

Minutes from the City Council Meeting on Tuesday October 17, 2023, at 7:15 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 via Zoom
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present via Zoom
Brooks, Shane D.	Ward 2 Councilor	Present Via Zoom
Lopez, Delmarina	Ward 3 Councilor	Present
Balakier, George A.	Ward 4 Councilor	Absent
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—Gary LaPerle, 27 Moore Street, in 2019 approved to the Golf Commission, never realized how deep this goes to the community. AAGA the kids come from all around the world to compete. Sunshine Village, Lorraine's, Boys & Girls Club all had tournaments, over 36000 rounds of golf played per year. A lot of good things experienced. City of Springfield has two courses, Spent a lot of money to upgrade the course. Some dissatisfaction like the 12th green. As we age things start to sag, the bunkers are not built to sustain the New England weather. Cart paths need work have new carts don't want them damaged. You will probably have some requests coming from the golf commission. Lisa Bienvenue, 34 Everett Street, think it was interesting listening about the golf course. Will pay attention to how quickly they put money into the golf course compared to how quickly the council reacted to traffic safety. Think pedestrian safety is paramount. Chicopee is safe has been heard as a sound bite. Like Chicopee, have lived here my whole life. What are we basing that on? Shootings the past 5-6 months, apprehend someone today, reactive, crime still occurred. What's the benchmark? Compared to Israel and Gazda Strip yes we are safe. Mary Beth Costello, 66 Voss Avenue, want to give a big thank you to Councilor Brooks he brought up a big concern to residents. Residents feel they are coming into their bedrooms. Some city's do have special permits for drive-thrus. Want business, want business to increase the taxes but don't want residents to be negatively impacted. Diane Martin, 851 Prospect Street, just when we thought we had a reprieve. Here we are thanks to the Zoning Board and Council, will be an awful mess. Asking to have a moratorium on James Street for no Commercial business for one year. James Street is too busy. Tami Martin Griffin, 84 Dorothy Avenue, kind of sad, we put our lives on hold. Got excited after the last meeting. Plan in place behind the scenes. Beyond imagination, anyone could travel this section and believe this is a good idea. Don't want to be here. Came across a report by UMMASS a study was done for 13 weeks. Planning Department was very involved in. Asked by the city. Seven of the intersections named top 100. House/property, recommended changing to multi-residential. Gave a lot of recommendations. Sue Nimchick, 362 James Street, past two years been coming because of traffic concerns on James Street. Back almost a decade ago crossroad crisis. Abutters that have been speaking up are right. Stand up and speak out and step to. Blatant positiveness, listening for the facts. Ms. Lopez stood up for our

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rights. Document by law, fundamental. Read the document. Accolades of applause, vital and important. Three minutes is not enough time. Keep questioning for the truth.

Communications --none

Minutes --none

MO-1 Mayor's appropriation of Three thousand two hundred thirty-one and 07/100 dollars (\$3,231.07) to the following named account: Building Department Salary Account for Overtime from available funds in the Building Department Special Account for Emergency Demolition/Security.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated requested by the Building Commissioner for overtime for cleaning up at the Uniroyal property. Motion passed through all stages by a unanimous roll call vote. Councilor Balakier absent.

MO-2 Mayor's appropriation of Ninety-two and 90/100 dollars (\$92.90) to the following named account: City Hall Maintenance Expense Account for Janitor Supplies from available funds in the Stabilization Fund.

--Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated self-explanatory, prior year bill needs to be paid. Motion passed through all stages by a unanimous roll call vote. Councilor Balakier absent.

MO-3 Ordered that the City Council accept the donations in the amount of Five thousand one hundred seventy and 00/100 dollars (\$5,170.00) to the Chicopee Council on Aging for senior meals for the month of September, 2023. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Pniak-Costello to receive and pass with a 2nd by Councilor Zygarowski. Councilor Pniak-Costello stated senior meals for the month of September. Motion passed through all stages by a roll call vote of 11 yes, 1 abstained. Councilor Laflamme abstained. Councilor Balakier absent.

4 A favorable Public Works Committee report: Be it Ordered that the Public Works Committee meet to discuss the purchase of an Over Height Warning System for the Prospect Street train trestle.

--Motion made by Councilor Krampits to receive and placed on file. Councilor Krampits stated discussed at finance also. Councilor Courchesne stated thanks to engineering and DPW Superintendent. Hope the Mayor takes heed on this, do this before Councilor Tillotson retires. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

5 A favorable Public Works Committee report: Be it Ordered that the Public Works Committee meet to discuss the status of sidewalk installation on Pendleton Avenue between Prospect Street and Simard Drive.

--Motion made by Councilor Krampits to receive and placed on file. Councilor Krampits stated work not done, maybe in 2026. Councilor Courchesne stated grant, was supposed to be done many years ago. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

6 A favorable Public Works Committee report: Be it Ordered that the Public Works Committee meet to discuss the status of the reconfiguring of the bridge height/no truck signs on the approach to the Prospect Street train trestle.

--Motion made by Councilor Krampits to receive and placed on file. Councilor Krampits stated engineer said they are working on this. Councilor Courchesne stated hope to see some change soon. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

- 7 A favorable Public Works Committee report: Be it Ordered that the Public Works Committee meet to discuss possible installation of additional dynamic speed signs on Chicopee Street south of the "Y".

--Motion made by Councilor Krampits to receive and placed on file. Councilor Krampits stated engineer suggested to send preferred locations. Councilor Courchesne stated looking into it, hope to see something soon. Councilor Lopez stated hope our fight to make Chicopee Street safer, 25 mph on the whole street. Flashing beacons, speed tables, maintain safety of the neighborhood. Hope signs go up ASAP. Time is not waiting for all these fatalities. Continue to fight. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

- 8 A favorable Public Works Committee report: Be it Ordered that the Public Works Committee meet to discuss the status of additional speed limit signs on Chicopee Street per the previously filed order.

--Motion made by Councilor Krampits to receive and placed on file. Councilor Krampits stated similar to the previous order. Councilor Courchesne stated report, attempt to get the speed limit signs. Some are not the correct speed limit, a wash at this point. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

- 9 A favorable Public Works Committee report: Be it Ordered that the Public Works Committee meet to discuss use of in road crosswalk signs with beacon where additional safety improvements are not being made.

--Motion made by Councilor Krampits to receive and placed on file. Councilor Krampits stated DPW was doing a trial. Councilor Courchesne stated sign is installed, take what we can get. Councilor Dobosz thanked Councilors Courchesne & Lopez for filing orders to make the area safer. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

- 10 A favorable Public Works Committee report: Be it Ordered that DPW install rumble strips on Irene Street at the intersection of Ingham Street.

--Motion made by Councilor Krampits to receive and placed on file. Councilor Krampits stated concerns about freezing ice, put in a flashing sign. Councilor Courchesne stated rumble strips were a resident concern. Race track even though it's not a main road. In 2016 asked for all the crosswalks to be done on Chicopee Street. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

- 11 A favorable Ordinance Committee report: A proposed Ordinance: 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 200-5 Dumpsters

Dropoff, pickup, emptying and removal of trash container dumpsters within 1,000 feet of any residential zone shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

Reasoning - MGL Chapter 111 Section 31A supersedes this City ordinance.

--Motion made by Councilor Labrie to receive, 2nd and final reading, enrolled and ordained. Councilor Labrie stated delete the ordinance and pick up MGL Ch. 111, Sec. 31A. Councilor Krampits stated will not vote in favor of this. The MGL does not supersede but MGL gives restrictions for residential areas. Craft an ordinance with further restrictions. Apartment complex in a residential area. Police were able to enforce because the ordinance was on file. Councilor Courchesne stated have used this ordinance 2-3 times. Was only able to do because of the ordinance. Councilor Roy asked if Counselor Riley could weigh in on this? Counselor Riley stated statute says business, commercial, industrial zone. Can regulate other zones. Residential zones. Councilor Roy asked why are we deleting this? Counselor Riley stated cut out a residential zone, within a residential zone. Councilor Pniak-Costello stated glad we are addressing this issue, dumpsters are being emptied at 2 am. Councilor Lopez asked Counselor Riley to read MGL Ch. 14 Sec. 31A into the record. Think it's important to protect quality of life. Councilor Lopez stated there is nothing to say we can't restrict the days. There is a loophole, look into this a little more. Love to see other city's and town's that have used this. Councilor Courchesne stated reach out to the delegation and have the MGL changed. Quality of life, looking out for big business.

--Motion made by Councilor Labrie to amend to refer back to the Ordinance Committee. Councilor Labrie stated take this up in committee. Motion to refer passed by a unanimous roll call vote. Councilor Balakier absent.

- 12 A favorable Ordinance Committee report: A proposed Ordinance adding to Chapter 260, Isolated Stop Signs and Signal Lights, Manning Street, Travelling east - At the intersection Dorothy Avenue, Isolated Stop Sign.

--Motion made by Councilor Labrie to receive, 2nd and final reading, enrolled and ordained. Councilor Pniak-Costello stated discussed, passed, residents are in favor. Motion passed through all stages by a unanimous roll call vote. Councilor Balakier absent.

- 13 A favorable Ordinance Committee report: A proposed Ordinance adding to Chapter 260, Parking Regulations, Rivers Avenue, North (Even) Side – From Mt. Carmel Avenue to a point 70 feet easterly thereof, Parking Prohibited Here to Corner.

--Motion made by Councilor Labrie to receive, 2nd and final reading, enrolled and ordained. Councilor Courchesne stated on behalf of engineering on behalf of Fire Department. Motion passed through all stages by a unanimous roll call vote. Councilor Balakier absent.

- 14 A favorable Ordinance Committee report: A proposed Ordinance adding to Chapter 260, Isolated Stop Signs and Signal Lights, Labelle Drive, Travelling south – At the intersection of Labelle Circle, Isolated Stop Sign.

--Motion made by Councilor Labrie to receive, 2nd and final reading, enrolled and ordained. Councilor Dobosz stated engineer recommendation. Motion passed through all stages by a unanimous roll call vote. Councilor Balakier absent.

- 15 A favorable Ordinance Committee report: Be it Ordered that the DPW install a no truck sign for Ludlow Road and be referred to the Ordinance Committee for a public hearing.

--Motion made by Councilor Labrie to receive and postpone to the call of the chair. Councilor Pniak-Costello stated hoping the call of the chair can come quickly, 18-wheelers go on there. Narrow dead-end

street. Discussed with several residents. Motion to postpone passed by a unanimous roll call vote. Councilor Balakier absent.

- 16 A favorable Ordinance Committee report: Be it Ordered that the installation of a drive thru be sent to the Ordinance Committee for a public hearing.

--Motion made by Councilor Labrie to receive and postpone to the call of the chair. Councilor Dobosz stated made this pitch a couple of times, good and bad. Filed for discussion, several local cities and towns have a special permit for drive-thru. Give the council and residents more of a say. Want them safe. Should be looked into, time for change to some zoning laws. Councilor Pniak-Costello stated no question drive-thru's are a problem in some areas. Unacceptable. James Street, Starbucks, Fairview has a problem. Look at the special permit process. Can be dangerous and can compromise quality of life. Long overdue. Can hear McDonald's drive-thru on Jacob Street. Motion to postpone passed by a unanimous roll call vote. Councilor Balakier absent.

- 17 Be it Ordered that the Home Occupation License ordinance be reviewed by the License Committee.

--Motion made by Councilor Labrie to receive and refer to the License Committee to review. Councilor Brooks stated new responsibility tasked with. Will take up in committee. Motion to refer passed by a unanimous roll call vote. Councilor Balakier absent.

- 18 Be it Ordered that the Massachusetts Paint Stewardship Advocacy Group be allowed to make a presentation to the Communications Committee regarding Paint Stewardship legislation.

--Motion made by Councilor Labrie to receive and refer to the Communications Committee. Councilor Labrie stated take up in committee. Motion to refer passed by a unanimous roll call vote. Councilor Balakier absent.

- 19 Be it Ordered that a granted withdrawal for a zone change wait 2 years to reapply. This should be referred to the Ordinance Committee for a public hearing.

--Motion made by Councilor Pniak-Costello to refer to the Ordinance Committee. Councilor Pniak-Costello stated should take up in committee. Councilor Brooks stated might as well remove the leave to withdraw provision. Basically not worth the paper it's written on. Primary question in committee some things to answer in committee. Councilor Lopez stated agree with Councilor Brooks there are times when we don't want to accept the leave to withdraw. A business has come in and figured out a solution. Doesn't make sense. Councilor Courchesne stated concern, times when the business wants to go back to the drawing board. Councilor Lopez stated sometimes it is at our request. Don't want to have on the agenda for a long period of time. Councilor Pniak-Costello stated for James Street, they were facing the withdrawal. Came to quickly. Not constantly coming back. Granted a withdrawal in February of 2022 came back in June of 2023. This is driven by residents. Happy to have councilors share opinions. Application that is denied has to wait two years. Response to resident. Do feel the residents were concerned. Councilor Dobosz stated support discussion in committee. Zone change not specific construction. Parcel belongs to a different zone or it doesn't. Tiring for residents, do think they should be allowed to withdraw on variance and special permits. Councilor Pniak-Costello stated don't disagree if it was the same applicant. If it is a different applicant, how do we put them all in one bucket? Been on board for 15-16 years, have asked the applicants to change plans. By eliminating all together, that's eliminating the mechanism. Neighbors give feed back applicant wants to make changes, we do have an obligation to give them the one time option. Councilor Courchesne stated want to look out for the residents. This is too broad. In good faith changes,

make a more specific change. Look at all the details and facts. Councilor McAuliffe stated important to talk about in committee. Tie the waiting period to land rather than the applicant. Not even sure that is legal. Motion to refer passed by a unanimous roll call vote.

- 20 Be it Ordered that the speed limit of 25 mph or 30 mph from the corner of New Ludlow Road and Memorial Drive to the South Hadley town line be referred to the Ordinance Committee for a public hearing.
- Motion made by Councilor Pniak-Costello to receive and refer to the Ordinance Committee. Councilor Pniak-Costello stated resident driven request. City Engineer to report to the Ordinance Committee. Motion to refer passed by a unanimous roll call vote. Councilor Balakier absent.
- 21 Be it Ordered that the DPW install in the street crosswalk sign at the crosswalk at Warregan Street.
- Motion made by Councilor Courchesne to receive and defeated. Councilor Courchesne stated already installed. Motion to defeat passed by a unanimous roll call vote. Councilor Balakier absent.
- 22 Be it Ordered that the DPW install a Dead End sign at the corner of Yvonne Street and Olivine Street.
- Motion made by Councilor Courchesne to receive and sent to DPW for implementation. Councilor Courchesne stated self-explanatory. Motion passed by a unanimous roll call vote. Councilor Balakier absent.
- 23 Be it Ordered that the DPW petition the state to change said speed limits on State Route 116 Chicopee Street from the Holyoke Line to the area of 319 Chicopee Street north and southbound to 25 mph.
- Motion made by Councilor Courchesne to receive and refer to the Ordinance Committee. Councilor Courchesne stated lot of moving complex parts. Traffic division August of 2022 speed regulation of 25 MPH attempt to fix. State provided wrong information. For 41 years the wrong speed limit signs. Our obligation to change signs to make them enforceable. Reading impact statistics. Signs don't always work. Need to enforce it. Dynamic signs work. Gave statistics of speed and impact. Hope we can petition the state in a timely manner. Motion passed by a unanimous roll call vote. Councilor Balakier absent.
- 24 Be it Ordered that the DPW install 25 mph and Sharp Curve signs heading easterly from between 306 and 316 Irene Street and heading westerly of 358 Irene Street before the guard rail on the north side of the road.
- Motion made by Councilor Courchesne to receive and sent to DPW for implementation. Councilor Courchesne stated spoke to engineering, trying to be proactive. Motion passed by a unanimous roll call vote. Councilor Balakier absent.
- 25 Be it Ordered that the DPW petition the state to install a traffic control device at the intersection of Grattan and Chicopee Streets.
- Motion made by Councilor Courchesne to receive and sent to DPW for implementation. Councilor Courchesne stated similar to McKinstry and Grattan, cutting across had a few incidents there. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

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Be it Ordered that the Chief of Police or his designee meet with the Public Safety Committee to share their findings as to the cause of the fatal pedestrian and vehicle accidents on Chicopee Street.

--Motion made by Councilor Courchesne to receive and refer to the Public Safety Committee. Councilor Courchesne stated first responder look at the mechanism of injury information can help fix the problem. Don't have control, hard to improve safety so you don't have the way to fix this. Councilor Lopez stated thankful for the Police Department. All these fatalities are some of the hardest moments in the city. Trying to make city streets as safe as possible. Have to react. Important to note efforts of the Police Department want residents to know. Transparency. What's causing the issue as drivers we play a roll. As pedestrians we play a roll. Prevent fatalities. Councilor Dobosz stated all the orders, C-3 with the community. Various solutions to slow traffic/make it safer. Accidents seem to keep happening. Make it safer whatever it takes. Councilor Pniak-Costello stated serious issue that has become a crisis. DPW and Engineering have stepped up to the plate also making a great effort. Motion to refer passed by a unanimous roll call vote. Councilor Balakier absent.

Adjournment: --Motion made by Councilor Lopez to adjourn at 8:56. Motion passed by a unanimous roll call vote. Councilor Balakier absent.

ATTEST:

A handwritten signature in black ink, appearing to read 'K. W. Rattell', written in a cursive style.

Keith W. Rattell, City Clerk