee money. Think the Mayor was right with what he did. Motion passed.

- 15 Be it Ordered that the Utilities Subcommittee meet with Eversource and City Officials to discuss issues with 357 Burnett Road.

--Motion made by Councilor Dobosz to receive and refer to the Utilities Committee. Councilor Dobosz stated issues with Eversource and the gas lines. Make sure Eversource is ok with the project. Like hearing the Fire Chief is ok with it. Motion passed, referred.

- 16 Be it Ordered that the Education Subcommittee meet to discuss School Department issues.

--Motion made by Councilor Pniak-Costello to receive and refer to the Education subcommittee. Councilor Pniak-Costello stated follow up to the Finance meeting. Hopefully some time in September. Meet with the school officials about money issues. Councilor Dobosz stated some non-financial issues need to talk about too. Important the Council is involved. Councilor Pniak-Costello stated think there should be more joint meetings, start meeting more often. Motion passed, referred.

- 17 Be it Ordered that the DPW install a double sided "Slow Children" sign at 53 William Street.

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

- 18 Be it Ordered that group homes be discussed by the Public Safety Committee.

--Motion made by Councilor Pniak-Costello to receive and refer to the Public Safety Committee, invite Police, Health and Building. Councilor Pniak-Costello stated want to commend Councilor Zygarowski, had a meeting in December, getting calls on this. Could possibly have a meeting, most homes are regulated by

the state, constituents could learn. Councilor Brooks stated there are no local zoning or ordinances precluding group homes. State has maps, it is their right to be part of communities. State operated facilities, deserve to be included in community, neighborhoods. Done this work for the last 25 plus years. Happy to educate and engage. Councilor Labrie stated agree with Councilor Brooks 100%, only thing he runs into they don't always follow the rules. Parking, not easily reachable. Board of Health, Police, Building should be invited. Neighbors do get frustrated. Don't know public safety is correct place but will be there. Councilor Dobosz stated don't think this is push-back. Sometimes there are problems. Some fit perfectly, some are in wealthy neighborhoods. When you reach out good to help. Councilor Brooks stated take offense to Councilor Dobosz stating including wealthy areas. People are allowed to live in all neighborhoods. Public Safety is not the correct place. Run into "not in my back yard". Need to work hard at the acceptance. Big challenge is staff. Not always the fault of the residents. List is non-existent. Councilor Zygarowski stated went through this, ask the makers to try to get someone from the state there to try to explain. Motion passed, referred.

- 19 A proposed ordinance adding to Chapter 260, Isolated Stop Signs and Signal Lights, Blanchard Street, at the intersection of Britton Street, Isolated Stop Sign.
- Motion made by Councilor Pniak-Costello to receive, 1<sup>st</sup> reading and refer to the Ordinance Committee and Engineering. Councilor Pniak-Costello stated constituent request. People don't stop at the intersection; Britton Street is a busy street. Motion passed, referred.
- 20 A proposed ordinance adding to Chapter 260, One-Way Streets, Old Lyman Road, from Anson Street to the intersection of Britton Street, One-Way Street.
- Motion made by Councilor Pniak-Costello to receive, 1<sup>st</sup> reading and refer to the Ordinance Committee, Engineering, Fire and Police. Councilor Pniak-Costello stated the board acted upon this, after 5-6 weeks the residents came to the Ordinance Committee, now there is a group of people that want it reversed. Councilor Dobosz stated difficult issue, do what you think is right. Giving opposition a chance to be heard. Councilor Zygarowski asked if the entire street is one way? Counselor Garvey stated listen to the pros and cons in committee. Councilor Krampits asked if the one way signs are already up? Yes. Motion passed, referred.
- 21 A proposed ordinance adding to 260-79 Commercial Vehicles Excluded, Britton Street, East side of Memorial Drive, Commercial Vehicles Excluded.
- Motion made by Councilor Pniak-Costello to receive, 1<sup>st</sup> reading and refer to the Ordinance Committee and Engineering for a traffic study. Councilor Pniak Costello stated needs a traffic study. Motion passed referred.
- 22 A proposed ordinance adding to Chapter 260, Parking Regulations, Thomas Street, in the area of CEL pole 1S and 2-IPP, Parking Prohibited Between Signs.
- Motion made by Councilor Courchesne to receive, 1<sup>st</sup> reading and refer to the Ordinance Committee. Councilor Courchesne stated take up in committee. Motion passed, referred.
- 23 A proposed ordinance adding to Chapter 260, Handicap Parking, 19 Hope Street, Handicap Parking.

--Motion made by Councilor Courchesne to receive, 1<sup>st</sup> reading, refer to the Ordinance Committee, COD and Engineering. Councilor Courchesne stated take up in committee. Motion passed, referred.

- 24 An application for a NEW Zone Change from Business A (BA) to Business B (BB) for 4,877 ± SF acres/square feet of property located at 499 Montgomery Street, Chicopee, Massachusetts, 01020. Parcel ID# 0366-00046 for the purpose of creating one contiguous zoning district for the entire parcel to allow for further development. This request is solely for the extension of the current zone on the subject parcel. Petitioner Name & Address: UH Storage (DE) Limited Partnership c/o Mr. Jeffrey Nadeau, Owner's Rep., P.O. Box 29046, Phoenix, AZ 85038.

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

- 25 An application for a NEW Special Permit under Section 275-27-1 of the Municipal Zoning Ordinance for the Purpose of Construction and Installation of a 120-foot-tall monopole tower located at 939 Chicopee Street, Chicopee, MA 01013 and installation and operation of a wireless communications facility, as further described in the material submitted herewith. Location of Property: 939 Chicopee Street, Chicopee, MA 01013. Name of Applicant: Blue Sky Towers III, LLC, c/o Prince Lobel Tye LLP, Attn: Adam F. Braillard, Esq., One International Place, Suite 3700, Boston, MA 02110.

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

ATTEST:



Keith W. Rattell  
City Clerk