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Minutes from the City Council Meeting on Tuesday March 15, 2022 at 7:05 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
Shane D. Brooks	Ward 2 Councilor	Present
Delmarina Lopez	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
Mary Elizabeth Pniak-Costello	Ward 9 Councilor	Present

CITY COUNCIL
CHICOPEE MA

Public Input—Derek Dobosz, 70 Post Road, last week sent a letter to Anthony Gulluni to not arrest people who are trespassing on Slate Road property. WMDC put in cameras right along the state park. Mary-Beth Pniak-Costello, 66 Voss Avenue, apologize the mike wasn't on. Constituents have complained that they can't hear during the meeting. Concern of several constituents.

--Motion made by Councilor McAuliffe to accept the minutes of 2/15/22, 3/1/22, 3/3/22, & 3/14/22. Motion passed.

MO-1 Whereas, the City Council of the City of Chicopee strongly supports increased economic development to provide additional jobs for residents of Chicopee, Holyoke, and Westfield and expanded commercial and industrial activity within those cities in order to promote and develop a healthy economy and a stronger tax base; and

Whereas, the General Court has enacted M.G.L. Ch. 23A, Section 3A-3H, the Massachusetts Economic Development Incentive Program (EDIP), designed to stimulate job creation, attract new business, encourage growth of existing businesses, and to increase overall economic development readiness; and

Whereas, The City of Chicopee has entered into an Inter municipal Agreement with the Cities of Holyoke and Westfield and the three cities have been designated as the Holyoke Regional Economic Target Area (ETA), by the Economic Assistance Coordinating Council (EACC); and

Whereas, the City Council of the City of Chicopee desires job creation opportunities, improvements to distressed and underutilized commercial properties, and increased economic opportunities Chicopee; and

Whereas, the City Council in supporting the expanded use and creation of additional jobs has authorized the Mayor to enter into a Tax Increment Financing (TIF) with Agilent Technologies; and

Whereas, there is an existing TIF executed in 2004 with Oxford Investments and Prima North America for the 711 East Main Street property; and

Whereas, the Commonwealth through the Economic Assistance Coordinating Council is requiring the decertification of the existing TIF prior to execution of the TIF with Agilent Technologies, Inc;

Now, Therefore, be it Ordered, the City Council of the City of Chicopee with the approval of the Mayor hereby authorized the issuance of a TIF Decertification notice; and

Further, be it Ordered, the City Council of the City of Chicopee with the approval of the Mayor hereby makes a binding commitment to enter into and Tax Increment Financing (TIF) Termination agreement.

--Motion made by Councilor Dobosz to receive, pass and the Mayor be authorized to enter into agreement. Councilor Dobosz stated the company that held the TIF in 2004 sold the property, previous agreement needs to be terminated. Motion passed through all stages by a unanimous roll call vote.

MO-2 To the City Council:

You are hereby notified that I have this day appointed, Michael O'Neill, 26 Savory Drive, Chicopee, MA 01020 as Director of Golf until the 28th of February, 2025. To which appointment I ask the confirmation of your honorable council.

*Re-Appointment

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated doing a fine job. Councilor Dobosz stated in favor, is a constituent. Mayor's office said course is profitable or close to it. Hard business to run. Councilor McAuliffe stated done a wonderful job. The new carts don't allow you to go off the course. Councilor Laflamme stated on behalf of the Council, thank you for doing a great job. Motion passed by a unanimous roll call vote.

MO-3 Ordered that the City Council accept the Commonwealth of Massachusetts ARPA Earmark Grant in the amount of Seven hundred fifty thousand and 00/100 dollars (\$750,000.00) to the Wastewater Department. Said grant is to be used for the effluent generator replacement project at Medina Street and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor McAuliffe to receive, pass and the grant accepted. Councilor McAuliffe stated as explained, state earmark, contract the city has to enter into agreement. Motion passed through all stages by a unanimous roll call vote.

MO-4 Mayors appropriation of Three hundred thousand and 00/100 dollars (\$300,000.00) to the following named account: D.P.W. Wastewater Special Account for WPCF and Pump Station Improvements from available funds in the Wastewater Special Account for WPC Biological System Upgrade.

--Motion made by Councilor Pniak-Costello to receive and pass. Councilor Pniak-Costello stated the DPW Superintendent explained, ARPA fund money, need to start the process will be reimbursed. Motion passed through all stages by a unanimous roll call vote.

MO-5 Mayors appropriation of One hundred fifty thousand and 00/100 dollars (\$150,000.00) to the following named account: D.P.W. Wastewater Special Account for WPCF and Pump Station Improvements from available funds in the Sewer Surplus Account.

--Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated funding to purchase new software of facilities. Old one is no longer supported. Motion passed through all stages by a unanimous roll call vote.

MO-6 Ordered that the City Council accept the donation in the amount of One thousand and 00/100 dollars (\$1,000.00) from the Women of the Moose to the Chicopee Police Department. Said donation is to be used for K9 expenditures and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Roy to receive, pass and the donation accepted. Councilor Roy stated donation for a K-9 vest. Thank the Moose Club. Motion passed through all stages by a unanimous roll call vote.

MO-7 Ordered that the City Council accept the donation in the amount of One hundred and 00/100 dollars (\$100.00) from Ms. Virginia Soja to the Chicopee Police Department. Said donation is to be used for K9 expenditures and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Labrie to receive, pass and the donation accepted. Councilor Labrie stated dovetails the Moose donation. Mrs. Soja called the Police Department to donate. Motion passed through all stages by a unanimous roll call vote.

MO-8 Ordered that the City Council accept the Student Awareness of Fire Education (S.A.F.E.) Grant to the Chicopee Fire Department in the amount of Seven thousand five hundred seventy five and 00/100 dollars (\$7,575.00). Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated for school children have the Fire Department educate children about fire safety. Good program. How to prevent fire, mainly get this every year. Motion passed through all stages by a unanimous roll call vote.

MO-9 Ordered that the City Council accept the Senior Awareness of Fire Education (S.A.F.E.) Grant to the Chicopee Fire Department in the amount of Three thousand four hundred fifty five and 00/100 dollars (\$3,455.00). Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Balakier to receive, pass and the grant accepted. Councilor Balakier stated Senior Awareness of fire. Fire Department gets annually. Important for education and smoke detectors. Councilor Pniak-Costello stated as a member of the SALT Council, important for this use. Fire detectors put in seniors homes. Councilor Tillotson stated Fire Department will install the detectors. Put in the right place by a professional. Very good program. Save a lot of lives. Councilor Dobosz stated thank Lt. Katie Kalbaugh, she does a fantastic job. Motion passed through all stages by a unanimous roll call vote.

MO-10 Mayors appropriation of Twenty seven thousand two hundred fifty five and 45/100 dollars (\$27,255.45) to the following named Registrar's Salary Accounts:

Registrar	\$12,255.45
Sick Buy Back	<u>15,000.00</u>
Total	\$27,255.45

From available funds in the Undesignated Fund Balance "Free Cash" account.

--Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated Janina is retiring, money from salary account. Councilor Tillotson stated part of collective bargaining. Motion passed through all stages by a unanimous roll call vote.

MO-11 To the City Council:

You are hereby notified that I have this day appointed Stephanie Shaw, 579 Fuller Street, Ludlow, Massachusetts 01056 to serve until the 1st of April, 2023. To which appointment I ask the confirmation of your honorable council.

*Re-Appointment

--Motion made by Councilor Tillotson to receive, pass and correct to read Director of Veterans. Councilor Tillotson stated this is a one year appointment, should be Director of Veterans Affairs. Councilor Pniak-Costello stated thank Stephanie. On Veterans Day in 2019 she held a birthday party for vets 100 or older. Councilor Tillotson stated she's holding something at the Senior Center for vets. Motion passed by a unanimous roll call vote.

MO-12 Mayors appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: City Hall Maintenance Salary Account for Overtime from available funds in the Undesignated Fund Balance "Free Cash" account.

--Motion made by Councilor Courchesne to receive and pass. Councilor Courchesne stated a couple people out of work, account is depleted. Motion passed through all stages by a unanimous roll call vote.

MO-13 Be it Ordered that the City Council, acting in accordance with Massachusetts General Law Chapter 40, §15A and the city charter, hereby acknowledges the Chicopee School Committee's declaration that property in its care custody and control located at 180 Broadway is no longer needed for school purposes and is surplus property. The City Council further orders that this property be transferred from the School Department to the care custody and control of the City as generally held corporate property.

--Motion made by Councilor Lopez to receive and pass. Councilor Lopez stated the building is no longer needed for school purposes. Too expensive to repair. Councilor Dobosz stated if we pass tonight, would there be another order for an RFP? Not opposed to this going to city control. Land is valuable. May be needed down the road. Current school dept. is in a 5 year lease, what's the long term plan for the admin building? Don't know if it matters if the city takes control. Just want to block sale of the building. Councilor Brooks stated the building is not less than 16 million to renovate. There are barriers to include people in meetings, the building is not ADA compliant. General floor plan is not feasible to make it compliant. City will have control of the space. Heating and air conditioning don't work, needs new roof, every Band-Aid has been applied 2-3 times over. Councilor Pniak-Costello stated city taking over this building, Councilor Dobosz made a good point, the building and land are valuable. Inferior building, was built in the late 1800's, can't use the building. Tough one, surplus property. School has no use for it. Have to make sure it's put to good use. Councilor Tillotson stated if we don't take it the school department will leave it as it and it will only get worse. We will have control of it. If the school doesn't want it, they won't take care of it. Building has served the city and served it well. Councilor Lopez stated if the building were not to leave the control of the School Committee the School Department does not do RFP's. School would be under maintenance. Leave with the school, the School Committee is limited. Not going to renovate this building. Should keep real estate as much as possible. Wish to move to the hands of the city. Can't do

anything without our vote. Councilor Courchesne stated just passing the buck on maintaining the building. Good thing to take it, sure it's a hard process to take down. Councilor Krampits stated process we've gone through with other properties. No interest in other schools, in process with VOC for Belcher School. School questions why maintaining if not school property. There is some protection. Councilor Pniak-Costello stated remind the council that the School Department admin offices moved. Not in an area where there is public transportation readily available. If moved to Broadway there is public transportation. School committee voted in favor to transfer to the city side. Councilor Brooks stated let's not lose sight of the fact this is on the historical registry. Very least, 16-20 million to renovate the building. Just to repave the parking lot required a SPRAC review. Limitations with building. Keep in mind this is a 1.2 acre parcel of land. Councilor Dobosz stated didn't want to debate, not advocating spending money, just keep the land. Find it hard to believe we can't knock down the building. What's the long term plan for the administration building? Don't believe the property should be sold. There could be a hundred different uses for this property. At some point, we may need another building, think it would be a loss to sell the land. Transparency how the property is handled. Councilor Laflamme stated everyone has said a lot tonight, small parcel of land, can only build small items there. Going to vote to accept and work with the Mayor. Maybe an RFP would bring something better, important to approve tonight. Councilor Zygarowski stated in favor of us taking this over. Governor is always saying we need more housing, non-profits are taking over more but making apartments. Demolition may cost us ten million. Control with zoning and special permits. The School Department is out of there. Done, let this piece of property go, sympathize with Councilor Dobosz after the Slate Road/Burnett Road ordeals. Keep this under our control. Motion passed through all stages by a roll call vote of 12 yes, 1 no. Councilor Dobosz voting no.

MO-14 To the City Council

You are hereby notified that I have this day appointed James P. Lynch, 95 Bardon Street, Chicopee, Massachusetts 01020 as a member of the Board of Registrars of Voters to serve until the first of April 2026. To which appointment I ask the confirmation of your honorable Council.

*Re-appointment

--Motion made by Councilor Tillotson to receive, pass and approved this evening. Councilor Tillotson stated deserves reappointment worthy. Councilor McAuliffe stated great asset, gives a lot to the community. Motion passed.

MO-15 Chapter 7 Ordinance Revisions

--Motion made by Councilor Tillotson to receive, 1st reading and referred to the Ordinance Committee. Councilor Tillotson stated slight, small raise for the pro-shop assistant. Motion passed, referred.

MO-16 Mayors appropriation of Seven thousand five hundred and 00/100 dollars (\$7,500.00) to the following named account: Council on Aging Expense Account for Gas from available funds in the following named Council on Aging Salary Accounts:

Sub. Transportation Coordinator	\$2,500.00
Program Asst./Café Manager	<u>5,000.00</u>
	\$7,500.00

--Motion made by Councilor Brooks to receive and pass with a 2nd by Councilor Zygarowski. Councilor Brooks stated interdepartmental transfer, unfilled positions, heating costs rising. Motion passed through all stages by a roll call vote of 12 yes, 1 abstained. Councilor Laflamme abstained.

MO-17 Ordered that the City Council accept the donations in the amount of Seven thousand five hundred sixty and 00/100 dollars (\$7,560.00) to the Chicopee Council on Aging. Said donations are for senior meals for the month of February, 2022 and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor McAuliffe to receive and pass with a 2nd by Councilor Zygarowski. Councilor McAuliffe stated self-explanatory. Motion passed through all stages by a roll call vote of 12 yes, 1 abstained. Councilor Laflamme abstained.

18 A favorable Education Committee report: Be it ordered that the Education Committee meet with School Department officials to discuss issues involving finance, capital improvement plan, and update on School Department issues.

--Motion made by Councilor Pniak-Costello to receive and placed on file. Councilor Pniak-Costello stated had a meeting and discussed issues and the capital improvement plan. Major issue was review of maintenance department. Hope it was informative for everyone, hope we can meet more often. Councilor Tillotson stated talked about reasons for the split, not enough notice that this was going to happen. Different unions have different pays. Plumbing course, working on not implemented yet. Spent a lot of time on this. If you make \$4 and hour more working for the schools, you won't go work for city. Councilor McAuliffe stated had an opportunity to listen, great thanks to Councilor Pniak-Costello and Mrs. Peret and Lynn Clark for all the information. Councilor Laflamme stated big thing came out of that meeting. Failed as both sides to see how things were going. Moving forward, need to have meetings to check how things will work out. Motion passed.

19 A favorable Finance Committee report: Be it ordered that the Finance Committee meet to discuss and recommend to the Mayor that the position of Code Enforcement be added to the Law Department.

--Motion made by Councilor Zygarowski to receive and place on file and send to the Mayor's office. Councilor Courchesne stated for six years now been bringing this order forward. Been a long time coming, worked out the details. Not feasible for department heads and inspectors to go out every day. See, click, fix has thousands of outstanding tickets. Want like emergency management, work for all departments in the city. Quality of life issues. Will benefit everyone in the city at some point in time. Department heads shouldn't be spending their time writing tickets. Appreciate the support, was a collaborative effort. Councilor Tillotson stated think sending it to the Mayor and now there are three to four people doing this now. No coordination between departments. If we need another body, that's fine. Glad to see it go to the Mayor. More for the dollar if we had a more organized department. Needs to be updated. Councilor Dobosz stated thank Councilor Courchesne for the long advocacy for this position. Will to hear out Councilor Courchesne, good input. Position would be the single best thing to combat the problem properties. Needs to be someone to pull in the departments. Get on the same page faster. Lot to juggle, code enforcer may pay for itself. Repeat offenders, long overdue. Councilor Pniak-Costello thanked Councilor Courchesne for his perseverance. This position is an investment in our city. Councilor Zygarowski stated the order is good, Mayor is well aware of Councilor Courchesne's enthusiasm. The Mayor will work with HR. Will pay for itself in the end. Councilor Balakier stated sit on the problem properties committee, since Covid they have taken a break but this has to be a coordinated effort. Would really help things out, department heads have other jobs. Councilor McAuliffe stated he chaired the

problem properties committee for three years. Think we need an entire restructure. Revenue from tickets pays for itself. Good neighbors can improve home values. Motion passed.

- 20 A favorable Ordinance Committee report: Adding to Chapter 260, Parking Regulations, Benefit Street, Both sides, Residents Parking Only.

--Motion made by Councilor Tillotson to receive and the proposed ordinance defeated. Councilor Tillotson stated one of Councilor Courchesne's proposed ordinances. He will re-define this, would have to have a sticker for the car. Would have to be responsible for collecting money and for issuing stickers. Councilor Courchesne stated there is a second street with a similar situation. Will re-write/re-define, has to be very specific use. Will refile with different writing. Motion to defeat passed by a unanimous roll call vote.

- 21 A favorable Ordinance Committee report: Adding to Chapter 260, Parking Regulations, Leclair Terrace, Westerly extension of street-North Side-Entire 57' feet of westerly extension, Parking Prohibited Here to Corner.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Balakier stated problem with parking on the street, the Engineer and department heads looked at this, should have restrictions. Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair. Councilor Labrie out of chair.

- 22 A favorable Ordinance Committee report: Chapter 7 Ordinance Revisions.

--Motion made by Councilor Tillotson to receive and refer to the Ordinance Committee. Councilor Tillotson stated it only affected one employee. Motion passed, referred.

- 23 Be it Ordered that the City Council approve the attached Section 20B ethics disclosure form submitted by Councilor McAuliffe as required by M.G.L. c. 268A, § 20(b)".

--Motion made by Councilor Dobosz to receive, passed and approved this evening. Councilor Dobosz stated Councilor McAuliffe learned the city needs substitute teachers and he wanted to apply to be a sub. Ethics asked him to leave during the vote. Vacancies in school subs, tough position to do, best of luck. Councilor Lopez asked if this is a paid position? Yes. Councilor Dobosz stated hired by Kelly Services, not the city. Councilor Pniak-Costello stated the school district is in dire need of substitute teachers. Councilor McAuliffe would not be paid directly by the schools. Pay rate is between \$105-\$120 a day, helping the city. Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair, Councilor McAuliffe out of chair.

- 24 Be it Ordered that the License Subcommittee and Public Safety Subcommittee hold a joint meeting to discuss ongoing issues at Walmart. The council may modify, suspend, fine, or revoke any license held by Walmart. Violations-trash and litter in parking lot and around the property, ongoing and serious security issues including theft and violence, potential issues with traffic flow.

--Motion made by Councilor Dobosz to receive and refer to a joint License and Public Safety meeting. Councilor Dobosz stated he apologized to the Council for putting in orders on so many high profile incidents, three main issues. High crime, 911 calls, theft assaults. They have been locking up products. The police are always there. Talked many times before, public does not feel safe at Walmart. New

security system in 2018-2019. If it were up to him they need to hire a Chicopee police officer at their expense. Elderly couple was assaulted, second issue is trash and litter. They shouldn't have to be called. Consistently a problem, multiple calls. Third issue is traffic flow. Major traffic flow problems, back portion is one of the most dangerous places to drive in the city, not sure what we can pressure them to do and not do. City's major retailer is not a good neighbor. Clean up the parking lot. Maybe put a police sub-station? They can be called in for Special Permits and licenses, city council hold the licenses, it is our only power. They rent, because they rent we should be able to go after or negotiate with Walmart. Complicated issue. Councilor Labrie stated we've had Walmart in. The best meeting was with the regional manager, got a lot done-progressed from there. Have to call them in. Councilor Zygarowski asked if you have called Walmart lately? Talked to the manager, every so often it blows up. Councilor Courchesne stated point of info, change of management since the last meeting. Walmart is community based. Putting a sub-station in there could be two-fold. Sub-station could be a good idea. Incorrect lining of roads. Councilor Pniak-Costello stated going back to September of 2019, big story on Elm's campus was the city where the kids go to school has the worst Walmart in the country. Councilor Balakier stated they have 8-12,000 customers per day, dubious distinction of having the highest customers. That much money, they should address these issues. They have the money. Councilor Brooks stated will work with Councilor Zygarowski for an agreeable date. Councilor Laflamme stated agree with Councilor Brooks, invite Walmart and the police department. Recommend the police department a three year review of Walmart. Councilor Dobosz stated thank Councilor Laflamme and the Mayor for working with and helping with these issues. Would like to invite the Police Chief and Health Department and Walmart. Motion passed, referred.

- 25 Be it Ordered that the DPW remove a tree located at 1731 Memorial Drive
- Motion made by Councilor Pniak-Costello to receive and placed on file. Councilor Pniak-Costello stated a communication from John Beaulieu stating the issue is resolved. Motion passed.
- 26 Be it Ordered that the City of Chicopee authorizes the Knights of Columbus, Fairview Council No. 4044, to hold bingo on Monday, April 11, 2022 instead of Thursday, April 14, 2022.
- Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated need to change the date for Bingo. Councilor Laflamme stated Diocese of Springfield asked to move because of Good Friday. Motion passed.
- 27 An application for a NEW Special Permit under Section 275-9L3 of the Municipal Zoning Ordinance for the purpose of renewal of exp. Special Permit for dimensional relief for building lot. Location of Property: 625 Chicopee Street. Name of Applicant: Andre Marcoux, 67 Catherine Street, Chicopee, MA 01013.
- Motion made by Councilor Balakier to receive and refer to the Zoning Committee. Councilor Balakier stated will take up in committee. Motion passed, referred.
- 28 A Renewal of a Hawkers and Peddlers License to sell: flowers at 168 Chicopee Street on April 15, 16, & 17 and May 7 & 8. Applied for by: Elaine Dowd, 18 Surrey Lane, Chicopee, MA 01013.
- Motion made by Councilor Brooks to receive and granted this evening. Councilor Brooks stated self-explanatory. Motion passed.

29 A Renewal of a Hawkers and Peddlers License to sell: Ice Cream at various locations. Applied for by: Jeff's Ding Dong Cart, Jeffrey Kline, 330 West Ave., Ludlow, MA 01056.

--Motion made by Councilor Brooks to receive and granted this evening. Motion passed.

30 An application for a NEW Class II license: Family Auto Sales and Repair, LLC, 920 A Meadow Street, Chicopee, MA 01013. Applicant: Alex Nieves, 137 Undine Circle, Springfield, MA 01109.

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

31 An application for a NEW Auto Body & Auto Repair license: Family Auto Sales and Repair, LLC, 920 A Meadow Street, Chicopee, MA 01013. Applicant: Alex Nieves, 137 Undine Circle, Springfield, MA 01109.

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

30 An application for a NEW Auto Detail license: Family Auto Sales and Repair, LLC, 920 A Meadow Street, Chicopee, MA 01013. Applicant: Alex Nieves, 137 Undine Circle, Springfield, MA 01109.

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

ATTEST:



Keith W. Rattell
City Clerk