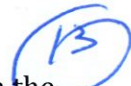


Minutes from the City Council Meeting on Tuesday March 21, 2023, at 7:15 pm in the Auditorium are as follows:


 RECEIVED
 2023 APR -5 AM 11:00
 CITY COUNCIL
 CHICOPEE MA

Laflamme, Frank N., President	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Present
Tillotson, James K.	At-Large Councilor	Present via Zoom
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present
Brooks, Shane D.	Ward 2 Councilor	Present via Zoom
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—Lisa Bienvenue, 34 Everett Street, was interested in MO-9 to clarify, to say was a little downtrodden at the reaction for the ruling from the AG’s office. Chapter 30 A sec 23C3. We’re a team, all in this together. Feeling is the feelings of the council. Sue Nimchick, 372 James Street, was here two weeks ago, two weeks before that. Trying to make everything go smoother. Make more safe. Most important resource in Chicopee. Citizens and taxpayers. More eyes, avoid accidents, report things. Rest of the city will understand what is going on. More comprehensive approach. Can solve issues throughout the city. Tractor trailers, speeding through lights, happening throughout the city. Issues are everywhere. How to fix, come to a conclusion. Thank the eyes and ears, invite everyone here all the time. Issue near CVS will repeat unless people understand what the issues are. Al Kendall, 40 Meadow Street, at a loss for words tonight. COD for the first time in 10 years have a full commission. Mission is to be helpful, encouraging. Now is the time for the commission. Thanks to all of you for the things we have accomplished and will accomplish. Congratulate Nancy on her appointment. Working together. Appreciate support, advice and consideration. Rare opportunity for the commission. Congratulate Stephanie Shaw on her re-appointment, done great things for this city.

--Motion made by Councilor Labrie to return to the regular order of business following public input. Motion passed by a unanimous roll call vote.

--Motion made by Councilor McAuliffe to accept and approve the minutes of 2/21/23. Motion passed by a unanimous roll call vote.

MO-1 To the City Council:

You are hereby notified that I have this day appointed Stephanie Shaw, 579 Fuller Street, Ludlow, Massachusetts to serve as the Director of Veterans’ Services until the first of March 2024. To which appointment I ask the confirmation of your honorable Council.

Re-appointment

--Motion made by Councilor Dobosz to receive, pass and the appointment approved. Councilor Dobosz stated she does an excellent job, everything you hear is positive. Councilor Labrie stated don’t see a need to send to the Human Resource committee as she is a department head. Motion passed through all stages by a unanimous roll call vote.

MO-2 Be it Ordered that the City Council and City of Chicopee adopt M.G.L. Chapter 59, Section 5N, the Reduction of Property Tax Obligation of Veteran in exchange for volunteer services.

--Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated extension of something similar to the senior work off program. Given the history with veterans in the city, thank Stephanie for working with assessors to bring this forward. Additional benefit for veterans. Councilor Pnaik-Costello stated thank Stephanie and Virginia Robak, former assessor, for active participation in the city. Motion passed through all stages by a unanimous roll call vote.

MO-3 Be it Ordered that the City Council pursuant to M.G.L. Chapter 59 Section 5, Clause 41C, increase the Real Estate Exemption amount from \$500 to \$1,0000.

--Motion made by Councilor Pniak-Costello to receive and pass. Councilor Pniak-Costello stated senior exemption, increasing the amount. Motion passed through all stages by a unanimous roll call vote.

MO-4 Be it Ordered that the City Council increase the gross receipts that Seniors may have in prior calendar year to be eligible to defer property taxes under MGL Chapter 59 Section 59, Clause 41A from \$20,000 to 100% of the amount established annually by the Commissioner of Revenue for the purposes of MGL Chapter 62, Section 6, Subsection K as the income limit for a single Senior, who are not Heads of Household, to qualify for the Circuit Breaker State Tax Income Tax Credit for the preceding year, with such increase to be effective for deferrals granted for taxes assessed for FY2024 beginning on July 1, 2023.

--Motion made by Councilor Krampits to receive, pass and the program adopted. Councilor Krampits stated similar to previous orders. To allow folks to stay in their home as long as possible. Allows people to stay in their home to defer paying taxes. When the house is sold there is a lien. Up to 50% of the value of the house. Deferral to let people stay in their home. Motion passed through all stages by a unanimous roll call vote.

MO-5 Be it Ordered that the City Council reduce the rate of interest that accrues on Property taxes deferred by eligible Seniors under MGL Chapter 59, Section 5, Clause 41A, from 8% to 2% with such reduced rate to apply to taxes assessed for FY2024 beginning on July 1, 2023.

--Motion made by Councilor Roy to receive and pass. Councilor Roy stated to reduce the rate of interest accrued on taxes that are deferred. Councilor Krampits stated reflects back on previous order. Motion passed through all stages by a unanimous roll call vote.

MO-6 Be it Ordered that the City Council adopt MGL Chapter 59, Section 5, Clause 54 to exempt \$1,999 of fair cash value on Personal Property accounts to be taxed starting in Fiscal Year 2024.

--Motion made by Councilor Labrie to receive, pass and the exemption approved. Councilor Labrie stated exempt the first \$1999 property value. Small shops. Nice tool to bring a business into the city. Motion passed through all stages by a unanimous roll call vote.

MO-7 An Order Authoring the Mayor, in accordance with the City Charter and M.G.L. C. 40 § 15, to Negotiate, Edit, and Execute a lease of the property located at 170 Grove Street in Chicopee and any other document necessary to finalize said lease of property, which is not currently needed for a public purpose.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated building on Grove Street city has been leasing all along. Doing until ready to sell the former Uniroyal. Councilor Dobosz stated support this. Company has been renting this longer than he's been on the council. What revenue has been gained from this lease? Spent millions of dollars cleaning up the property. Could get a lot of revenue long term by leasing the property. Hope leasing is something we seriously consider. Councilor Labrie stated eighteen years they have been leasing. Deter people from vandalizing and trespassing. Councilor Balakier stated in favor. Long term tenant year to year. Better than nothing at this point. Motion passed through all stages by a unanimous roll call vote.

MO-8 To the City Council:

You are hereby notified that I have appointed Cynthia Labrie, 187 Nelson Street, Chicopee Massachusetts as a member of the Planning Board to service office for the term expiring on the 1st of March, 2028. To which appointment I ask the confirmation of your honorable Council.

Re-appointment

--Motion made by Councilor Zygarowski to receive and refer to the Human Resources Committee. Councilor Tillotson stated re-appointment, no one new. Councilor Dobosz stated hope the Planning Board takes residents into consideration. Haven't let him speak. Lot of attitude. Like to work with the board. Listen to residents. Not there to attack the board. Councilor McAuliffe stated appreciate willingness to serve, adhere to the laws of the Commonwealth of Massachusetts. Councilor Priak-Costello stated very important the Planning Board listen to the residents. Motion to refer passed by a unanimous roll call vote.

MO-9 (August 2nd Ordinance with October 18th approved revisions) and Nov 7th Ordinance Committee Revisions To Group 1, 2nd Paragraph

Chapter 7 Ordinance Revisions

Includes adjustments to salaries for President of City Council, City Councilors (12), Vice Chairman of School Committee, and School Committee members, Also includes change to Group 1, 2nd paragraph related to future salary adjustments for Elected Officials.

--Motion made by Councilor Balakier to receive, 1st reading and refer to the Ordinance Committee. Councilor Balakier stated take up in committee. Motion to refer passed by a unanimous roll call vote.

MO-10 Ordered that the City Council accept the Massachusetts Department of Transportation Winter Recovery Assistance Program Grant in the amount of Six Hundred forty thousand forty three and 82/100 dollars (\$640,043.82) to the City of Chicopee. This award will provide funding for the East Main Street resurfacing project and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Courchesne to receive, pass and the grant accepted. Councilor Courchesne stated for East Main Street resurfacing. Councilor Krampits stated from the bridge to the Springfield line. Spend before getting reimbursed. Motion passed through all stages by a unanimous roll call vote.

MO-11 Mayors appropriation of Six Hundred forty thousand forty three and 82/100 dollars (\$640,043.82) to the following named account: D.P.W. Highway Special Account for Wrap Projects from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Lopez to receive, pass and approved. Councilor Lopez stated hand in hand with #10 in order to get the funds, need to spend the funds. Motion passed through all stages by a unanimous roll call vote.

12 A Human Resources Committee Report: Mayoral appointment of Joshua Clark as a member of the Mobile Home Rent Control Board to serve in such office for the term expiring on the 1st of January 2025.

--Motion made by Councilor Tillotson the reappointment approved this evening. Councilor Tillotson stated served, will continue to do a good job. Councilor McAuliffe stated thank Josh for continuing to serve. Very few people that work as hard as he does. Councilor Dobosz stated done

an excellent job on that board. Most difficult board. Appreciate willingness to serve. Motion passed by a unanimous roll call vote.

- 13 A Human Resources Committee Report: Mayoral appointment of Daniel Mashia as a member of the Chicopee Electric Light Commission to serve in such office for the term expiring on the 1st of January 2026.

--Motion made by Councilor Tillotson the reappointment approved this evening. Councilor Tillotson stated very qualified, will work hard. City is lucky to have him. Councilor Pniak-Costello stated great honor for our city to have him volunteer. Engineer, teacher. Motion passed through all stages by a unanimous roll call vote.

- 14 A Human Resources Committee Report: Mayoral appointment of Michael Patnaude as a member of the Veterans Advisory Board until the first of February 2025.

--Motion made by Councilor Tillotson the reappointment approved this evening. Councilor Tillotson stated think he'll do a good job. Appeared in committee. Did a good job, well informed. Motion passed by a unanimous roll call vote.

- 15 A Human Resources Committee Report: Mayoral appointment of Julia Sudol as a member of the Zoning Board of Appeals to serve in such office for the term expiring on the 1st of January 2026.

--Motion made by Councilor Tillotson the appointment approved this evening. Councilor Tillotson stated think she'll do a good job. Willing to serve. Motion passed by a unanimous roll call vote.

- 16 A Human Resources Committee Report: Mayoral Appointment of Nancy Shepard-Murray as an Associate member of the Commission on Disability to serve in such office for the term expiring on the 1st of March 2026.

--Motion made by Councilor Tillotson the appointment approved this evening. Councilor Tillotson stated very well qualified, experience with people with disabilities. Mr. Kendall is very pleased. Motion passed by a unanimous roll call vote.

- 17 A Utilities Committee Report: Eversource Gas of Massachusetts, hereby request that it be granted a location and permission to install and maintain 4,711' of 2" IP plastic gas main on Chicopee St., Emerson St., Erline St., Tourtelotte Ave., Lucretia Ave., Riverview Pl., Charbonneau Terr., Rivers Ave., Adams St., Leslie St., and Blanche St. with such laterals and service connections as it may now or subsequently find necessary.

--Motion made by Councilor Dobosz to receive and granted with restrictions. Councilor Dobosz stated need to follow restrictions. Read the restrictions into the record. Motion passed by a unanimous roll call vote.

- 18 A Utilities Committee Report: Be it Ordered that Councilor Dobosz be authorized to hold a public hearing regarding the Williams Park Contamination dispute.

--Motion made by Councilor Dobosz to receive and postponed to the call of the chair. Councilor Dobosz stated good conversation. Asked a lot of questions. Got a lot of answers. Postpone in case an additional meeting is needed. Thank the committee and the residents, thank Dan Garvey & Liz Bautista. Motion to postpone passed by a unanimous roll call vote.

19 A Utilities Committee Report: Be it Ordered that the issue of excessive resident lighting be referred to the Utilities Committee.

--Motion made by Councilor Dobosz to receive and placed on file and sent to the Building Department. Councilor Dobosz stated thank Councilor Pniak-Costello for filing this, can enforce with existing ordinances. Councilor Pniak-Costello stated brought to her attention by three residents who had lights blaring into windows. Motion passed by a unanimous roll call vote.

20 Be it Ordered that Walmart, 591 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Walmart, including compliance with restrictions imposed upon any licenses held by Walmart. The Council may modify, suspend, fine, or revoke any license held by Walmart.

The reasons are excessive trash, public safety issues, expansion concerns, and other issues.

--Motion made by Councilor Dobosz to receive and refer to the License Committee. Councilor Dobosz stated calling license before the License Committee. Issues at Walmart. Excessive trash, neighbors are knee deep in bags. Refused to clean up multiple times. Like to reign in on the trash issue. Lot of trash around in that area. Major issue. Also put public safety issues, parking lot. Take opportunity. Councilor Courchesne stated hope you can put a checkmark on this before you leave office. Councilor Balakier stated point of information, has there been any formal communication through the years. Somewhat unfriendly. The manager changes every six months. Councilor Dobosz stated the higher ups are really hard to reach. Personal opinion, non-responsive. Councilor Brooks stated get meeting as soon as possible, been a battle with lack of responsiveness and responsibility.

--Motion made by Councilor Krampits to allow Councilor Laflamme to speak on this. Motion passed by a roll call vote of 12 yes, 1 abstained. Councilor Laflamme abstained. Councilor Laflamme stated Lee Pouliot is having a meeting with the management before the expansion. Trash and police officer for the property. Motion to refer passed by a unanimous roll call vote.

21 Be it Ordered that DPW perform a traffic study at the intersection of Montcalm Street and Prospect Street in front of Cumberland Farms and present that study to the Public Works committee for a public hearing.

--Motion made by Councilor Pniak-Costello to receive and refer to the DPW for a traffic study and refer to the Public Works Committee. Councilor Pniak-Costello stated hesitant to continue to talk. Councilor Courchesne has agreed to work together. Accident there recently, difficult to get from one street to another. Councilor Courchesne stated would like to see where the lines are. Time to take a look and see if there is anything we can do there. Motion to refer passed by a unanimous roll call vote.

22 Be it Ordered that the DPW review the condition of the road on Prospect Street from the corner of James Street beginning at 800 Propsect Street to the corner of Prospect and Memorial Drive and report to the Public Works committee for a public hearing.

--Motion made by Councilor Pniak-Costello to receive and refer to the DPW for a traffic study and refer to the Public Works Committee. Councilor Pniak-Costello stated problematic intersection. Have the DPW review and send to the Public Works Committee. Motion to refer passed by a unanimous roll call vote.

- 23 Be it Ordered that all crosswalks that are not a four-way intersection or at the end of side streets have a double side crosswalk sign on either side of the crosswalk.
- Motion made by Councilor Pniak-Costello to receive and refer to the DPW for review and the Mayor for funding. Councilor Pniak-Costello stated brought by a constituent. Mayor suggested the wording. Motion passed by a unanimous roll call vote.
- 24 Be it Ordered that the DPW replace the faded existing No Parking signs on the south side/odd side of Yale Street. Signs should include a bi-directional arrow.
- Motion made by Councilor Krampits to receive and sent to the DPW for implementation. Councilor Krampits stated signs are faded. Should have arrows. Confusion on where to park. People getting parking tickets. Confusion. Motion passed by a unanimous roll call vote.
- 25 A proposed Ordinance, adding to Chapter 260 -Other 275-79 Commercial Vehicles excluded; New Ludlow Road, from Montcalm Street westerly to the South Hadley town line. Commercial Vehicles excluded.
- Motion made by Councilor Pniak-Costello to amend to read Chapter 260-79. Motion passed through all stages by a unanimous roll call vote.
- Motion made by Councilor Pniak-Costello to receive, 1st reading and refer to the Ordinance Committee. Councilor Pniak-Costello stated in regards from DPW commercial vehicles excluded. Councilor Labrie stated should this go to police as well. Councilor Pniak-Costello stated requested by the City Engineer. Truck exclusion project with South Hadley. Motion to refer passed by a unanimous roll call vote.
- 26 A proposed Ordinance, adding to Chapter 260 -Other 260-79 Commercial Vehicles excluded; Hampshire Street, Entire length. Commercial Vehicles excluded.
- Motion made by Councilor Pniak-Costello to receive, 1st reading and refer to the Ordinance Committee. Councilor Pniak-Costello stated same request as previous. Glad the DPW is moving forward with this. Councilor Dobosz stated very hard for the state to approve. Motion to refer passed by a unanimous roll call vote.
- 27 A proposed Ordinance, adding to Chapter 260 -Other 275-79 Commercial Vehicles excluded: Britton Street, from Montcalm Street westerly to the South Hadley Town line. Commercial Vehicles excluded.
- Motion made by Councilor Pniak-Costello to amend to read Chapter 260-79. Motion passed through all stages by a unanimous roll call vote.
- Motion made by Councilor Pniak-Costello to receive, 1st reading and refer to the Ordinance Committee. Councilor Pniak-Costello stated same situation. Big deal, residents really appreciate this. Motion to refer passed by a unanimous roll call vote.
- 28 An application for a NEW Home Occupation license at 413 East Main Street for the purpose of Dog Grooming. Applied for by Marissa Lalchandani, 413 East Main Street.
- Motion made by Councilor Brooks to receive and refer to the License Committee. Councilor Brooks stated take up in committee. Motion to refer passed by a unanimous roll call vote.
- 29 An application for a NEW Special Permit under section 275-9 of the Municipal Zoning Ordinance for the purpose of installing small wireless facilities on one (1) existing utility poles under Chapter 277. Location of Property: Pole P175-357 Burnett Road. Property Owner: Chicopee Electric Light, 357 Burnett Road. Applicant: Cellco Partnership d/b/a Verizon Wireless, 1441 Main Street, Suite 1100 Springfield, MA 01103

--Motion made by Councilor Balakier to receive and refer to the Zoning, Engineering and CEL. Councilor Balakier stated will take up in committee. Motion to refer passed by a unanimous roll call vote.

30

An application for a NEW Hawkers and Peddlers license to sell Ice Cream at various locations. Applied for by Shaikmahmoud Alzubi, 33 Center Street, Apt. A, Windsor Locks, CT 06096

-- Motion made by Councilor Brooks to receive and refer to the License Committee. Councilor Brooks stated take up in committee. Motion to refer passed by a unanimous roll call vote.

--Motion made by Councilor Lopez to adjourn at 8:38. Motion passed by a roll call vote of 12 yes, 1 out of chair. Councilor Tillotson out of chair.

ATTEST:

A handwritten signature in black ink, appearing to read "Keith W. Rattell". The signature is stylized and cursive.

Keith W. Rattell, City Clerk