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**Members**

James Tillotson, Chair  
Fred Krampits, Vice Chair  
Frank Laflamme  
Gary Labrie  
Jerry Roy

**MINUTES**  
**March 10, 2020**

The following are the minutes of a public hearing held Tuesday, March 10, 2020, at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

**Members Present:** Tillotson, Laflamme, Krampits, Labrie, Roy

**Also Present:** Dan Garvey (Associate City Solicitor), Pamela Peebles (Director Thomas J. O'Connor Animal Control Center), Hanna Orenstein (Animal Control Supervisor), Councilor Zygarowski

The meeting was called to order at 6:30 PM

In compliance with the open meeting laws the Chairman asked if anyone in the audience was recording the meeting. Hearing none the meeting continued.

**ITEM #1**

275-40

Replacing §275-40 (D) "Residential Use Parking Restrictions"

**Mobile Dwelling Unit Parking Restrictions**

Mobile Dwelling Units, as defined in the City's Zoning Ordinance, may be used in Residential Districts for up to fourteen (14) consecutive days. Should a Mobile Dwelling Unit, as defined in the City's Zoning Ordinance, be used in Residential Districts for more than fourteen (14) consecutive days, such use must be authorized in writing pursuant to the Massachusetts Building Code, for a specified amount of time, by the City of Chicopee Building Commissioner. Mobile Dwelling Units are restricted for use in all public rights-of-way (ROW) and all other Zoning Districts as defined in this Chapter. Exceptions to the above as provided in §275-35L and §275.55.

**New Definitions to be added to §275-4**

**Mobile Dwelling Unit:** a vehicle designed for recreational use or intermittent / temporary human occupancy, with or without motive power. These include motor homes, campers, RV's, fifth-wheel trailers, tiny houses on wheels, pop-up trailers, and boats. Vans converted for the purpose of human occupancy are also considered Mobile Dwelling Units. For the purposes of defining Mobile Dwelling Units, any such dwelling unit on wheels is considered a vehicle, not a building.

**Camper:** any structure designed to be transported on the back of a truck or pickup for the purpose of intermittent / temporary human occupancy.

**Trailer:** a vehicle designed for intermittent / temporary human occupancy, without motive power and must be pulled by a motor vehicle. This includes fifth-wheel trailers, pop-up trailers, regardless if they are attached to vehicles or standing alone. This definition excludes mobile homes. See the City's mobile home definition.

**Motor home:** any motorized recreational vehicle designed for intermittent / temporary human occupancy whose dwelling area is inseparable from the chassis. These include campervans, RV's and vans converted for such purposes.

**Tiny House:** principal residential dwelling unit that has square footage less than 600 square feet

Attorney Garvey stated that if the Council would like this proposed ordinance to start the process again then it just needs to be postponed.

Motion made by Councilor Laflamme and second by Councilor Tillotson to postpone at the recommendation of Attorney Garvey.

**Committee vote 7 – 0 favorable.**

## **ITEM #2**

Chapter 144-1 Definitions

Delete

ANIMAL CONTROL OFFICER – The person or persons designed to enforce this chapter.

And insert in place thereof

ANIMAL CONTROL OFFICER-- Any person designated by the City to enforce this Ordinance or Sections 137 to 174E, inclusive of Chapter 140 of the Massachusetts General Laws, including but not limited to police officers, special police officers, employees of the Board of Health, and agents of the Thomas J. O'Connor Animal Control and Adoption Center or its successor.

Add H under PUBLIC NUISANCE

H Defecates on property of a third party which is not immediately removed by the owner.

Hanna Orenstein stated that these changes will expand the ordinance to be able to cite under Massachusetts General Laws.

Councilor Laflamme stated that reserve officers need to be added to the list of people designated under the ANIMAL CONTROL OFFICER definition.

Hanna Orenstein stated that the current citation in the ANIMAL CONTROL OFFICER definition should be 174F not 174E.

The new proposed ordinance should read as follows:

Chapter 144-1 Definitions

Delete

ANIMAL CONTROL OFFICER – The person or persons designed to enforce this chapter.

And insert in place thereof

ANIMAL CONTROL OFFICER-- Any person designated by the City to enforce this Ordinance or Sections 137 to 174F, inclusive of Chapter 140 of the Massachusetts General Laws, including but not limited to police officers, reserve officers, special police officers, employees of the Board of Health, and agents of the Thomas J. O'Connor Animal Control and Adoption Center or its successor.

Add H under PUBLIC NUISANCE

H Defecates on property of a third party which is not immediately removed by the owner.

Motion made by Councilor Krampits and second by Councilor Tillotson to approve with corrections.

**Committee vote 5 – 0 favorable.**

**ITEM #3**

Chapter 144 – 21 Animal Waste.

Delete A, B, C

And insert in place thereof

A The owner of every animal shall be responsible for the removal of fecal matter deposited by the owner's animal(s) on his or her property, public walks, recreation areas or private property. Owner” shall include any person(s) who possess, feed, shelter, or otherwise care for the animal.

B. The owner or person(s) who possess or otherwise care for an animal as described above shall control the animal when appearing with the animal on any public walk, street, recreation area, or private property and the owner shall possess the means of removal of any fecal matter left by such animal.

C. For the purposes of this regulation, the means of removal shall include any tool, implement, or other device carried for the purpose of picking up and containing such fecal matter. Disposal shall be accomplished by transporting such fecal matter to a place suitable and regularly reserved for the disposal of human fecal matter, specifically reserved for the disposal of animal fecal matter or otherwise designated as appropriate by the Director of Public Health.

Hanna Orenstein stated that these proposed changes will include all animals not be limited to dogs as the current ordinance does.

Motion made by Councilor Laflamme and second by Councilor Labrie to approve.

**Committee vote 5 – 0 favorable.**

**ITEM #4**

Delete Chapter 275-66 A in its entirety

And insert in place thereof

275-66 A Burnett Road

A. No further business, commercial or industrial development shall occur on Burnet Road from the Ludlow/Chicopee line to the intersection of New Lombard Road and Burnett Road and any appurtenant

street for a period of one year commencing on April 1, 2020, and terminating on April 1, 2021, except by special permit.

Councilor Tillotson asked Attorney Garvey if there is any language that could be added to this proposed ordinance to indicate that the City is doing something to try to improve the traffic situation.

Attorney Garvey stated that if this ordinance gets contested the City must show what steps have been taken to address the concerns.

Councilor Laflamme stated that even if Councilor Dobosz sends some letters to the state it will show that he is trying to improve the situation.

Motion made by Councilor Krampits and second by Councilor Tillotson to approve.

**Committee vote 7 –0 favorable.**

**ITEM #5**

Chapter 7 Ordinance Revisions

P. Human Resources

d. Administrative Assistant \$35,254.72 Grade 4 40 hrs/wk

II Parks & Recreation Department

e. Leader of Recreation/Art 16.00 per hour

f. Assistant Recreation Leader 13.50 per hour

s. Youth Softball Umpire 1/game (Age 8-10) or 3<sup>rd</sup>-4<sup>th</sup> grade 26.50 per game

t. Youth Softball Umpire 1/game (Age 11-12) or 5<sup>th</sup>-6<sup>th</sup> grade 34.00 per game

u. Youth Softball Umpire 1/game (Age 13-14) or 7<sup>th</sup>-8<sup>th</sup> grade 39.50 per game

v. Camp Director 18.50 per hour

w. Assistant Director 17.00 per hour

x. Specialist 16.00 per hour

y. Senior Counselors 14.50 per hour

z. Junior Counselors 13.50 per hour

aa. Aquatics Director 18.50 per hour

Motion made by Councilor Laflamme and second by Councilor Krampits to approve.

**Committee vote 5 – 0 favorable.**

**ITEM #6**

Naomi Street - North side – Across from 3 Naomi Street (corner of Columba Street and Naomi Street) for a distance of 25 feet to the corner of Columba Street - PARKING PROHIBITED

Councilor Labrie stated that when traveling on Columba Street toward Montgomery and you take a right turn onto Naomi it's tight. It's almost impossible for a safety vehicle to make that turn. 20 feet would not be enough; 25 feet is more comfortable.

Motion made by Councilor Labrie and second by Councilor Tillotson to approve.

**Committee vote 7 – 0 favorable.**

**ITEM #7**

Jean Circle - East side at the intersection of Jean Circle and Laskowski Lane - ISOLATED STOP SIGN

Councilor Krampits stated that this is for the new section of Jean Circle. There are new homes being built. The neighbors are concerned that people are traveling too fast and they requested the stop sign.

Motion made by Councilor Krampits and second by Councilor Tillotson to approve.

Committee vote 7 – 0 favorable.

**ITEM #8**

Minutes – February 11, 2020 Motion made by Councilor Laflamme and second by Councilor Tillotson to approve. Motion passed.

Meeting adjourned at 7:04 PM.