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CITY COUNCIL
CHICOPEE MA

Minutes from the City Council Meeting on Tuesday April 16, 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-Jay Croteau, Jr. 34 Berger Street, July 12 is his last day, retiring in 12 weeks. City Council appoints this position and the assistant. His perspective, urge you to move on the replacement. Seriously consider Ken Stearly as messenger and Craig Stefanik as assistant. Both qualified to move on. During the day there are 3 full time people. July & August are very popular vacation months. Senior center/safety complex, just his input, his suggestions. When positions are filled, positions open up.

MO-1 Mayors appropriation of Eighty three thousand one hundred eighteen and 32/100 dollars (\$83,118.32) to the following named Fire Department accounts:

Overtime	\$47,612.32
Special Services	<u>35,506.00</u>
Total	\$83,118.32

from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated this is required State training-dispatchers need to be trained. Councilor Tillotson stated it is reimbursable. Motion passed through all stages by a unanimous roll call vote.

MO-2 Mayors appropriation of Forty eight thousand and 00/100 dollars (\$48,000.00) to the following named account: Emergency Management Special Account for Departmental Safety from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Roy to receive and pass. Councilor Roy stated Emergency Management requested for purchase of a severe 150 truck replacing a 2002 Chevy Tahoe. Will be used for all emergencies, incident command post. Co-ordinated with the CPD ranging from on scene commands. Councilor Laflamme stated he is glad to see this come forward. Advocate all the time for plows on trucks, vehicle will be an asset. Can be used by police, fire, emergency management, used for several functions, its time. This truck will be

ready to go, being stored at the police department, in favor. Councilor McAuliffe stated when you take a look at this department, there was a full time director, cut to part time and an assistant. They have done a great job, volunteer program, and brought in grants. Operating at a net surplus. Volunteer force at community events, most prepared communities in the area. Councilor Courchesne stated one of the hidden/unsung heroes of the city. They are there when needed. They don't get recognition for all the things they do. Councilor Tillotson stated most frugal departments we have. Two people operating this department work so well together. Have a strong volunteer force. Character of the gentlemen/work so well together. Motion passed through all stages by a unanimous roll call vote.

MO-3 Mayors appropriation of Seventeen thousand and 00/100 dollars (\$17,000.00) to the following named account: Law Expense Account for Special Services from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated basically to do a trial of monthly payments to the attorney that is handling the dealing with Micheline at the unroyal properties. Planning & assistant City Solicitor will review to make sure we are getting our monies worth. Councilor McAuliffe stated going to vote for this because the Mayor is for it, against a part time Law Department. Not a part time operation. Councilor Tillotson stated he lived under several administrations, caliber of part time lawyers we have is top notch. We wouldn't have them full time, we can't pay enough. Hired an expert in this area. Great department, doing a great job. Do the right thing for the city, we have great law representation for the city, they book private practice around the City's trials. Have top notch attorneys working for the city. Councilor McAuliffe stated just to dovetail we do have great gentlemen and ladies working there, the current Mayor is a lawyer. Motion passed through all stages by a unanimous roll call vote.

MO-4 Mayors appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: D.P.W. Highway Special Account for ROCA Maintenance Services from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated ROCA is a non-profit meant to hire at risk youth for manpower jobs. Lot of manual labor, lot of good work around the commonwealth. Motion passed through all stages by a unanimous roll call vote.

MO-5 Ordered that the City Council accept the Jail/Arrest Diversion Program Grant in the amount of Thirty six thousand nine hundred sixty eight and 00/100 (\$36,968.00) from the Commonwealth of Massachusetts Department of Mental Health to the Chicopee Police Department. Said grant 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 the grant from DMH to Police, very needed program to train officers on mental health issues. Last year 728 crisis calls in the city. Will train officers with dealing with people. Councilor Brooks stated great program, will partner with BHN, many have co-morbidities. Avoid sitting in the ER with no real help, better outcome for Police and people in our communities. Councilor Courchesne stated personal connection to this. Having officers trained will make a big impact to de-escalate the situations. Crisis can take at least 2 hours to respond. Kudos to Lt. Major to getting this grant. Councilor Laflamme stated glad to

see this come forward. Sending four supervisors and fifteen patrolmen being trained. Councilor Tillotson stated how can we pass up a grant like this that will only make our police force better? Will make a better police force in the long run. Motion passed through all stages by a unanimous roll call vote.

MO-6 Ordered that the City Council accept the Veterans Heritage Program Grant in the amount of Fifteen thousand and 00/100 dollars (\$15,000.00) from the Commonwealth of Massachusetts State Historical Records Advisory Board to the Chicopee Veteran's Services Department. Said grant is to be used for the Chicopee Post 9/11 Memorial Park and 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 will be used toward a memorial on Westover Road, dog park/memorial park/service dog memorial park. Councilor McAuliffe stated thank Stephanie Shaw of Veterans to move this forward. Is in ward 1 so a special place in the heart. Constituents want something like this. Excited to see this move forward with no municipal funds. Councilor Tillotson stated memorial park to dogs that have served in the military, real plus, the dog is the best friend. Motion passed through all stages by a unanimous roll call vote.

MO-7 Ordered that the City Council accept the attached list of donations in the amount of One thousand ninety seven and 00/100 dollars (\$1,097.00) to the Chicopee Council on Aging. Said donations will be used for the Building Fund and are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Tillotson to receive, pass and the donation accepted. Councilor Tillotson stated every little bit helps, still \$200,000 short, dedicated to making up the extra money. Motion passed through all stages by a unanimous roll call vote.

MO-8 Ordered that the City Council accept the attached list of donations in the amount of Four hundred forty four and 00/100 dollars (\$444.00) to the Chicopee Council on Aging. Said donations will be used for the Rivermills Reminder Newsletter and are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Balakier to receive, pass and the donations accepted. Councilor Balakier stated donations to the COA for the Rivermills newspaper. Good for people who go down to the senior center. Motion passed through all stages by a unanimous roll call vote.

MO-9 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from the Chicopee Lodge BPOE Elks #1849 to the Chicopee Fire Department. Said donation will be used for fire equipment and is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Zygarowski to receive, pass and the donations accepted. Councilor Zygarowski stated our city is very donation oriented and we are very fortunate. Councilor Roy stated this donation is specifically for a cold water rescue outfit that is lacking, new suits are needed. Motion passed through all stages by a unanimous roll call vote.

MO-10 Chapter 7 Ordinance Revisions

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated for job titles related to minimum wage increase. Councilor Tillotson stated ripple effect-raises, adjustments. Camp Opie/self-supporting usually end up with a surplus at the end of the year. Councilor Walczak stated more concerned with life guards. Need to keep the wages competitive. Motion passed, referred.

MO-11 An order authorizing the Mayor to acquire certain real estate in the City of Chicopee currently owned by the Valley Opportunity Council and located at 288 Front Street.

See attached order.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated for the property for parking at city hall. In support of this. Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair. Councilor Roy out of chair.

12 A favorable Utilities Committee report, a petition from Columbia Gas of Massachusetts to be granted a location and permission to replace and maintain 1,515' of 2" MP plastic gas main on Acrebrook Drive with such laterals and service connections as it may now or subsequently find necessary.

--Motion made by Councilor Labrie to receive and the petition granted. Councilor Labrie stated had DPW director and gas company at the meeting/went smoothly, they usually do a good job. Councilor Tillotson stated the gas company has been waiting for this for a while. Needs to be completed, we don't want what happened at the other end of the state. Councilor Vieau stated essentially changing the sewer line. Trying to get this all done at once. Will be a long term fix, will be paved this season. Motion passed.

13 A favorable Utilities Committee report, a petition from Columbia Gas of Massachusetts to be granted a location and permission to replace and maintain 4,105' of 2" and 4" MP plastic gas main on Belcher Street, Maple Street, Linden Street, East Street, Fuller Street, East Street Avenue, Page Court, and Regency Court with such laterals and service connections as it may now or subsequently find necessary.

--Motion made by Councilor Labrie to receive and the petition granted. Councilor Labrie stated quite a lot of streets, will be a big project. DPW superintendent expressed her concerns, will co-ordinate with other contractors in the area. Motion passed.

14 A favorable Utilities Committee report, a petition from Columbia Gas of Massachusetts to be granted a location and permission to replace and maintain 580' of 6" MP plastic gas main on Monroe Street with such laterals and service connections as it may now or subsequently find necessary.

--Motion made by Councilor Labrie to receive and the petition granted. Councilor Labrie stated replace on Monroe Street, a lot of connections in there. Biggest pipes in the city, hub for the whole section. Councilor Courchesne stated trenchless technology-not affect the roads. Motion passed.

15 An unfavorable Ordinance Committee report, BE IT ORDAINED THA THE CITY OF CHICOPEE HEREBY ADDS THE FOLLOWING IN SCHEDULE:

260-17.1(A)

PERMIT PARKING

Upon the following street or parts thereof, parking is hereby designated as "residents only". Parking shall be permitted on the following designated streets by only those vehicles displaying a valid resident parking permit issued by the Chicopee City Clerk as detailed below. Signs shall be placed on the following streets to designate the restricted permit parking area(s). The street(s) included in this Section, in their entirety, are as follows:

260-17.1(B)

PURPOSE

The purpose of the City's Resident Permit Parking regulation is to provide adequate parking for those residents who reside in those dwellings adjacent to the above designated streets which the City has determined to require permit parking regulations to ensure safe and convenient residential parking.

--Motion made by Councilor Tillotson to receive and the ordinance defeated. Councilor Tillotson stated kicked around, people were primarily from Canal Street, maybe have parking on one side. Councilor Courchesne stated Call Street, all residents showed up. Verbiage with constituents worked, dialogue worked with having the residents there. Appreciated everyone coming out. Motion passed, defeated.

- 16 A favorable Ordinance Committee report, a proposed ordinance; adding to Chapter 260, Parking Regulations, Sergeant Avenue – Entire length on the odd side, Parking prohibited.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Dobosz thanked the DPW director and Ordinance Committee as well, will fix plowing issues in the winter. Motion passed through all stages by a unanimous roll call vote.

- 17 An unfavorable Ordinance Committee report, a proposed ordinance; adding to Chapter 260, Handicap Parking, 6 Bush Avenue, Handicap Parking.

--Motion made by Councilor Tillotson to receive and the ordinance defeated. Councilor Tillotson stated the director of DPW viewed this, not a good spot. Won't work, vehicle would be on the street. Councilor Laflamme stated one of the reasons we can't put a sign on public property. Councilor Courchesne stated the tree belt is paved. Motion passed.

- 18 A favorable Ordinance Committee report, a proposed ordinance; adding to Chapter 260, Parking Regulations, Slate Road – Southwest side – from the intersection of Sheridan Street for a distance of 40 feet, Parking prohibited.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated makers of the motion agreed to change to 40 ft. Councilor Dobosz thanked Councilor Zygarowski for his help/work on this. Councilor Laflamme visited the sight and there is a home being worked on and the trailer is parking on Slate Road. Motion passed through all stages by a unanimous roll call vote.

- 19 A favorable Ordinance Committee report, a proposed ordinance; adding to Chapter 260, Parking Regulations, Slate Road – Northwest side – from the intersection of Sheridan Street for a distance of 40 feet, Parking prohibited.
- Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated to make equally distant on both sides. Motion passed through all stages by a unanimous roll call vote.
- 20 A Zoning Committee report for a Special Permit application under Chapter 275-50 C (1) (2) for the purpose of installation of a digital sign and setback relief from 25' to 10' located at 460 Granby Road. Applied for by: Sign Techniques, Inc., Tracy Janik, 361 Chicopee Street, Chicopee, MA 01013.
- Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks stated for the Knights of Columbus on Granby Road. Motion passed through all stages by a unanimous roll call vote.
- 21 A Zoning Committee report for a Special Permit application under Chapter 275-30 for the purpose of adding an outdoor storage container (40' x 8') to support the growth of the business located at 47 Veterans Drive. Applied for by: Mark Wysk, 47 Veterans Drive, Chicopee, MA 01022.
- Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks stated building outgrew current footprint, comply prior to the special permit being issued. Motion passed through all stages by a unanimous roll call vote.
- 22 A Zoning Committee report for a Special Permit application under Chapter 275-58 (E) (1) for the purpose of reduction of the require setback for a ground sign from 25' to 3' (275-50 C of the City Code) located at 1633 Memorial Drive. Applied for by: Jeffrey Duga, 101 Cottage Road, Enfield, CT 06082.
- Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks stated setback, will allow new owner to advertise. Motion passed through all stages by a unanimous roll call vote.
- 23 BE IT ORDERED THAT Broadway Auto Shop, Inc., 376 Broadway, be called in before the License Committee to discuss the submitted revised plan. At that meeting the committee may modify the license.
- 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 BE IT ORDERED THAT the DPW install an additional NO COMMERCIAL VEHICLE sign at the Jacob Street exit of the Price Rite Supermarket.
- Motion made by Councilor Walczak to receive and refer to the DPW for implementation. Councilor Walczak stated Jacob is a one way street that abuts Price Rite. No sign in the middle of the street, tractor trailers are way too big to be on the street. Motion passed.

- 25 BE IT ORDERED THAT DPW install a speed limit sign in front of 99 Yelle Street.
- Motion made by Councilor McAuliffe to receive and refer to the DPW for implementation. Councilor McAuliffe stated was requested by homeowner. Sign was knocked down. Councilor Laflamme stated he also got a call, they screech right in front of the house. Motion passed.
- 26 Upon completion of the City Hall renovations, the newly renovated auditorium shall be named the "Richard J. Kos Municipal Auditorium".
- Motion made by Councilor McAuliffe to postpone. Councilor McAuliffe stated as we move toward the end of Mayor Kos's term he thought this was appropriate. An honor to name something after people while they are still alive. Feel strongly we should recognize the mayor who started this project. May revisit after he is out of office. Motion made by Councilor McAuliffe to table. Motion passed, tabled.
- 27 A proposed ordinance, striking from Chapter 260, Bus Stops, Chicopee/Grattan - Stop #547 - 583 Chicopee Street, Bus Stop.
- Motion made by Councilor Laflamme to receive, 1st reading and refer to the Ordinance Committee. Councilor Laflamme stated the next four, the bus company was called into the Public Safety Committee, bus company made proposals to clean up the signs. They decided some were on rims. Motion passed, referred.
- 28 A proposed ordinance, striking from Chapter 260, Bus Stops, Chicopee/Elizabeth - Stop #548 - 585 ½ Chicopee Street, Bus Stop.
- Motion made by Councilor Laflamme to receive, 1st reading and refer to the Ordinance Committee. Councilor Laflamme stated as mentioned. Motion passed, referred.
- 29 A proposed ordinance, striking from Chapter 260, Bus Stops, Chicopee/Forest- Stop #6448 - 674 Chicopee Street, Bus Stop.
- Motion made by Councilor Laflamme to receive, 1st reading and refer to the Ordinance Committee. Councilor Laflamme stated glad to see some signs coming down. Motion passed, referred.
- 30 A proposed ordinance, striking from Chapter 260, Bus Stops, Chicopee/Forest - Stop #6442-703 Chicopee Street, Bus Stop.
- Motion made by Councilor Laflamme to receive, 1st reading and refer to the Ordinance Committee. Councilor Laflamme stated as discussed. Motion passed, referred.
- 31 A proposed ordinance, adding to Chapter 260, Bus Stops, Chicopee/Walter - Stop #6442 - 627 Chicopee Street, Bus Stop.
- Motion made by Councilor Laflamme to receive, 1st reading and refer to the Ordinance Committee. Councilor Laflamme stated to move from the corner of Chicopee and Grattan. Councilor Courchesne stated still a few of the bus stops in bad corners. Call if you are in

ward 7. Councilor Laflamme stated willing to come in & have some removed. Safety ones on corners bring pictures, some are not safe. Motion passed, referred.

- 32 A NEW Special Permit application under Section 275-70 of the Municipal Zoning Ordinance for the purpose of medical marijuana facility (retail medical marijuana dispensary). We also have attached included supplemental information and two waiver requests to this application. Location: 672A Fuller Road. Applied for by: Theory Wellness Inc., 38 Montvale Avenue #210 Stoneham, MA 02180.

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

- 33 A NEW Special Permit application under Section 275-72 of the Municipal Zoning Ordinance for the purpose of adult use marijuana establishment – Marijuana Retailer (License Group B). We also have attached included supplemental information and two waiver requests to this application. Location: 672A Fuller Road. Applied for by: Theory Wellness Inc., 38 Montvale Avenue #210 Stoneham, MA 02180.

--Motion made by Councilor Brooks to receive and refer to the Zoning Committee. Councilor Brooks stated same applicant for two special permits, will go through all the proper channels. Councilor Balakier stated point of information, letter sent from 25 state banking supervisors-basically one of the problems is the difference in federal and state law. There is a push being made by the states, urging congress to create a safe harbor. Push to work the situation out with the Federal Government, big issue throughout the US. Councilor Brooks asked for both or just recreational? Councilor Balakier stated bringing another entity on board. Councilor McAuliffe stated speaking too because marijuana is illegal on a Federal level, an FDIC bank cannot take the money. Can be put into local credit unions, tricky how you bring it in. Motion passed, referred.

- 34 A NEW Special Permit application under Section 275-52 (B) (13) of the Municipal Zoning Ordinance for the purpose of animal kennel license. Location: 31 Donlyn Drive. Applied for by: Theresa Chagnon, 31 Donlyn Drive, Chicopee, MA 01013.

--Motion made by Councilor Brooks to receive and refer to the Zoning Committee. Councilor Brooks stated any time a resident wants more than three dogs a kennel permit is required. Motion passed, referred.

- 35-39 2019 Home Occupation License Renewals

Debbie's Do's	Debra Pelletier	12 Kane Drive
Northwood Custom Boat Covers	Dennis J. Pirog	96 Lapa Farm Road
Edward J. Radawiec		3 Ivy Street
Hair Reflections Plus	Sheri L.B. Stykiewicz	955 McKinstry Avenue
Talbot Massage	Roger Talbot	408 Front Street

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

40-42 2019 Junk Dealer's License Renewals

EcoATM, LLC
Giguere's Used Appliances, Inc.
Furnari Jewelers

EcoAtm, LLC
Jeff Dean
Anthony Furnari

591 Memorial Drive
200 Exchange Street
1189 Memorial Drive

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

ATTEST:



KEITH W RATTELL
CITY CLERK