

The briefing for the City Council Meeting to be held on Tuesday, September 6, 2016 will be held at 6:30 pm in the Council Chambers.

Agenda for the City Council Meeting on Tuesday, September 6, 2016 at 7:15 pm in the Council Chambers is as follows:

Public Input

C-1 Communication from the SilverBrick Group, LLC regarding the Special Permit application pending clarification.

MO-1 Mayors appropriation of Twelve thousand four hundred sixty eight and 70/100 dollars (\$12,468.70) to the following named account: D.P.W. Wastewater Expense Account for Insurance Other from available funds in the Sewer Surplus Account.

MO-2 Mayors appropriation of Eight hundred sixty three thousand six hundred fifty three and 00/100 dollars (\$863,653.00) to the following named account: Bond Anticipation Notes Payable from the available funds in Special Revenue Account for Council on Aging Building Donations.

MO-3 Mayors appropriation of Three hundred fifteen and 04/100 dollars (\$315.04) to the following named MIS accounts:

Wide Area Network	\$304.00
Office Supplies	<u>11.04</u>
Total	\$315.04

From available funds in the Stabilization Fund.

MO-4 Mayors appropriation of Thirty thousand dollars and 00/100 dollars (\$30,000.00) to the following named account: Planning Special Account for Feasibility Study/Remodeling of Municipal Buildings from the available funds in the Stabilization Fund.

MO-5 Mayors appropriation of Ninety eight thousand and 00/100 dollars (\$98,000.00) to the following named account: D.P.W. Highway Special Account for Crack Sealing Program from available funds in the Stabilization Fund and will be reimbursed from the City's Chapter 90 Allotment.

Mo-6 Be it ordered that the City Council, acting according to the powers granted to it by the City and the Mayor transfer Parcel A from land under control of the Mayor to control of the City of Chicopee Flood Control Department to satisfy the requirement of the United States Army Corp of Engineers (USACE). This parcel is to serve as permanent access to the portion of the Levee system.

As part of the ongoing Dike Recertification process, USACE requires the City to have permanent designated access to the Flood Control Levee system for current and future maintenance and/or repair of the system.

Currently, the Flood Control Department doesn't have a designated access to the Levee system along the Connecticut River, from the underpass of Route 391 northerly to the end of the Levee system.

- MO-7 Ordered that the City Council accept the attached donations to the City on behalf of the Chicopee National Night Out Against Crime Committee in the amount of Two thousand five hundred twenty five and 00/100 dollars (\$2,525.00). Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-8 Ordered that the City Council accept the attached "in-kind" donations to the City on behalf of the Chicopee National Night Out Against Crime Committee in the amount of Five Thousand Thirty Four and 56/100 dollars (\$5,034.56). Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-9 Ordered that the City Council accept the attached list of donations in the amount of Four hundred sixty nine and 50/100 dollars (\$469.50) to the Chicopee Council on Aging/Chicopee Senior Center for the Lifetimes Newsletter. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-10 Ordered that the City Council accept the attached list of donations in the amount of One thousand four hundred ninety five and 00/100 dollars (\$1,495.00) to the Chicopee Council on Aging/Chicopee Senior Center for the Building Fund. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-11 Ordered that the City Council accept the Brookdale Grant in the amount of Five thousand and 00/100 dollars (\$5,000.00) to the Chicopee Council on Aging from the Brookdale Foundation Group. Said amount is to be used for the RAPP Program and is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-12 Ordered that the City Council accept the donation in the amount of Four hundred twenty and 00/100 dollars (\$420.00) to the Chicopee Golf Course from William Stetson and Doug Girouard. Said donation is to be used for Golf Course improvements and is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-13 Ordered that the City Council accept the donation in the amount of One hundred sixty and 00/100 dollars (\$160.00) from Rovithis Realty to the City of Chicopee Parks Department. Said donation will be used to defray the cost for the Girl's Suburban Youth Basketball Program and 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 with a value of Two hundred twenty five and 00/100 dollars (\$225.00) to the Chicopee Parks and Recreation Department for the Opee Summer Adventure BBQ. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-15 Ordered that the City Council accept the donation in the amount of Five thousand and 00/100 dollars (\$5,000.00) from Pope Francis High School to the Chicopee Parks and Recreation Department. The donation will assist with the preparation of Rivers and Sarah Jane Park as the school will be using the fields for their boys and girls varsity and junior varsity soccer programs. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-16 Ordered that the City Council accept the additional donation in the amount of Eight thousand and 00/100 (\$8,000.00) from the Stanton Foundation K-9 Grant to the Chicopee Police Department. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-17 Ordered that the City Council accept the attached list of donations in the amount of Eleven thousand twenty eight and 00/100 dollars (\$11,028.00) to the Veteran's OEF/OIF Memorial Fund. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-18 To the City Council:

You are hereby notified that I have this day appointed, Rick Nadeau, 115 Fernhill Street, Chicopee, Massachusetts as a member of the Chicopee Golf Commission to serve in such office for the term expiring on the 1st of November, 2020. To which appointment I ask the confirmation of your honorable council.

*New Appointment

*Replaces Robert Ledoux

19 A favorable Zoning Committee Report for an application for a Zone Change from Residential A to Industrial for 3,270 sq. ft. of property located at East Main Street for the purpose of correcting City's misidentification of zoned property from Residential A to Industrial. Parcel ID 0135-0001. Applicant: Thomas D. Murphy, Esq., 272 Exchange Street, Chicopee, MA, 01013. Property Owner: Western Mass Electric Co., d/b/a Eversource, 300 Cadwell Drive, Springfield, MA.

20 A favorable Zoning Committee Report for an application for a Zone Change from Residence A to Business B for 2,964 sq. ft. of property located at 157 Trilby Avenue for the purpose of converting 157 Trilby Avenue to all Business B. It is currently split. Applicant: Andrew J. Crane, A. Crane Construction, 621 Grattan Street, Chicopee, MA 01020.

21 A favorable Ordinance Committee Report, with recommendation: Ordered that the City Council look into an Ordinance eliminating all plastic bags in the City of Chicopee.

22 A favorable Ordinance Committee Report, with recommendation: Ordered that the City Council look into an Ordinance eliminating all styrofoam in the City of Chicopee.

23 A favorable Ordinance Committee Report: Ordered that the polling location for Ward 4A and 4B be permanently moved to the Chicopee Senior Center, 5 W. Main Street, Chicopee, MA 01020.

24 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 260-28

Parking of Commercial Vehicles-Private Property

Add 260-28(B)

No driver shall park or stand any motor vehicle and/or motor vehicle attachment (excluding recreational vehicles) having a gross vehicle weight of 26,001 pounds or more or exceeding 24 feet in length on private property in any residential zone. Motor vehicles, regardless of size, owned or operated by the City of Chicopee, The Commonwealth of Massachusetts or the United States of America

are hereby exempt from these regulations. Each day in which a motor vehicle is in violation of this provision shall constitute a separate offense.

Add 260-28(C)

More than three unpaid violations within a twelve month period will cause the vehicle(s) to be towed and impounded at the owner's expense.

- 25 A favorable Ordinance Committee Report: amending Chapter 260 by striking from Parking Regulations: Monroe Street, North side-From a point 40 feet west of Broadway to Broadway, Parking prohibited here to corner.
- 26 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking Regulations: Monroe Street, North side-From a point 60 feet west of Broadway to Broadway, Parking prohibited here to corner.
- 27 A favorable Ordinance Committee Report: amending Chapter 260 by striking from Parking Regulations: St. Anthony Street, South side from Chicopee Street to a point 215 feet east thereof, Parking prohibited.
- 28 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking Regulations: St. Anthony Street, South side from Chicopee Street for a distance of 150 feet, Parking prohibited here to driveway.
- 29 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking Regulations: Concord Street, both sides 21 feet from the Mary Street intersection, Parking prohibited here to corner.
- 30 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking Regulations: Front Street, both sides of the exit from the Chicopee Public library for a distance of 20 feet on each side of the driveway, Parking prohibited here to driveway.
- 31 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Do Not Block the Box, St. James Avenue, At the intersection of Beauchamp Terrace and St. James Avenue. Do Not Block the Box.
- 32 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking Regulations, Alden Street, Right side-entire length, Parking prohibited.
- 33 A favorable Ordinance Committee Report: amending Chapter 260 by striking from Parking regulations, Nadeau Street, Northerly side-entire length beginning at 15 Nadeau Street, Parking prohibited this side of street.
- 34 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking regulations, Nadeau Street, Northeast side of 15 Nadeau Street-entire length, Parking prohibited this side of street.

- 35 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking regulations, Chicopee Street, From the corner of St. Anthony Street southerly to the driveway of Willimansett Nursing Home for a distance of 75 feet, Parking prohibited here to corner.
- 36 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking regulations, Chicopee Street, South side in the area of Birch Park Place for a distance of 30 feet to the intersection of Call Street, Parking prohibited.
- 37 A favorable Ordinance Committee Report: amending Chapter 260 by adding to Parking regulations, Gagne Street, Odd side for a distance of 45 feet from Meadow Street, Parking prohibited here to corner.
- 38 A favorable Human Resource Committee Report: Mayoral appointment of Johnny Miranda, as a member of the Ambulance Commission to serve in such office for the term expiring on the 1st of January, 2018.
- 39 A favorable Human Resource Committee Report with suggestions: Ordered that the City Council accept the attached pay scale proposal for non-union personnel effective July 1, 2016.
- 40 A favorable License Committee Report with conditions: Be it ordered that a motion to rescind the decision of the Chicopee City Council order denying the license application submitted by Joaquin Rodriguez for a repair licenses pursuant of Ch. 188 Sec. 16 for the premises located at 623 Center Street.

Be it further ordered that said application be referred to the License Committee for a public hearing.

- 41 A favorable License Committee Report with restrictions: Be it ordered that Top Dog Auto be called before the City of Chicopee License Committee and the City Council to discuss the license(s) currently held by Top Dog Auto, including compliance with restrictions imposed upon any and all licenses held by Top Dog Auto. The City Council may modify, suspend, fine, or revoke any license held by Top Dog Auto.
- 42 A favorable License Committee Report with restrictions: Be it ordered that Bernie's Auto Sales, of 1057 Montgomery Street, Chicopee, Massachusetts appear before the License Committee along with their required site plan.
- 43 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 275-50B (1) (a) Temporary Signs

Delete "three feet by three feet"
And insert in place there of "nine square feet total"

To read:

- (a) Size. Temporary signs may not exceed **nine square feet total** in a residential zone and may not exceed four feet by eight feet in a non residential zone.

Laflamme/Vieau

- 44 Be it Ordered that Kane Scrap Metal & Iron be called before the City of Chicopee License Committee and the City Council to discuss the license(s) currently held by Kane Scrap Metal & Iron, including compliance with restrictions imposed upon any and all licenses held by Kane Scrap Metal & Iron. The City Council may modify, suspend, fine, or revoke any license held by Kane Scrap Metal & Iron.

Zaskey

- 45 Ordered that the PVTA appear before the Ordinance Committee to review and consider relocating the bus stop at 334 Broadway.

Zaskey

- 46 Ordered that the DPW paint stop lines at the intersection of Mt. Vernon and Montauk Road at the four way stop intersection.

Lamontagne

- 47 Ordered that the DPW appear before the Public Works Committee to discuss pending curb requests and status of tree condition reports.

Lamontagne

- 48 Ordered that the Forestry Department prepare a tree condition report for a tree located in front of 21 Massachusetts Avenue and take appropriate action to ensure safety.

Lamontagne

- 49 Ordered that the DPW Forestry Department prepare a tree condition report for a tree located by the driveway to the right of 17-19 Indian Park for possible removal.

Zygarowski/Brooks

- 50 Ordered that the DPW install a crosswalk on Granby Road crossing from Hank's Variety Store to the Knights of Columbus.

Roy/Brooks/Laflamme

- 51 Ordered that the Recreation Committee meet with the Parks Department and the Golf Department to discuss the following:

- Update of departments
- Department's budgets
- Update on the City pools
- See the new golf carts and the charging station.

Laflamme

- 52 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 275-30 A Storage of Trucks and Other Equipment

Delete "two weeks"

And insert in place thereof "twenty-four hours"

To read:

- A. No truck, truck body, truck-towed trailer, tractor-towed trailer or other equipment manufactured for use for hauling or carrying materials over the highways shall be used for storage of any materials of any kind, whether or not said truck, truck body, truck-towed trailer, tractor-towed trailer or said other equipment is registered in accordance with MGL c. 90 or in accordance with the laws of any other state; nor shall the aforesaid be parked or stored in any place in any district for any time in excess of **twenty-four hours**, unless said place is used as a truck terminal or a parking area for equipment rented to members of the general public for use on the highways. Excluded are those vehicles or tandem trailers or wheel boxes that are utilized for the construction of buildings and are placed in a construction site temporarily and trailers which are utilized for temporary offices or sanitation stations.

Courchesne

- 53 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 262-1 A Prohibited Storage

Delete "or unregistered"

To read: A. No person, company or corporation in control of real property in the City of Chicopee, other than a bona fide licensed commercial auto salvage yard or commercial garage, as determined by the License Committee of the City Council, shall permit the outdoor storage or parking thereon for more than three days of an abandoned, disassembled, inoperable motor vehicle.

Courchesne

- 54 Ordered that a representative from Columbia Gas appear before the Utilities Committee to discuss the gas leaks in the city.

Courchesne

- 55 Ordered that the DPW install of "Parking Prohibited Here to Corner" sign on the east side of Narragansett Boulevard 20 feet to the intersection of Brodeur Street.

Courchesne

- 56 Ordered that the Forestry Department conduct a tree condition report at 161 and 183 Blanchard Street.
- Walczak
- 57 Ordered that the DPW replace the curbing beginning at the corner of McCarthy Ave. and Shaban St. up to 26 Shaban Street.
- Walczak
- 58 A proposed ordinance adding to Chapter 260, Parking Regulations-Yale Street, North side-for a distance of 21 feet from the intersection of Yale Street and Muzzy Street, Parking Prohibited Here to Corner.
- Krampits
- 59 A proposed ordinance adding to Chapter 260, Parking Regulations-Asinof Avenue, Westerly side-Across from 49-59 Asinof Avenue, Parking Prohibited.
- Zygarowski/Brooks
- 60 A proposed ordinance adding to Chapter 260, Parking Regulations-Warregan Street, East side for a distance of 35 feet from the intersection of Chicopee Street, Parking Prohibited Here to Corner.
- Courchesne
- 61 A proposed ordinance adding to Chapter 260, Parking Regulations-Chicopee Street, For a distance of 30 feet from the intersection of Warregan Street, Parking Prohibited Here to Corner.
- Courchesne
- 62 A proposed ordinance adding to Parking Regulations- Sunnymeade Avenue, Both sides-for a distance of 40 feet at the intersection of Broadway, Parking Prohibited Here to Corner.
- Zaskey
- 63 A RENEWAL of a Transient Vendor License to sell various items at: Downtown Chicopee: Center, Exchange, Springfield, & Front Streets for the Downtown Get Down. Event to take place Friday September 9th from 12:00 pm – 9:00pm, & Saturday September 10th from 11:00am – 9:00pm. Applicant: Lee M. Pouliot, Planning Director, 274 Front Street, Chicopee, MA.
- 64 A NEW Junk Dealer's License to sell second hand items, furniture, household items at: 165 Front Street (#1B 103). Applicant: Andrea West, 98 Ware Road, West Warren, MA 01092.
- 65 An application for a NEW auto repair license at: 102 Old Fuller Road. Applicant: Michael Murray, Murray Automotive, LLC, 636 Fuller Street, Ludlow, MA 01056.

- 66 A petition from Columbia Gas of Massachusetts, hereby requests that it be granted a location and permission to run & maintain 125' of 2" MP plastic gas main on Winthrop Street (from 88 Winthrop St to 102 Winthrop St). This main extension will provide gas to house 102 at the northern end of Winthrop Street.
- 67 A petition from Charter Communications: Charter is in the process of bringing a fiber optic cable to the Polish National Credit Union, located at 244 Exchange Street. We will bring the fiber down School Street to Miller St. in order to reach their facility. Charter plans on installing a 4' conduit from pole #12 on School St to the rear of the building. We will place two new vaults in the sidewalk along the way for future break out in order to service businesses within the area.

ATTEST



Keith W. Rattell
City Clerk