

Notice of Meeting

To be filed in duplicate

Notice is hereby given in accordance with Chapter 30A, Section 18-25 of the General Laws of a meeting of the:

City Council Meeting

Meeting will be held at 7:15 PM on Tuesday, April 4, 2023

The location of the meeting will be Auditorium 2nd Fl., City Hall, & via zoom

Full description of location 17 Springfield Street., Chicopee, MA 01013 & via zoom

Join Zoom Meeting

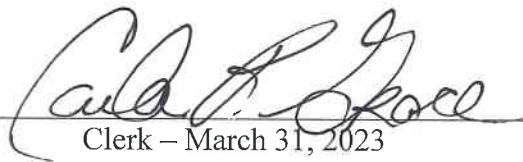
<https://us02web.zoom.us/j/89060982475?pwd=RFBLYitsZWtEZTQ1bXQreDZRMVJpdz09>

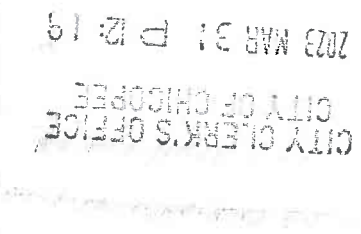
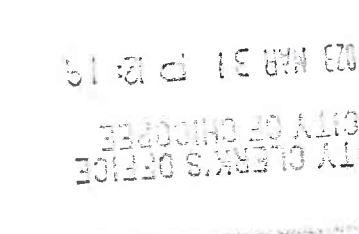
Meeting ID: 890 6098 2475

Passcode: 409154

If you have questions call the City Council office (413)594-1435

Purpose of meeting See Attached Agenda


Clerk – March 31, 2023

Date and Time Received by the City Clerk's Office (electronic stamp)	Date and Time Posted by the City Clerk's Office (electronic stamp)
	

The Mayor's briefing of the Chicopee City Council will be held on April 4, 2023, at the City of Chicopee City Hall Auditorium located at 274 Front Street, 3rd Floor, Chicopee, Massachusetts at 6:30 p.m. and via Zoom. The items to be discussed include the agenda items listed below and general City of Chicopee updates.

The City of Chicopee City Council meeting will be held on April 4, 2023, at the City of Chicopee City Hall Auditorium located at 274 Front Street, 3rd Floor, Chicopee, Massachusetts at 7:15 p.m. and via Zoom. The items to be discussed include the agenda items listed below.

Public Input

MO-1 Mayor's appropriation of One hundred ninety-nine thousand six hundred seventy-six and 00/100 dollars (\$199,676.00) to the following account: D.P.W. Water Special Account for Source of Supply from available funds in the following named DPW. Water Accounts:

Water Special Acct for Pipeline Repairs	\$120,000.00
Water Salary Acct for Water Sys Maint Man	50,000.00
Water Salary Acct for Senior Account Clerk	10,000.00
Water Salary Acct for Water Meter Repair	10,000.00
Water Salary Acct for Meter Reader	<u>9,676.00</u>
	\$199,676.00

MO-2 Mayor's appropriation of Seventy-six thousand four hundred forty-three and 00/100 dollars (\$76,443.00) to the following named account: Police Expense Account for Department Equipment from available funds in the Police Salary Account for Patrolmen Step 1.

MO-3 Mayor's appropriation of Twenty-two thousand seventy-one and 00/100 dollars (\$22,071.00) to the following named account: City Hall Maintenance Special Account for City Hall Improvements from available funds in the Undesignated Fund Balance "Free Cash" account.

MO-4 Mayor's appropriation of Eighteen thousand and 00/100 dollars (\$18,000.00) to the following named account: City Hall Maintenance Special Account for Purchase of Equipment from available funds in the Undesignated Fund Balance "Free Cash" account.

MO-5 Ordered that the City Council accept the attached donation in the amount of One thousand three hundred and 00/100 (\$1,300.00) to the Chicopee Public Library. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-6 Ordered that the City Council accept the operation of Technology Program Grant in the amount of Seven thousand five hundred and 00/100 dollars (\$7,500.00) from the office of Community Development to the Chicopee Council on Aging. Said grant will be used for a technology instructor, iPads, Echo Technology and Fitbits and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

MO-7 Mayor's appropriation of Seven thousand five hundred and 00/100 (\$7,500.00) to the following named account: Council on Aging Special Account for Tech Lending Program Expenditures for Reimbursable CDBG Grant from available funds in the Undesignated Fund Balance "Free Cash" account.

- MO-8 Ordered that the City Council accept the donations in the amount of Four thousand nine hundred sixty-nine and 75/100 dollars (\$4,969.75) to the Chicopee Council on Aging. Said donations are for senior meals for the month of February, 2023 and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- 9 A favorable Zoning Committee report: Application for a Home Occupation License for the purpose of Baking Business. Applicant: Susan Gendron, 82 9th Avenue.
- 10 A favorable Zoning Committee report: Zone change application to apply the Mill Conversion and Commercial Center Overlay District for 118,613 SF +/- SF of property located at 480 & 510 Burnett Road for the purpose of constructing a residential development with associated site improvements to be located at the above referenced properties. Applicant: Salmar Realty, Inc., Mr. Peter Martins, 350 Cottage Street, Springfield, MA 01104.
- 11 A favorable Zoning Committee report: Zone Change application to apply the Mill Conversion and Commercial Overlay District for 33,130 +/- SF of property located at 105 East Street for the purpose of allowing for future construction of a residential development to be located at the above referenced property. Applicant: PREM, LLC, c/o Dennis Patel, 36 Yarmouth Drive, Agawam, MA 01001.
- 12 A favorable Public Safety Committee report: Be it Ordered that the DPW Superintendent present to the Public Safety subcommittee its plan for pedestrian safety at the March 15th subcommittee meeting.
- 13 A favorable Public Safety Committee report: Be it Ordered that the Public Safety Committee meet with the Emergency Management Director, Fire Chief, and Police Chief to discuss disaster preparedness and what the City has in inventory.
- 14 A favorable Public Safety Committee report: Be it Ordered that the City Department recommendations concerning the one-way street on Old Lyman Road be presented and discussed at a Public Safety Committee meeting.
- 15 A favorable Human Resources Committee report: Mayoral appointment of Cynthia Labrie as a member of the Planning Board to serve in such office for the term expiring on the 1st of March, 2028.
- 16 A favorable Ordinance Committee report: Be it Ordained by the City Council to adopt the below listed policy regarding the display of flags in front of City Hall on the City Hall traffic island.

Add Chapter 88

Chapter 88

§88-1 Display of Flags on City Hall Plaza

The purpose of this Ordinance is to establish guidelines for the display by the City of Chicopee of (1) flags of governments recognized by the Federal Government, and (2) other flags in front of City Hall on the City Hall traffic island. Nothing herein shall be construed to conflict with City of Chicopee Code, Ordinances Chapter 87.

§88-2 Policy.

It is the policy of the City of Chicopee that flags should be displayed in conformance with Federal and State policies, as stated in the Federal "Our Flag" publication of the Congress, House Document No. 96-144; Chapter 2, Section 6 of the Massachusetts General Laws and Chapter 2, Section 6A of the Massachusetts General Laws.

§88-3 Order of Precedence

Outdoor flags will be flown at City facilities in the following order of precedence: first, the United States flag; second, the Commonwealth of Massachusetts flag; and third, the City of Chicopee flag.

§88-4 Special occasions of Federal, State and local proclamation.

- a. Flags in front of City Hall shall be displayed in accordance with the above standards. However, the Mayor may order flags to be lowered to half-staff including, but not limited to flags of the United States of America and the Commonwealth of Massachusetts in honor of the death of a City employee killed in the line of duty, or in observance of a specific event or circumstance.
- b. Pursuant to proclamation of the Mayor, or resolution of the City Council, other flags may be flown by the City in place of the City of Chicopee flag.

§88-5 Other Flags.

The City's flagpoles are not intended to serve as a forum for free expression by the public. The following flags may be displayed by the City as an expression of the City's official sentiments:

- a. Flags of Government Recognized by the United States. Flags of government recognized by the United States may be displayed upon the proclamation of the Mayor or by resolution of the City Council.
- b. Flags displayed in Conjunction with Official Events or Ceremonies as Announced by Mayoral Proclamation or City Council Resolution. By proclamation of the Mayor or resolution of the City Council, other flags may be displayed as official City events or ceremonies.
- c. Ownership of Other Flags. The City shall acquire ownership of all flags that it flies in place of the City of Chicopee flag.
- d. The City will endeavor to display Other Flags for a period of five, (5) business days unless requested for a longer or shorter time by the requestor. In no circumstances will an Other Flag be flown for more than 30 calendar days.

§88-6: This Ordinance shall take effect upon passage.

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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:

Delete Chapter 169-13 E

And insert in place thereof

Bulky waste, such as discarded furniture, mattresses, large electronics, tires, carpeting, and large appliances may be picked up curbside through the City's residential Curbside Bulk Pickup Program. Construction/demolition debris, commercial bulk waste, and hazardous waste will not be picked up curbside and are the responsibility of the property owner for disposal. Property owner may also dispose of bulk items privately at local transfer stations and recycling venues.

- 18 An unfavorable Ordinance Committee report: Be it Ordered that the following question shall be placed on the November 7, 2023 ballot for the City of Chicopee.

Shall the City of Chicopee vote to accept the provisions of section six C of chapter forty of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways therein open to public use?

- 19 A favorable Ordinance Committee report: Adding to Chapter 260, 260-79 Commercial Vehicles Excluded, Hampshire Street, entire length, Commercial Vehicles Excluded.

- 20 A favorable Ordinance Committee report: Adding to Chapter 260, 260-79 Commercial Vehicles Excluded, Britton Street, From Montcalm Street westerly to the South Hadley Town Line, Commercial Vehicles Excluded.

- 21 A favorable Ordinance Committee report: Adding to Chapter 260, 260-79 Commercial Vehicles Excluded, New Ludlow Road, From Montcalm Street westerly to the South Hadley town line, Commercial Vehicles Excluded.

- 22 A favorable Zoning Committee report: Special Permit application under Chapter 275-50 (C) (1+2) for the purpose of erecting a digital sign on the property on existing pole. Waiver requested-front setback from 25' to +/- 2.5' located at 704 Memorial Drive. Applicant: Chuck's Sign Company, 658 Fuller Rd., Chicopee, MA 01020.

- 23 A favorable Zoning Committee report: Special Permit application under Chapter 275-52 B (10), 50 C (2) for the purpose of parking facilities within Residential A district. Replace existing accessory sign. Waiver requested-front setback from 25' to 12' located at 147 Grape Street and O Grape Street (Map 063-31). Applicant: Elms College, Katie Longley, 291 Springfield St., Chicopee, MA 01013.

- 24 A favorable Zoning Committee report: Special Permit application under Chapter 275-66 A for the purpose of allowance of a business, commercial, or industrial development on Burnett Rd. (Parcel ID Map 294, Lot 6 & Lot 7). Applicant: Scannell Properties #705, LLC, c/o Leo Leighton, 294 Grove Ln, Suite 140, Wayzata, MN 55391.

- 25 Be it Ordered that the Public Safety committee meet to discuss safety issues in the Litwin School neighborhood.

Dobosz

- 26 Be it Ordered that Royal Coach Sales, LLC, 576 East Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Royal Coach Sales,

LLC, including compliance with restrictions imposed upon any licenses held by Royal Coach Sales, LLC. The Council may modify, suspend, fine, or revoke any license held by Royal Coach Sales, LLC.

1. Change address on licenses from 576 East St. to 574 East Street after review by Engineering Department.

Krampits

- 27 Be it Ordered that the Carew Street Realty Trust, 340 Carew Street, (aka Milano's) be called before the City of Chicopee Zoning Committee and City Council to discuss the special permit currently held by The Carew Street Realty Trust, including compliance with restrictions imposed on the special permit held by The Carew Street Realty Trust. The Council may modify, suspend, fine, or revoke any special permit held by The Carew Street Realty Trust.

1. Change location of handicap parking.

Krampits

- 28 An application for a NEW Home Occupation License at 413 East Main Street for the purpose of doing Dog Grooming. Applicant: Marissa Lalchandani, 413 East Main Street, Chicopee, MA 01020.
- 29 An application for NEW Home Occupation License at 45 Marion Street, for the purpose of doing business in the capacity of growing microgreens in the vicinity to sell at farmer's market. Applicant: Jerrico Rosa, 45 Marion Street, Chicopee, MA 01013.
- 30 An application for a NEW Special Permit under Section 275-9L of the Municipal Zoning Ordinance for the purpose of renewing the special permit granted on May 3, 2022, to exercise the regulations of the Mill Conversion and Commercial Center Overlay District. Location of Property: 10 Southwick Street. Applicant: Valley Opportunity Council, Inc., 35 Mt. Carmel Avenue, Chicopee, MA 01013.
- 31 An application for NEW Special Permit under Section 275-9L of the Municipal Zoning Ordinance for the purpose of renewal of the Special Permit, with current conditions, granted on March 1, 2022 for redevelopment of the Baskin parcel consistent with the Mill Conversion & Commercial Center Overlay District. Location of Property: 75 West Main Street. Applicant: Hammad Graham, Brisa Development, LLC, 2009 Flatbush Avenue, Brooklyn, NY 11234.
- 32 An application for a NEW Special Permit under Section 275-58 (c)(5) of the Municipal Zoning Ordinance for the purpose of Four (4) residential units. Location of Property: 1682 Memorial Drive. Applicant: 896-900 Prospect Street, Inc., 32 Haig Avenue, South Hadley, MA 01075.

33-35 2023-Junk Dealer's License Renewals

AJW Realty, LLC	Anthony Furnari	766 Memorial Drive
Furnari Jewelers	Anthony Furnari	1189 Memorial Drive
Hollister Jewelry & Coins	Archie Moe	1260 Memorial Drive

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A renewal of a Hawkers and Peddlers License to Sell Ice Cream at various locations. Applicant:
Jeffrey Kline, Jeff's Ding Dong Cart, 330 West Avenue, Ludlow, MA 01056.

ATTEST:

A handwritten signature in black ink, appearing to read "KR", with a long horizontal stroke extending to the right.

Keith W. Rattell, City Clerk