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CITY COUNCIL
CHICOPEE MA

Minutes from the City Council Meeting on Tuesday February 5, 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-None

MO-1 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 Sludge Disposal from available funds in the Sewer Surplus Account.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated there is an issue at the Water Pollution Control facility. The sludge processing machine is 17 years old, having problems. Need money to get to the end of the fiscal year. Motion passed through all stages by a unanimous roll call vote.

MO-2 Mayors appropriation of Two hundred fifty thousand and 00/100 dollars (\$250,000.00) to the following named account: D.P.W. WasteWater Special Account for South Fairview CSO Design from available funds in the Sewer Surplus Account.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated this is for design work for the sewer separation. Obviously needed. Trying to delay the time line. Councilor Walczak is happy to see this. Fairview has a lot of sewer backups. Conceptual designs to alleviate backups. Motion passed through all stages by a unanimous roll call vote.

MO-3 Mayors appropriation of Ninety two thousand one hundred eighty three and 06/100 dollars (\$92,183.06) to the following named account: Police Expense Account for Special Services from available funds in the Police Salary Account for Patrolmen Step 12.

--Motion made by Councilor Courchesne to receive and pass. Councilor Courchesne stated this is for software for the Safety Complex. Crime prevention. Exciting for the City, it is pay per each camera view, there are about 250 in the City now. Councilor Tillotson stated one good thing is that he found the money in his own budget. Motion passed through all stages by a unanimous roll call vote.

- MO-4 Mayors appropriation of Fifty two thousand two hundred forty nine and 97/100 dollars (\$52,249.97) to the following named account: Golf Special Account for Purchase of Equipment from available funds in the Undesignated Fund Balance "Free Cash" Account.
- Motion made by Councilor Zygarowski to receive and pass with a second by Councilor Brooks as acting president. Councilor Zygarowski stated golf season is right around the corner. This is the 9th best course in the state. Councilor Walczak stated we make a big investment in chemicals, need the proper machine to distribute them. Councilor Courchesne stated the current machine is 30 years old. Motion passed through all stages by a roll call vote of 12 yes, 1 abstention. Councilor Vieau abstained.
- MO-5 Mayors appropriation of Thirty thousand and 00/100 dollars (\$30,000.00) to the following named account: MIS Special Account for Temp Dispatch Communication & Radio from available funds in the Undesignated Fund Balance "Free Cash" Account.
- Motion made by Councilor Balakier to receive and pass. Councilor Balakier stated this is a request to renew equipment leases. New contracts will run through 12/31/19 for both Police and Fire. Motion passed through all stages by a unanimous roll call vote.
- MO-6 Mayors appropriation of Twenty five thousand and 00/100 dollars (\$25,000.00) to the following named account: Library Expense Account for Special Services from available funds in the Undesignated Fund Balance "Free Cash" Account.
- Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated there was damage done by water. Not covered by insurance, this is the \$25,000.00 deductible. Motion passed through all stages by a unanimous roll call vote.
- MO-7 Mayors appropriation of Twenty thousand and 00/100 dollars (\$20,000.00) to the following named account: D.P.W. WasteWater Special Account for Aluminum Limits Study from available funds in the Sewer Surplus Account.
- Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated WPC received an administrative order from the EPA. Need aluminum out of the waste water. Motion passed through all stages by a unanimous roll call vote.
- MO-8 Mayors appropriation of Eighteen thousand eight hundred thirty four and 18/100 dollars (\$18,834.18) to the following named account: Golf Special Account for Purchase of Equipment from available funds in the Undesignated Fund Balance "Free Cash" Account.
- Motion made by Councilor Walczak to receive and pass with a second by Councilor Brooks as acting president. Councilor Walczak stated this is for the purchase of an aerator, there is a lot of wear and tear. Make the course look green again. Motion passed through all stages by a roll call vote of 12 yes, 1 abstention. Councilor Vieau abstained.
- MO-9 Mayors appropriation of Fifteen thousand six hundred fifty eight and 88/100 dollars (\$15,658.88) to the following named account: Planning Salary Account for Associate Planner from available funds in the Undesignated Fund Balance "Free Cash" Account.
- Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated this will be written into the budget, a grant manager is needed. Exceedingly challenging, the salary will

be about \$48,000.00 per year. Councilor Krampits stated he has been involved in grants, can last up to 10 years, many times need follow up. Need to submit reports, lots of paperwork, having a manager of these is very important. Councilor Tillotson stated he is willing to take a chance on this. Will be writing and responding to grants. Can ask for evaluation at the end of the year. Worth a shot at it. Councilor Walczak stated he is familiar with grants, know where to find the grants and how to secure them. Grants are out there. Councilor Tillotson stated he (Councilor Walczak) used to get park grants all the time. In pretty good shape. Motion passed through all stages by a unanimous roll call vote.

MO-10 Mayors appropriation of Seven thousand two hundred sixty four and 51/100 dollars (\$7,264.51) to the following named City Clerk Salary Accounts:

Principal Clerk	\$5,074.52
Sick Buy Back	<u>2,189.99</u>
Total	\$7,264.51

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

--Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated it was money she earned prior to her retirement. Wished Paula good luck. Motion passed through all stages by a unanimous roll call vote.

MO-11 Mayors appropriation of Three thousand five hundred and 00/100 dollars (\$3,500.00) to the following named account: Auditing Salary Account for Overtime from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Roy to receive and pass. Councilor Roy stated Fire & School have settled contracts and Auditing overtime account is depleted. Motion passed through all stages by a unanimous roll call vote.

MO-12 Ordered that the City Council accept the FY2019 State Formula Grant in the amount of One hundred forty five thousand eight hundred fifty and 18/100 dollars (\$145,850.18) from the Executive Office of Elder Affairs to the Chicopee Council on Aging. Said Grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor McAuliffe to receive and the grant accepted. Councilor McAuliffe stated this is an important operational grant for the Senior Center. Motion passed through all stages by a unanimous roll call vote.

MO-13 Ordered that the City Council accept the attached list of donations in the amount of Ten thousand two hundred ninety and 00/100 dollars (\$10,290.00) to the Chicopee Public Library. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Laflamme to receive, pass and the donations accepted. Councilor Laflamme stated these are donations, the Friends gave \$10,000.00. The library is always willing to take donations. Motion passed through all stages by a unanimous roll call vote.

MO-14 Ordered that the City Council accept the attached list of donations in the amount of Four hundred ninety nine and 50/100 dollars (\$499.50) to the Chicopee Council on Aging. Said

donations are for the New Building Fund and are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Dobosz to receive, pass and the donations accepted. Councilor Dobosz stated there is a long list of generous donations. Appreciate donations. Motion passed through all stages by a unanimous roll call vote.

MO-15 Ordered that the City Council accept the attached list of donations in the amount of Three hundred thirteen and 00/100 dollars (\$313.00) 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 Courchesne to receive, pass, and the donations accepted. Councilor Courchesne stated thank you to all donators. Motion passed through all stages by a unanimous roll call vote.

MO-16 Ordered that the City Council accept the attached list of donations in the amount of One hundred seventy five and 00/100 dollars (\$175.00) to the Chicopee Council on Aging. Said donation are for programming and are 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 there are a variety of donators and they are all well received. Motion passed through all stages by a unanimous roll call vote.

MO-17 Ordered that the City Council accept the attached list of donations in the amount of Seventy five and 00/100 dollars (\$75.00) to the Chicopee Fire Department. Said donations are for the Smoke Alarm Program 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 the Fire Department received donations in memory of Doris Parent toward the smoke alarm program. Motion passed through all stages by a unanimous roll call vote.

MO-18 To the City Council:

You are hereby notified that I have this day appointed, Elizabette Botelho, 77 Howard Street, Ludlow, Massachusetts as Acting DPW Superintendent to serve in such office for the term effective the 31st of January, 2019, and not exceeding 60 days.

*Re-Appointment

--Motion made by Councilor Tillotson to receive and confirmed this evening. Councilor Tillotson stated we all knew this would continue throughout the winter. Permanent after this one hopefully. Councilor Balakier stated he found her to be doing a great job. Excellent idea. Motion passed.

MO-19 To the City Council:

You are hereby notified that I have this day appointed, Andrew Vernon, 17 Sunset Square, Greenfield, MA 01301 as MIS Director/Chief Information Officer to serve in such office for the term of expiring on March 3, 2022. To which appointment I ask the confirmation of your honorable council.

*New Appointment

*Replacing Vanessa Oquendo

--Motion made by Councilor Tillotson to receive and refer to the Human Resources Committee. Councilor Tillotson stated it is scheduled for Tuesday, at 6:00 pm all Councilors will get a copy of the resume. Everyone is welcome to come to the sub-committee. Invited Councilor Krampits to join. Councilor Krampits stated he will be attending, he was part of the committee that chose Mr. Vernon. Mr. Vernon is very qualified. Motion passed, referred.

20 A favorable Zoning Committee report, Special Permit application under 275-58 (E) (1) and 50 for the purpose of 2 signs with electronic LED message center boards, relief from signage dimensional requirements (Main St reface 25' setback to .8', Grove St. 2nd ground sign setback from 10' to 1.8'), and request for 2nd ground sign located at 46 Main Street. Applicant – Sign Techniques, Tracy Janik, 361 Chicopee St., Chicopee, MA 01013.

--Motion made by Councilor Brooks to receive and granted with restrictions. Councilor Brooks stated this is for PNCU main branch. An automated sign. Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair. Councilor Labrie out of chair.

21 A favorable Zoning Committee report, Special Permit application under 275-52 (B) (13) for the purpose of a kennel license on residential A zoned property located at 62 Stedman Street. Applicant – Melissa Sueiras, 62 Stedman Street, Chicopee, MA 01013.

--Motion made by Councilor Brooks to receive and the Special Permit granted with restrictions. Councilor Brooks stated the woman sought out the application herself. She cares for chronically ill dogs. None of the neighbors were opposed. She will not increase the number. She made a compelling case. Motion passed through all stages by a unanimous roll call vote.

22 A favorable Zoning Committee report, Special Permit application under Chapter 275-62 (D) for the purpose of relief of setback requirements from 25' to 2' for new sign placement located at 658 Fuller Road. Applicant – Carlos Martins, 658 Fuller Road, Chicopee, MA 01020.

--Motion made by Councilor Brooks to receive and the special permit granted with restriction. Councilor Brooks stated this the newly relocated Chuck's signs, made sure proposed street widening doesn't interfere per DPW. Add additional restriction: without Engineer permission we won't issue the permit. Motion passed through all stages by a unanimous roll call vote.

23 A favorable Zoning Committee report, Special Permit application under 275-40 (G) for the purpose of allowing for a reduction in the number of required parking spaces at the subject

site located at 480 & 510 Burnett Road. Applicant – J & N Salema Family Limited Partnership, Peter Martins, 4 Harding Ave., Ludlow, MA 01056.

--Motion made by Councilor Brooks to receive and the special permit granted with restrictions. Councilor Brooks stated some concerns were raised, this was a split report. More in favor Councilor Dobosz stated he has a list of the Zoning Ordinance Chapter 275-9M6. Would like to address traffic & its impact. Additional 40-50 cars turning each day, will add more to the traffic that is already there. Not convinced this will be safe for Burnett Road. Residents don't want it. Remind council this is very suburban area of the city. Residents do not want this. Councilor Vieau stated they would be building a brand new structure, needs to run with the land. Councilor Tillotson stated the reduction in space is not reasonable. Parking lot already has problems. Building is in the back of another building. Doesn't make sense, not practical, the number of spaces is unrealistic. Councilor McAuliffe stated he doesn't have much to say, if the ward councilor is opposed I will go with him. Councilor Labrie asked who came up with the number of cars that will be turning each day? Councilor Brooks stated we discussed this round and round at the meeting. Could still be faced with traffic if a large chain restaurant comes into that restaurant. Councilor Roy stated he will change his vote, will go with the ward councilor. Councilor Balakier stated he believes he will go with the ward councilor. Councilor Dobosz stated this is just for the special permit, size is too much. Motion defeated by a unanimous roll call vote. Special Permit denied for the reasons under Chapter 275-9 6 M.

- 24 A favorable License Committee report, Application for an Auto Repair License for Lloyd's Transmission, Inc., located at 955 Meadow Street. Applicant – Sean Lloyd, 293 Spikenard Circle, Springfield, MA 01129

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak stated the gentleman was very interested in starting his business. Motion passed.

- 25 ORDERED THAT pursuant to Massachusetts General Law Chapter 54 Section 34 the Chicopee City Council hereby authorizes the discontinuance of the ES & S OpTech Eagle 3P voting system and software and to commence using the new ES & S DS 200 voting system and software commencing September 17, 2019 and for all future elections until further notice.

--Motion made by Councilor Brooks to receive and the authorization be approved this evening. Councilor Vieau stated they are retiring the old machines. Councilor Zygarowski asked if there is any cost for this? Answer: they have already been purchased. Motion passed.

- 26 BE IT ORDERED that Chicopee TV live stream regularly scheduled City Council and School Committee meeting on the internet for the viewing of the general public.

--Motion made by Councilor McAuliffe to receive and pass. Motion amended by Councilor McAuliffe to refer to the Communications Committee. Councilor McAuliffe stated a number of cities and towns are live streaming. He has spoken to folks at Chicopee TV they are able to do it. Councilor Tillotson stated should do the same for the School Committee, final approval would be by the School Department. Should go to Communications? Assuming the School Committee would go along with this. Councilor McAuliffe stated it is a common

misconception that they are funded by the schools. Pass this to provide more people with an opportunity to see what is going on. We don't have to ask the School Committee. Councilor Krampits stated he can see both points. Maybe go to committee to avoid a tussle. Get school on board with this by inviting them. Councilor Brooks stated he will look at the committee schedule and have a meeting. Can meet informally. Sandra Peret was asked to voice her opinion being the liaison to the Council. She stated she would like to be invited to the committee meeting. Councilor Balakier stated the best way is to have input from the School Committee as well. Councilor Laflamme stated send to committee. Councilor McAuliffe stated before the end of February if possible. Motion passed, referred.

27 BE IT ORDERED THAT the DPW appear at a Public Safety Committee meeting to discuss sidewalk concerns and snow removal.

--Motion made by Councilor Laflamme to receive and refer to the Public Safety Committee. Councilor Laflamme stated he spoke to the acting DPW superintendent. Businesses are putting snow on the corners in handicap areas. Taking snow from parking lots and pushing it on public ways. Put a list together to remind repetitive offenders. Councilor Brooks stated sidewalks are getting covered to remove snow from lots. Councilor Dobosz stated he has an issue with snow on the new sidewalk on Burnett Road. Councilor Zygarowski stated the committee meeting will be held February 27th at 6:30 and this will be on the agenda. Councilor Walczak stated side streets are done by the city plows and Memorial Drive is done by the State. The state plows push snow onto the side streets. Councilor Laflamme stated he will ask Liz to see if someone from the state will come. If there are lists, get them to Liz. Councilor Roy asked who hands out the snow removal tickets? Answer: there are 5 departments that can issue them. Councilor McAuliffe stated this is an issue dating back to when he worked in the Mayor's office. Tickets don't get written, no specific departments answer. No one is accountable. Part is we don't have staff to ticket. Kids should be able to get to school. Responsibility to make it safe for the public. Councilor Courchesne stated he brought the subject forward. Sometimes its cheaper to pay the fine. Councilor Tillotson stated enforcement is key to everything. Better when identified, not our responsibility to enforce this. Easy winter this year. Sometimes city is an offender themselves. Ongoing problem. Councilor McAuliffe stated if they don't pay the ticket, there will be a lien put on the property. City will eventually get the money. Talk about an increased revenue for the city. Should not let it go by the wayside. Councilor Courchesne stated we do have a code enforcement officer. He was corrected, we have a hearings officer. Motion passed, referred.

28 BE IT ORDERED THAT the Recreation Committee meet with the Parks and Recreation Department and Golf Department for an update on the department's budget, capital and outlook for 2019.

--Motion made by Councilor Laflamme to receive and refer to the Recreation Committee. Councilor Laflamme stated every year before spring we meet to update. Councilor Courchesne asked to include outstanding projects. Motion passed, referred.

29 ORDERED THAT the Education Subcommittee meet with the Superintendent of Schools, both High School Principals, City Clerk and the Registrar of Voters to discuss and implement the High School Voters Challenge Program per M.G.L. c.51 S26A.

--Motion made by Councilor Courchesne to receive and refer to the Education Committee. Councilor Courchesne stated this is to register or pre-register to vote. Once program comes

to life Saturday. Will have more info. Program is effective February 9th. Motion passed, referred.

- 30 ORDERED THAT the City Council adopt Chapter 218 of the Acts of 2018, An Act Relative to Veterans Benefits, Rights, Appreciation, Validation and Enforcement, known as the BRAVE Act as it relates to M.G.L. c.59 S5 Clause Seventeenth F, Twenty-second G, Twenty-second H and M.G.L. c.59 S5N.

--Motion made by Councilor Courchesne to receive and the acts adopted. Motion amended by Councilor Courchesne to refer to the Ordinance Committee. Councilor Courchesne stated this is a brand new law as of October. House must be domicile. Increases discount. Veterans can volunteer and get a tax break. Councilor Tillotson stated the Assessors said this only applies to veterans that are disabled. Cost of living increase. Would like to see this in sub-committee. Motion passed, referred.

- 31 ORDERED THAT the DPW realign and repaint the dotted line on Center Street at the fork by City Hall, to align with the stripes at the intersection of Center Street and Exchange across from the Munich House.

--Motion made by Councilor Courchesne to receive and refer to the DPW for implementation. Councilor Courchesne stated this is actually Springfield Street, not Center Street. Gets annoying when you get cut off every day. Motion passed.

- 32 A proposed ordinance, striking from Chapter 260, One-Way Streets, Mt. Carmel Avenue-East entire length 7 AM – Noon Sunday Only, One-Way Street.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated the sign serves no purpose. Councilor Tillotson asked if he has asked the neighbors? Will involve doing away with one way on Sunday? Mistake if people aren't notified. Motion passed, referred.

- 33 A proposed ordinance, striking from Chapter 260, One-Way Streets, Celestine Street- East from Chicopee Street to Meadow Street Sunday Only, One-Way Street.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated the one way signs are only on one side, how do you enforce the law when the signs are only on one side? Councilor McAuliffe commended the Councilor for following through with his constitutional duty. Motion passed, referred.

- 34 A proposed ordinance, striking from Chapter 260, One-Way Streets, St. Anthony Street-West between Meadow Street and Chicopee Street only, One-Way Street.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated already been spoken about. Motion passed, referred.

- 35 A NEW Special Permit under Section 275-27.1(B) of the Municipal Zoning Ordinance for the purpose of installing two wireless communication antennas and supporting equipment on the roof of Alumni Library at the College of Our Lady of the Elms. Location: 291 Springfield

Street. Applied for by: Cellco Partnership d/b/a Verizon Wireless, 20 Alexander Drive, Wallingford, CT 06492.

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

36 A NEW Special Permit under Section 275-23 of the Municipal Zoning Ordinance for the purpose of reconstruction of a single family home on a legally non-conforming lot following demolition of existing structure per Building Dept. order. Location: 30 Larchmont Street. Applied for by: Viktor Savonin, 94 Florida Dr., Agawam, MA 01001.

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

37 A NEW Class II application for: Kin's Auto Sales, 1095 Chicopee Street. Applied for by: Joaquin Rodriguez. 41 Woodside Terrace, 2L, Springfield, MA 01108.

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

ATTEST:



KEITH W RATTELL
CITY CLERK