

(13)

RECEIVED

2019 JAN 18 PM 1:12

CITY COUNCIL
CHICOPEE MA

Minutes from the City Council Meeting on Tuesday January 15, 2019 at 7:15 pm in the City Council Chambers are as follows:

Vieau, John L.	Ward 3 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
Brooks, Shane D.	Ward 2 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-Michael Pise, 33 Bonneville Avenue, Happy New Year, glad to be working with you all. Glad to get money to help. Asking for support and help to get equitable school funding. Trying to get bill passed. Desperately need these funds, need help with legislators to get the bill passed.

MO-1 Ordered that the City Council accept the Municipal ADA Improvement Grant from the Commonwealth of Massachusetts Executive Office on Disability in the amount of Two hundred and fifty thousand and 00/100 dollars (\$250,000.00). Said Grant will be used to advance the replacement of the City Hall Annex elevator as part of the larger City Hall Rehabilitation Project that is currently underway and is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated this is a grant of \$250,000.00 to be used to replace the annex elevator. Funds are related to MO-2. Motion passed through all stages by a unanimous roll call vote.

MO-2 Mayors appropriation of One hundred six thousand and 00/100 dollars (\$106,000.00) to the following named account: Planning Special Account for City Hall Phase I Rehab from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Roy to receive and pass. Councilor Roy stated Planning applied for a Municipal ADA grant to replace the elevator. Funds are needed for design & engineering. Work will allow the grant to be used. Councilor Dobosz stated he credits the grant to Lee Pouliot and team getting the grant. Money should come from the \$16 million already approved. Councilor Tillotson stated we have no idea what this project will cost. Could be more, could be less. This money is not part of the bond because we didn't put the elevator as part of Phase 1. Foolish not to get the money from the state and get this elevator done. Have a building we are proud of. Councilor Brooks stated he cannot imagine rehabbing a building and not have an elevator rehabbed. It is a city owned building that must meet ADA standards. Moving forward already, need to vote this to meet all current ADA standards. Councilor Zygarowski stated this is strictly for design and engineering. Must be done between June and September in order to get this grant. Councilor McAuliffe stated

what Councilor Dobosz is asking is why we are using free cash instead of the bonded monies. Councilor Tillotson stated we can't take it out of the \$16 million because it wasn't listed as part of the authorization. Age of the elevator, take it apart. Do it right. Will be lost when it is shut down. Councilor Dobosz stated no one is suggesting not to fix the elevator, its misleading if we are asked to approve more money on top of the \$16 million. Feel like there is something misleading about this coming forward this way. Councilor McAuliffe asked the council if the Planning Director could be addressed. He asked Lee why is this money coming from free cash and not the bond. Lee answered this is new scope. Can't be used under the bond because you can only use what was asked for, there can be no new scope. Councilor McAuliffe stated whatever was included in Phase 1 is all that can be done. Councilor Brooks stated the previous administration had a bond that was used. We would have to rescind the current bond and approve a new bond. There is a safeguard in the bonding process. Councilor Dobosz stated if that's the case, I will vote for it. What projected projects are left for city hall that were not in the bond? Motion passed through all stages by a unanimous roll call vote.

MO-3 Mayors appropriation of One hundred four thousand nine hundred eighty eight and 01/100 dollars (\$104,988.01) to the following named account: Bond Interest Special Account for Bond Anticipation from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated this is for paying interest on short term bonding. Fire roof, Fire Pumper, doing now that free cash has been authorized. Councilor Tillotson stated now known how much can be used now that free cash has been approved. Eventually if market is right they can all be rolled into one long term bond. Motion passed through all stages by a unanimous roll call vote.

MO-4 Mayors appropriation of Nine hundred twenty five and 25/100 dollars (\$925.25) to the following named account: Auditing Salary Account for Sick Leave Buy Back from available funds in the Undesignated Fund "Free Cash" Account.

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated this is a collective bargaining incentive if you use no sick time. Motion passed through all stages by a unanimous roll call vote.

MO-5 Ordered that the City Council accept the FY'2019 Student Awareness of Fire Education (S.A.F.E.) Grant to the Chicopee Fire Department in the amount of Six thousand seven hundred fifty four and 00/100 dollars (\$6,754.00). Said amount is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Walczak to receive, pass and the grant accepted. Councilor Walczak stated this is a Fire Department Step grant, typically used for Fire awareness. Motion passed through all stages by a unanimous roll call vote.

MO-6 Ordered that the City Council accept the FY'2019 Senior (S.A.F.E.) Grant to the Chicopee Fire Department in the amount of Three thousand and 00/100 dollars (\$3,000.00). Said amount is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Labrie to receive, pass and the grant accepted. Councilor Labrie stated same as the prior order but for seniors. Councilor Tillotson stated some money is

used for smoke/carbon monoxide detectors. Free service the city offers. Call and ask if eligible. Motion passed through all stages by a unanimous roll call vote.

MO-7 Ordered that the City Council accept the FY'2019 Traffic Enforcement Grant from the Commonwealth of Massachusetts Executive Office of Public Safety and Security to the Chicopee Police Department in the amount of Two thousand three hundred ten and 00/100 dollars (\$2,310.00). Said amount is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Tillotson to receive, pass and the grant accepted. Councilor Tillotson stated he is glad to take any grants we can get. Motion passed through all stages by a unanimous roll call vote.

MO-8 Ordered that the City Council accept the donation of twenty five medium stuffed bears in totes bags and 56 small bears in tote bags from the Wings of Love Organization to the Chicopee Fire Department. The donation has an estimated value of Six hundred thirty dollars and 00/100 (\$630.00) and will be used to provide comfort to children during stressful events and at the Annual Fire Department Open House. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A 1/2.

--Motion made by Councilor Balakier to receive, pass and the donation accepted. Councilor Balakier stated this is a donation of bears in bags to the Fire Department. They are used at the open house. Motion passed through all stages by a unanimous roll call vote.

MO-9 Chapter 7 Ordinance Revisions

--Motion made by Councilor Zygarowski to receive, 1st reading and refer to the Ordinance Committee. Councilor Zygarowski stated youth basketball scorekeepers need to be brought up to date. Motion passed, referred.

MO-10 To the City Council:

You are hereby notified that I have this day appointed, Daniel Garvey, 64 South Brook Road, East Longmeadow, Massachusetts as Associate City Solicitor and City Council Legal Counsel to serve in such office for the term expiring on the 1st day of January, 2020.

*Re-Appointment

--Motion made by Councilor Courchesne to receive and the appointment be approved this evening. Councilor Courchesne stated he is a phenomenal asset to the board. Councilor Balakier agrees he is an asset. Does a great job. Councilor Roy states he is the most accommodating of solicitors. Councilor Brooks stated Dan knows the ordinance book inside and out, go to guy, always available. Comes to all the meetings, works as hard as any of us. Councilor Laflamme stated he can call on weekends and he always responds. Should do a five year appointment. Councilor Dobosz thanked Dan. Councilor Vieau enjoys giving Dan a lot of advice when he calls. Councilor Tillotson stated they work close, work things out. Fun working with him. Glad he's willing to stay another year. Learning experience. Councilor Zygarowski stated you can call him 24/7. Motion passed.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated this is for a poll worker increase, every time he went to vote he was asked. City Clerk surveyed the area. Glad to make adjustments after 10 years they deserve a raise. City Clerk Keith Rattell thanked the council for passing this, the workers love the city. Motion passed through all stages by a unanimous roll call vote.

- 12 A favorable Ordinance Committee report, BE IT ORDAINED THAT THE CHICOPEE CITY COUNCIL HEREBY ADOPTS THE FOLLOWING NEW ORDINANCE SECTION AS FOLLOWS:

INSERT CHAPTER 230, SECTION 23 (D) AS FOLLOWS:

§ 230-23

D. Sewer Backup Prevention and Cost Sharing Program.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated this is the short version, the law into the way it will be implemented. Booklet available to voters. All explained in the booklet. Commend sewer dept. suggest councilors get a copy of the booklet. 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, Baril Lane – South side – 50 feet from the intersection of Granby Road, Parking prohibited here to corner.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Brooks stated this is a side street on the left of Granby Road. Often times difficult to get out of the side streets. Motion passed through all stages by a roll call vote of 12 yes, 1 abstained, Councilor Laflamme abstained.

- 14 A favorable Ordinance Committee report, a proposed ordinance; adding to Chapter 260, Parking Regulations, Center Street – 25 feet after the intersection of Nonotuck Avenue, Parking prohibited here to corner.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Brooks stated this is downtown-the Philips Insurance Agency purchased a building and it is difficult to make people stop parking in front of the entrance to the parking lot. Motion passed through all stages by a unanimous roll call vote.

- 15 A favorable Ordinance Committee report, a proposed ordinance; adding to Chapter 260, Handicap Parking, 21 Elmer Drive, Handicap Parking.

--Motion made by Councilor Tillotson the favorable committee report to deny be approved. Councilor Tillotson stated based on the fact they are not sure if this is a public way. Motion passed by a unanimous roll call vote. Ordinance denied.

- 16 BE IT ORDERED that the Mayor provide a briefing to the City Council on the status unfilled and Acting department head positions in executive session at the City Council's next special meeting.

--Motion made by Councilor McAuliffe to amend the order to strike executive session. Motion passed. Motion made by Councilor McAuliffe to send to the Mayor for implementation, amend to read the 1/29/19 meeting. Councilor McAuliffe stated the HR Director is leaving again. Give the Mayor an opportunity to answer these questions. Councilor Tillotson stated the Mayor already posted a special meeting for 1/29. Councilor McAuliffe stated request can be sent to Mayor to add to agenda. Motion passed.

- 17 BE IT ORDERED that the DPW Forestry Department review the tree condition status at Fairview Park.

--Motion made by Councilor Walczak to receive and sent to the DPW for implementation. Councilor Walczak stated several parks that are heavily wooded Camp Opie is there, check tree conditions. Motion passed.

- 18 BE IT ORDERED that the Planning Department provide an update on proposed landscape improvements to the RiverMills Senior Center.

--Motion made by Councilor Walczak to receive and sent to the Planning Director for an update. Councilor Walczak stated Lee has been working with the senior council to improve the area. Some areas look like tumbleweed. Councilor Balakier asked if they can get a list of what all the improvements will be. Councilor Laflamme stated the commissioners of the senior center do this. Councilor Courchesne asked if this is city property? Councilor Tillotson stated said the COA agrees with Councilor Walczak, need to do something there. Need to give some areas some pizzazz, needs to be corrected. Would give Mr. Croteau some work there. Motion passed.

- 19 BE IT ORDERED that the Chicopee Electric Light Department explore the installation of a street light on pole #6 on Lariviere Drive.

--Motion made by Councilor Walczak to receive and sent to CEL for implementation. Councilor Walczak stated there is a pole at a blind corner. Sidewalk is adjacent to the corner. Need to safeguard the area. Motion passed.

- 20 A NEW Special Permit application under Section 275-41 and 52 (B)(11) of the Municipal Zoning Ordinance for the purpose of home occupation permit for home business. Located at: 40 Shaban Drive. Applied for by: Mohammad and Nosheen Attique, 40 Shaban Drive.

--Motion made by Councilor Brooks to receive and refer to the Zoning Committee. Councilor Brooks stated will take up in committee. Councilor Tillotson stated this is a first ever out of a house. Councilor Brooks stated it's similar to Uber & Lyft, not meeting till late February, month to do their due diligence. Motion passed, referred.

- 21 A NEW Special Permit application under Section 275-62 (D) of the Municipal Zoning Ordinance for the purpose of special permit for existing sign setback in industrial zone. Located at: 777 Meadow Street. Applied for by: McDonald's USA, LLC, 110 N Carpenter St., Chicago, IL 60607.

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

22 A NEW Class 2 application for: Guilbert's Auto Care. Located at: 1422 Granby Road. Applied for by: Raymond J.P. Guilbert, 278 Grattan Street, Chicopee, MA and Eric K. Guilbert, 409 Batchelor St., Granby 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.

23 A NEW Class 2 application for: Westover Auto Repair, LLC. Located at: 1633 Memorial Drive. Applied for by: Westover Auto Repair, LLC.

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

24 A NEW Auto Repair application for: Guilbert's Auto Care. Located at: 1422 Granby Road. Applied for by: Raymond J.P. Guilbert, 278 Grattan Street, Chicopee, MA and Eric K. Guilbert, 409 Batchelor St., Granby 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.

25 A NEW Auto Repair application for: Westover Auto Repair, LLC. Located at: 1633 Memorial Drive. Applied for by: Westover Auto Repair, LLC.

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

26 2019 Class 2 Renewal

Freedom Cycles

25 North Chicopee Street

--Motion made by Councilor Walczak to receive and approved with existing restrictions. Motion passed.

27-28 2019 Auto Repair Renewals

Freedom Cycles

25 North Chicopee Street

Papaleguas Motocar's

813 Front Street

--Motion made by Councilor Walczak to receive and approved with existing restrictions. Motion passed.

ATTEST:



KEITH W RATTELL
CITY CLERK