AGENDA FOR THE CITY COUNCIL
JANUARY 2, 2024

RULES

1. -- Vote on City Council rules.

PUBLIC HEARING

PUBLIC COMMENT

LAID ON THE TABLE

2. The Committee on Charter and Rules to whom was referred an order that committee chairs limit the amount of public hearings added to an agenda, It is not fair and undemocratic to have the public wait until 10:30 – 11:00 pm so they can be heard. Recommended that the order be adopted.

COMMUNICATIONS

3. From City Clerk Brenna Murphy McGee and Admin. Assistant Jeffery Anderson-Burgos, minutes of Dec 5th, 14th, and 19th meetings.

4. List of City Council appointments for 2024

5. From Anthony Soto, Superintendent of Holyoke Public Schools letter re: Petition the MA DESE to release the City of Holyoke from State Receivership.

6. From Amy Landau, CPA manager, recommendation for Revised Award for FY21 CPA Fire Truck Engine 9 Restoration Project

7. From Jeffrey C Riley, Commissioner of Elementary and Secondary Education, Receipt of petition to end receivership.

8. From MassDOT, letter regarding Holyoke Fair Share apportionment for FY2024.

9. From Board of Fire Commission minutes of November 15, 2023.

10. From Holyoke Economic Development and Industrial Corporation minutes October 26, 2023.

PETITIONS

PRESIDENT'S REPORT

REPORTS OF COMMITTEES

MOTIONS, ORDERS AND RESOLUTIONS

11. ANDERSON-BURGOS - Ordered, that the City Council present a proclamation to retiring OPED Administrative Head Clerk, Sharon Konstantinidis, for her over 20 years of service working for the city.

12. DEVINE - That the City Council present Irma Cruz a proclamation upon her retirement for her 30 plus years of service to the City of Holyoke.

13. JOURDAIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, NINE THOUSAND SEVEN HUNDRED SIXTY EIGHT DOLLARS AND 13/100 Dollars ($9,768.13) as follows:
FROM:
11752-53010 OPED-CONTRACT SERVICES $9,768.13
TOTAL: $9,768.13
TO:
11751-51500 VACATION BUYBACK $4,770.36
11751-51510 SICK LEAVE BUYBACK 4,997.77
TOTAL: $9,768.13

14. JOURDAIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY THOUSAND AND 00/100 Dollars ($30,000) as follows:
FROM:
14101-51101 ENGINEER/ASST DPW SUPERINTENDANT $15,000
14101-51105 SR CIVIL ENGINEER 15,000
TOTAL: $30,000
TO:
14102-53010 PROFESSIONAL ENGINEERING SERVICES $30,000
TOTAL: $30,000

15. JOURDAIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY THOUSAND TWO HUNDRED THIRTY SEVEN AND 19/100 Dollars ($30,237.19) as follows:
FROM:
12101-51105 SERGEANTS $10,493.16
12101-51107 PATROLMEN 19,744.03
TOTAL: $30,237.19
TO:
12101-51180 INJURED ON DUTY $30,237.19
TOTAL: $30,237.19

16. JOURDAIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY THOUSAND SEVENTY EIGHT AND 00/100 Dollars ($20,078) as follows:
FROM:
16101-51111 LIBRARY ASSISTANT (NIGHT) $20,078
TOTAL: $20,078
TO:
16101-51102 REFERENCE LIBRARY ASSISTANCE $20,078
TOTAL: $20,078

17. RIVERA_I — Order that board of Health and tapestry reps come into public safety and discuss the importance of Narcan.

18. RIVERA_I — Order that honorable city council request the chief of police come into public safety to discuss the potential development of a traffic division solely focused on mitigating traffic issues throughout the city of Holyoke.

19. RIVERA_I — Order that the Holyoke Police department come into finance and elaborate on what is done with money that is seized or forfeited due to arrests or drug busts.

20. RIVERA_I — Order that the honorable city council place a temporary moratorium on cannabis retail business. Until the footprint of where this industry can be located within the city of Holyoke, I believe it prudent that we put a temporary halt on permitting new business.

21. RIVERA_I — Order that the honorable city council request that the officers working at the Holyoke Police Departments Community Service Center that could be find at 208 race St. (STEAM Building) come into public safety and discuss what the initiative has been up to, and what plans they have to strategically work on filling in the gaps where service providers are not able to be present.

22. RIVERA_I — Order that the honorable city council request that the the mayor, Department of Public Works, and the parking advisory committee at the Public Safety committee to discuss the possibility of making parking enforcement a subdivision of the Traffic division.

23. RIVERA_I — Order that the honorable city council work with the law department on identifying the a criteria for the expenditure of Community Impact funding. It has been brought to my attention that at least one of the cannabis companies will soon be seeking a refund. How are we protected against this? And how have we spent money as of now?

LATE FILED ORDERS AND COMMUNICATIONS

24. GIVNER, JOURDAIN, GREANEY — Ordered that the City Council make a rule change to be added to “meetings” section for our first meeting.
    2. MEETINGS
    A. Regular meetings of the City Council shall be held on the first and third Tuesday of each month at 7:00 o’clock p.m sharp. All City Councilors are to be in the City Council Chambers or present by remote access by 6:45 p.m.
    B. No meeting of the City Council shall go beyond 10PM EST unless, upon a motion of any councilor, the meeting is extended for a period of time stated in the motion, and so long as the motion is unanimously approved by all members present. If a motion to extend the meeting past 10PM EST is not approved, all remaining items shall be continued until the next regularly scheduled City Council meeting. If items are continued to the next meeting pursuant to this rule, those items shall appear at the beginning of the next agenda
    B. The President and/or Committee chairs can cancel meetings due to inclement weather.

Addendum:
Per City Council rule 2B, meeting shall end by 10 PM unless an extension is approved by a two-thirds majority of those present. If any items remain, those items will be added to the beginning of the next regular meeting.
The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting.
Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law

____
City Clerk

Updated September 5, 2023

RULES AND ORDERS OF THE HOLYOKE CITY COUNCIL

INDEX

1. FIRST ORDER OF BUSINESS

A. Quorum, Simple Majority and Supermajority- Definitions

i. Quorum of the Council or any of its committees shall consist of a simple majority of the entire membership.

ii. All votes of the Council requiring a majority shall require a majority of the entire membership.

iii. All votes of a Council Committee requiring a majority shall require a majority of those members present. All votes of the Council or any of its committees requiring a 2/3 or more supermajority shall require that same supermajority of the entire membership.

B. Roberts Rules of Orders shall be the authority adopted by this Council on all points of parliamentary practice not specifically covered by the city charter or any statute, ordinance, or the Rules of the City Council.

C. All "Rules and Orders of the City Council" shall be read by the President of the Council to every newly elected City Council during the first meeting of that newly elected Council or at any time prior to said first meeting if the City Council so agrees.

D. The seats of the City Council shall be numbered, and no member shall change their seat, but by permission of the President.

2. MEETINGS

A. Regular meetings of the City Council shall be held on the first and third Tuesday of each month at 7:00 o'clock p.m sharp. All City Councilors are to be in the City Council Chambers by 6:45 p.m.

B. The President and/or Committee chairs can cancel meetings due to inclement weather.

3. PRESIDENT

A. The President shall take the chair at the hour appointed, or to which the City Council has adjourned or been called together. They shall call the members to order, cause the roll to be called and the names of the absentees recorded. If a quorum be present, they shall then proceed to business. A majority of the members shall constitute a quorum, but a less number may adjourn, generally, or to a day certain.

B. In the absence of the President, the senior member present shall call the City Council to order. The City Council shall then proceed to ballot for a President Pro Tempore, and a plurality of the vote taken shall be sufficient for a choice.

C. The President shall preserve order and decorum. They may speak to points of order, in preference to other members, and shall decide all questions of order, subject to an appeal to the City Council, on motion of any member, regularly seconded.

D. The City Council President, when representing the City Council or acting in their capacity as President, shall make a written or oral report of any meeting they attend to the Full Council at the next available meeting of the City Council.

E. The President shall call a special Meeting of the City Council for the purpose of considering all amendments and taking a final vote on the City's Annual Budget.

F. The Mayor or President of the City Council may at any time call a Special Meeting of the Council, by causing written notification thereof, together with a statement of the subjects to be considered thereat, to be delivered to the City Clerk and deposited in the Post Office, postpaid and addressed to each member of the Council, at least forty-eight (48) hours before the time set for the meeting (See 1965 Mass. Acts c. 187) Such notice shall likewise be posted in compliance with the open meeting law of the Commonwealth of Massachusetts. Such meetings are not subject to the Order of Business specified in Rule 7A. (amended May 2, 2027)

G. All papers addressed to the City Council shall be presented by the President, who may explain the subject thereof, and they shall be disposed of in the order in which they are presented, unless the City Council directs otherwise.

H. Every motion shall be reduced to writing if requested by the President. All orders and resolutions requiring the approval of the Mayor shall be presented in writing, and signed by the person presenting them.

4. CITY CLERK

A. In case of the absence of the Clerk, a Clerk Pro-tempore shall be appointed who shall be sworn to the faithful discharge of their duties.

B. No order, request, resolution or other form of business shall be presented to the City Council, except as provided below, unless a true copy of same shall have been filed in the Office of the City Clerk on or before one o'clock in the afternoon of the last Friday before the regular meeting of the Council, provided that if any Friday shall fall on a legal holiday, such order, request, resolution or other business shall be filed on the last Thursday before the regular meeting. The City Clerk shall, at least forty-eight hours prior to a regular meeting prepare an agenda summarizing or identifying each order, request, resolution or other form of business and mail a true copy thereof to each member of the City Council at their last and usual place of abode.

An order, request, resolution, or other form of business should only be presented to the City Council other than provided for above, if, in the opinion of the maker of the order, request, resolution or other form of business, the matter requires the urgent and immediate attention of the Council.

In the case of such a late-filed order, request, resolution or other form of business hereafter “Order” the maker shall indicate on the order that it should be considered as a Late Filed Order, upon reading of the Order, present a brief explanation of the need to consider the Order on the night rather than waiting to consider it as a regular Agenda item.

Orders filed after the deadline presented in Rule 4B and not specifically designated as a Late-Filed Order for consideration at the next upcoming City Council shall not be considered at that Council meeting but will instead be added to the Agenda of the next regularly scheduled Council meeting. (amended May 15, 2012).

(Added November 15, 2016) Late Filed orders shall be limited to ten. If a late file order is deemed an emergency the City Council President may replace any order on the late file docket that is not an emergency in nature. The item replaced shall be placed on the next full Council agenda of the City Council.

C. All Council and Council Committee agendas shall be distributed to all Council Members by 1:00 pm on Friday of the week prior to the scheduled meeting or by Thursday at 1:00 pm in the event that the Friday falls on a legal holiday.

D. All items previously tabled in Committee shall be included on each subsequent Committee Agenda until voted out of Committee by a majority thereof or until removed from Committee by a 2/3 vote of the full Council.

E. All city council orders introduced to the City Council shall be numbered consecutively, and a log of all orders be kept by the City Clerk and the Council's Clerk of Committees showing the order number, the date the order was brought before the City Council, the action taken by the City Council on the order, or the Council Committee or city department the order was referred to, the date the order was referred back from the committee or department, and the final action taken by the City Council.

F. Co-signers of City Council orders must call the City Clerk to confirm that they do, in fact, want their name on that specific order.

5. PROCEDURE

A. When a question is under debate, the President shall receive no motion, but:

i. To adjourn

ii. To lay on the table

iii. To the previous question

iv. To postpone to a day certain

v. To commit

vi. To amend

vii. To postpone indefinitely

B. Questions shall be propounded in the order in which they are moved, unless the subsequent motion be previous in its nature; except that in naming sums and fixing times to fill blanks, the largest sum and the longest time shall be put first.

C. The motion to adjourn, when to adjourn simply, the motion to lay on or to take from the table, for the previous question, and for the call by yeas and nays, shall be decided without debate, but the motion for leave to withdraw is debatable.

D. The previous question shall be put in one of the following forms: "Shall the main question be now put?"; "Move the previous question?"; or, "On the motion." and all debate upon the main question and pending amendments shall be suspended until the previous question is decided. After the adoption of the previous question the vote shall forthwith be taken upon pending amendments in their regular order and then upon the main question.

E. All incidental questions of order arising after a motion is made for the previous question shall be decided without debate, except on an appeal; and on such an appeal no member shall be allowed to speak more than once without leave of the City Council.

F. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

6. DECORUM / SPEAKING

A. When two or more members desire to speak at the same time, the President shall name the member who is to speak first.

B. No person shall be interrupted while speaking but by a call to order, or for explanation. When a member is called to order the member shall immediately defer to the President, unless permitted to explain; and the City Council, if appealed to, shall decide the case without debate; and if the decision is against the member, the member shall not be permitted to speak, unless by way of excuse for the same, until the member has made satisfaction.

C. During debate, if objection is made thereto, no member shall speak more than twice to the same question without leave of the City Council, nor more than once until all other members choosing to speak have spoken.

D. When a member is about to speak in debate, or deliver any matter to the City Council, the member shall respectfully address the presiding officer. The member shall speak only in regard to the question under debate and avoid personalities.

E. No member in debate shall make any references to another member or member of the general public but in respectful terms.

F. When a member is about to make a motion or to second same on any matter, the member shall respectfully address the presiding officer.

7. AGENDA

A. At every regular meeting of the Council, the order of business shall be as follows:

i. Calling the roll of the members.

ii. Pledge of Allegiance followed by the statement “God Bless America, God Bless the City of Holyoke and All its Citizens, and God Bless the City Council.”

iii. Presentations and reports by invitation of the City Council

iv. Public Comment (amended May 15, 2012)

v. Reading the journal of the previous meeting, if requested by the City Council.

vi. Unfinished business of previous meeting.

vii. Communications and reports from city officers

viii. President's Report.

ix. Presentation of petitions, memorials, and remonstrances.

x. Reports of Committees.

xi. Motions, orders, and resolutions

xii. Late-Filed orders: A listing of all late file orders from the prior City Council Meeting be listed and attached to the subsequent meetings agenda as an addendum.

The above shall not be departed from but by vote of the majority of the City Council present.

B. There will be a public comment agenda item at each regular council meeting. This shall be a time where citizens may speak freely about issues both on and off the meeting’s agenda. The City Council will allow up to 10 speakers and each speaker is allowed to speak for 1 and a half minutes (90 seconds).

8. VOTING

A. All orders presented to the City Council shall be fully read by the presiding officer before any action is taken.

B. The President shall declare all votes, but if any member doubts the vote, the President, without further debate, shall require the members voting in the affirmative and the negative to raise hands until they are counted, and shall then declare the result. All votes shall be decided by a majority of the body vote for all appointments, unless the provisions of the City Charter or any statute, ordinance or rule herein provides otherwise.

C. The President shall rise to address the City Council to state facts, or to put a question, but may read sitting.

D. The President may call the senior member or any member to the chair, who may preside during one meeting; and when out of the chair may participate in any debate but shall not resume the chair while the same question is pending, provided the same is taken previous to adjournment.

E. The vote of the City Council upon any question shall be taken by roll call, when the same is requested by at least three members.

F. In all cases the President may vote.

G. Every member who is present when a question is put shall vote on the matter unless the City Council for special reasons excuses the member or unless the member's private interests are involved therein.

H. When a vote has been taken by either an affirmative or negative vote it shall be in order for any member to move a reconsideration thereof at the same session, but not afterwards; but when a motion for reconsideration is decided, that vote shall not be reconsidered.

I. No member shall participate in any discussion, deliberation or vote on any matter before the City Council or any committee thereof that may constitute a conflict of interest under the laws of the Commonwealth of Massachusetts. If a conflict of interest possibly exists, the member shall excuse themselves from the Council chambers and abstain from any participation in the discussion, deliberation or vote on such matter.

J. At the outset of each meeting of the City Council the President shall request a member to draw by lot the name of a councilor. The name so drawn shall be the first name called for that meeting on every roll call vote, followed in alphabetical order by the rest of the names appearing after the name so drawn.

K. Every ordinance shall be considered as adopted by final action of the Council only after passing the following three votes: (1) Motion to pass the first reading, by a majority of the full Council, (2) Motion to pass the second reading by a majority of the full Council, and (3) Motion that the Legal Form be Ordained, by a 2/3 supermajority of the full Council voting in a recorded roll-call vote.

L. No rule or standing order of the City Council shall be suspended unless two-thirds of the members present consent thereto; nor shall any rule or order be repealed or amended without giving notice thereof at the preceding meeting, nor unless a majority of the whole Council concurs therein.

M. Any ordinance, order, resolution, or vote involving the appropriation or expenditure of money to an amount which may exceed two hundred dollars, shall require for its passage the affirmative votes of a majority of all members of the City Council.

Every such ordinance, order, resolution, or vote shall be read twice, with an interval of at least three days between the two readings, before being finally passed; and the vote at its final passage shall be taken by roll call; provided, however, that upon and after the written recommendation of the Mayor, the City Council may pass such ordinance, order, resolution, or vote on the same day by a two-thirds yea and nay vote. {See City Charter s. 22}

N. That any expenses for travel incurred by members of the City Council shall be incurred only after a vote by the City Council. However, if in the opinion of the President of the City Council, circumstances make it necessary that travel be undertaken without such vote, their written approval for such travel shall make the same valid, and in the absence of the President of the City Council, the Chair of the Finance Committee may give such approval under like circumstances.

9. COMMITTEES

A. All Committees shall be appointed and announced by the President, unless otherwise provided for, or especially directed by the City Council.

B. STANDING COMMITTEES shall be appointed on: Ordinance, Finance, Public Safety, Public Service and Human Resources (name amended 8-1-2023), Development and Governmental Relations, and Charter & Rules. The jurisdiction of the standing committees shall be generally defined as follows:

i. The Ordinance committee shall have jurisdiction over matters relating to the adoption, amendment, or deletion of any city ordinance; petitions for the establishment of telephone poles and wires; and petitions for zone changes.

ii. The Finance Committee shall have jurisdiction over matters related to the finances of the city; appropriations; the accounts of all city officers and departments; the issuance of municipal bonds; petitions for licenses; and matters related to cable television.

iii. The Public Safety Committee shall have jurisdiction over matters related to the affairs of the police and fire departments, the board of public works, the gas and electric department and the water department, road and signage issues, and the adoption or abandonment of any public way or the change of name of any public or private way. (amended September 5, 2023)

iv. The Public Service and Human Resources Committee shall have jurisdiction over matters related to transportation, the affairs of the parks, recreation and forestry department, the appointment or election of any city official, matters related to city employees and personnel, permits for home occupation issued by the City Council, and matters pertaining to the elderly, the Geriatric Authority and the Council on Aging. (amended September 5, 2023)

v. The Development and Governmental Relations Committee shall have jurisdiction over matters related to the affairs of the office of community development, the office of industrial affairs, and any matters related to the housing or community economic or industrial development and city's acquisition or disposition of any interest in real property; (amended May 15, 2012) the Development and Governmental Relations Committee shall act as the Council's "Legislative Affairs Committee". The D&GR Committee shall have jurisdiction over all Council-issued Special Permits (except for Home Occupation and Marijuana Establishments). (amended February 1, 2022).

vi. The Charter & Rules Committee shall have jurisdiction over matters related to review and amendment of the City Charter and City Council Rules.

vii. The Joint Committee of the City Council and School Committee shall have jurisdiction over matters relating to joint matters of the City Council and School Committee.

Except as otherwise provided in the city charter or any statute, ordinance, or rule herein, the City Council may refer any matter, by a majority vote, to a different committee other than provided for above. Further, the City Council may establish additional special committees as the City Council deems appropriate. City Council members serving on other municipal committees do not represent the entire Council unless they were appointed to that committee by the Council or its President.

C. The chair of the Committee on Development and Governmental Relations shall organize twice annually a presentation and Q&A session with our State legislative delegation to be held at a meeting of the full City Council.

D. No committee shall sit during the sitting of the City Council without special leave, except the Committee on Ordinance, the Committee on Finances.

E. When a committee is nominated by the President, the first person named shall be the chairperson and the second person named shall be the vice-chairperson.

F. The Ordinance, Finance, and Development and Governmental Relations committees of the City Council shall consist of five members and the Public Safety, Public Service and Human Resources, Joint School Committee, and Charter & Rules contain 3 members. No report shall be received from any committee unless agreed to in committee actually assembled, and all reports shall be in writing. If any committee lacks a quorum, the President of the Council can sit in to meet that quorum requirement. If, and only if, the City Council President is not present to stand in for a committee meeting for that that committee to reach a quorum, the Committee Chair will pick any City Councilor present to fill in to reach a quorum.

G. No ordinance shall be adopted, amended, or deleted by the City Council until it shall have been first referred to the standing Committee on Ordinances.

H. A draft of the adoption, amendment, or deletion of an ordinance to be reported to the City Council by the Committee on Ordinances, whether reported by a majority or a minority of said committee, shall first be submitted by the committee to the City Solicitor for examination and approval as to form and legal character. The City Solicitor shall forthwith examine the same, and if they disapprove of the form and legal character thereof, shall signify their disapproval thereon, and return the same to the committee; and if they approve of the form and legal character thereof, shall signify their approval thereon and transmit the same to the City Clerk, who shall cause the same to be printed in the usual form of printed ordinances, and shall mail a printed copy thereof, showing thereon the approval of the City Solicitor, to the following: the Mayor, the City Solicitor, and each member of the City Council, at least two days before the meeting at which the report is to be offered. If, after the draft of a proposed ordinance has been returned to the committee by the City Solicitor disapproved, and after further consideration, the committee or a minority thereof decide to report the ordinance to the Council unchanged, the draft shall thereupon be filed with the City Clerk, who shall cause the same to be printed, and printed copies showing thereon the disapproval of the City Solicitor, mailed to the Mayor, City Solicitor, and each member of the City Council in the same manner herein before provided for ordinances approved by the City Solicitor.

I. Subcommittees should not be allowed to meet at the same time/same night.

J. Ordinances shall not be drawn into legal form unless the Ordinance Committee has taken a vote on the matter. Legal form for Ordinance changes shall be provided 48 hours prior to a City Council meeting. If legal form is not provided 48 hours prior to the meeting, upon objection of any member of the City Council, the matter will be tabled until the next meeting. (amended February 1, 2022)

K. All petitions for dealers in junk, second hand articles, and pool room licenses, temporary shows and exhibitions, and any other license that calls for police surveillance shall be presented to the City Council unless otherwise provided for by the city charter or any statute or ordinance, and by the City Council referred to the Finance Committee.

L. All new appointments and reappointments submitted to the City Council for confirmation shall be referred to the Public Service and Human Resources Committee for its recommendation.

M. The Public Service and Human Resources Committee will be the committee that will represent the City Council where requested by local civic, fraternal, social, or business groups or organizations.

N. No council committee shall take any action on any business referred to that committee by the full City Council unless the committee has in writing a City Council order, a petition, letter, or communication referring to the subject to be studied by the committee.

O. Any sub-committee meeting held on the same night (prior) to a regularly scheduled meeting of the full City Council MUST adjourn at least 20 minutes prior to the start of the full City Council meeting. (amended May 15, 2012)

P. All orders sent to any subcommittee be acted up on (taken up, not disposed of) within 45 days. Any order not acted on within 45 days shall be deemed tabled. (amended February 1, 2022).

10. OTHER

A. All petitions for laying out, widening, altering, or relocating streets or ways shall be presented to the City Council, and by them referred to the Board of Public Works.

B. The following information must be submitted to the City Council with every loan or bond order:

i. A statement as of that date of the bonded indebtedness of the city, exclusive of the self-supporting bonds of the Gas and Electric Department and the Water Department.

ii. A statement of the borrowing capacity remaining within the limits as set by law, after issuance of the bond being applied for.

C. City Council shall appoint a Youth Ambassador to the City Council. The term shall last one year starting July 1 to June 30. Appointees shall only be Eligible to serve one term. Individuals eligible for this position must be a Holyoke Resident, enrolled in a local high school or equivalent program and be in the range of 15 to 17 years of age.

The Youth ambassador shall be required to attend all full City Council meetings and may attend any subcommittee meetings. As well as:

- Be allowed to speak during public comment period
- Attend all regular meetings of the City Council and whichever subcommittee Meetings they would like
- Give a “Youth Ambassador Report” at the beginning of the first meeting of every month updating the Council about the Youth Community, Positive Or Negative (Similar to the Presidents Report)
- Request that a City Councilor file an order to give a proclamation to a young Person or someone who works with City youth
- Sit in Council Chambers and assist the Administrative Assistant during Full Council Meetings and any Subcommittee Meetings
- Attend Youth related events on behalf of the City Council
- Meet with Youth in other Municipalities
- Sit at the committee table during regular meetings

Selection Process: Opening for Youth Ambassador position shall be posted for 2-3 Weeks. Youths will apply through their Guidance Counselor who will then screen the applicants and forward qualified resumes to the City Council. All qualifying Candidates will be interviewed by Public Service and Human Resources Committee and provide two letters of recommendation. First candidate to reach eight votes by full Council shall get the position. Individual chosen for position is subject to removal upon two thirds Vote of the City Council.

D. Every month the City Council invite in a Holyoke School Student to lead in the Pledge of Allegiance.

Proposed Rule Change

Order

The Committee on Charter and Rules to whom was referred an order that committee chairs limit the amount of public hearings added to an agenda, It is not fair and undemocratic to have the public wait until 10:30 - 11:00 pm so they can be heard.
Recommended that the order be adopted.

PROPOSED Rule 9Q

Public Hearings should be the first item(s) on the agenda. Committee chairs are required to share email and virtual access details at the opening of each public hearing. If a public hearing begins after 9 pm, it must be continued to a future date unless prohibited by state law.

REGULAR MEETING OF THE CITY COUNCIL

December 5, 2023

The meeting was called to order by President McGee at 7:12 PM

The Clerk called the roll.   Absent members: 0 Present Members in person 10 (Bartley, Givner, Jourdain, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Tallman). Present Members on Zoom 1 (Anderson-Burgos, Rivera_J, Vacon)

The Pledge of Allegiance was recited.

The name of Councilor Vacon was pulled to head the roll call voting.

Motion was made and seconded to take a roll call vote that for the purposes of this meeting would be applicable to all motions to remove items from the table, place items on the table, package items together, or suspend the rules, unless there is an objection.

President McGee invited incoming councilors-elect into the chambers. Councilors-Elect Patti Devine and Carmen Ocasio were in attendance.

Motion was made and seconded to suspend the necessary rules to take up item 28 out of order.

ANDERSON-BURGOS — Ordered, that a proclamation be presented to Dave Beaudoin, Superintendent of Outdoor Works, who will be retiring after 20 years of dedicated service to the city.
---> Received and Adopted.

Councilor Anderson-Burgos thanked Mr. Beaudoin for his work for the city and wanted to ensure that he was acknowledged before he left his position.

President McGee read from the City Council proclamation thanking him for 20 years of service.

D. Beaudoin stated that when he started, he didn't know where it would take him. He then stated that it had been an honor and privilege to serve the city and its residents. He also stated that his family had been in the city for over 150 years and planned to continue that tradition.

LAID ON THE TABLE

Motion was made and seconded to remove item 1 from the table.

The Committee on Development and Governmental Relations to whom was referred an order Special Permit Application of Delfina Saillant per 7.2.9 to convert basement into a livable studio space at 20 Pearl Street have considered the same and Recommended that the special permit be granted, with the condition that a signed letter from a licensed architect be provided.

UNDER DISCUSSION:
Councilor Murphy-Romboletti stated that this was about creating a studio apartment in the applicant's basement. She then explained that they wanted to make sure they had stamped architectural plans, adding that it had since been provided.

Councilor Bartley stated that this would be a credit to the neighborhood. He then explained that they had been looking for the petition to be in compliance with the ordinance, adding that they did not expect to be ready for the last meeting but were confident they would have it for this meeting.
---> Report of Committee received and Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

Councilor Jourdain asked if there were any conditions.

President McGee clarified that everything was covered in the prior meeting and that they were just waiting for this one item.

Councilor McGiverin stated that this was referred to the Law Dept to determine if there needed to be union ratification. He then stated that nothing formal had been provided as an update.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, SIX THOUSAND AND 00/100 Dollars ($6,000.00) as follows:
FROM:
12101-51117 E911 DISPATCHERS $6,000.00
TOTAL: $6,000.00
TO:
12101-51910 STIPENDS $6,000.00
TOTAL: $6,000.00 Recommended that the order be adopted.
---> Laid on the table.

PUBLIC COMMENT

(8:40)

Mayor Garcia, 2 Dunn Avenue, noted that the Council would be taking up Ezekiel's Plan, a comprehensive public safety plan, explaining that it would provide a combination of strategies to advance efforts to tackle quality of life issues the citizens wanted addressed. He then stated that it was about enhancing enforcement, surveillance, training city staff, neighborhood outreach, and establishing a new division in his office to help residents with issues and address quality of life concerns. He also stated that it was about creating a healthy atmosphere as well as restoring confidence and pride throughout all city neighborhoods and creating a culture of accountability throughout the city. He then emphasized that many had told him that not enough was being done to address safety concerns in the city, and this was a plan to address those concerns.

Patti Devine, 58 Magnolia Avenue, thanked Admin Asst Anderson-Burgos as well as many others who were helping her to become acclimated to her return to serving on the City Council. She also expressed her intent to add "and all city employees" to Rule 6E, which required that city councilors speak in respectful terms to each other as well as members of the general public. She also asked that the incoming chair of the Ordinance Committee take up all orders in a timely manner in the order they were received. She then expressed concern with item 26, stating that she found it troubling to propose taking away the power of the people to elect their mayor.

Councilor Bartley expressed frustration with Miss Devine's comments.

Howard Greaney, 351 Hillside Avenue, congratulated everyone who ran for office and were elected, adding that he appreciated everyone who voted for him to serve another term starting in January. He then thanked Councilor McGiverin, Councilor Tallman, and President McGee for their numerous years of service to the city. He added that their expertise, patience, and comradery would be missed. He then expressed support for item 19E to reduce taxes by placing a question on the ballot to reduce the CPA surcharge. He also expressed his intent to sponsor legislation to cut taxes. He also asked for support for item 19B which would approve the donation of a new vehicle for the Council on Aging, emphasizing that the vehicle was desperately needed to help residents get to the Council on Aging facility.

Councilor Jourdain suggested taking up the order relative to tax classification.

Motion was made and seconded to suspend the necessary rules to take up items Late File A and 35 out of order as a package.

MCGEE, MCGIVERIN — Order that the City Council vote to set a MRF for (FY24) tax classification

UNDER DISCUSSION:

Councilor Jourdain expressed his understanding that there were miscellaneous things that needed to be voted on and that there may be a special meeting the following week. He then stated that his purpose for bringing this up now was to avoid having interested citizens waiting for hours only to hear that it would not be decided tonight. He noted that he was not able to get the most up to date CIP shift, levy information, and tax recap from the Assessors.

President McGee clarified that Ezekiel's Plan still had to be voted on and that the Assessor was waiting on that vote before they could provide the information.

Councilor McGiverin stated that item 35 reflected the current projected deficit in the wastewater treatment plant's enterprise fund considering the current rate users were being charged. He then explained that he learned the reason it had to go on the recap was at the direction of DLS (Division of Local Services) due to a need to address the discrepancy between the sewer rate and the expenses on their budget. He added that Ezekiel's Plan would also have an impact on the recap sheet. He noted that the Council could vote on the tax classification but the two items were large potential changes. He also stated that a vote on adjusting the sewer rate would also have an impact. He then asked to ensure that the tax collector was on board with waiting so late into the month, emphasizing the need to have tax bills printed and out before the end of the month or the city would have no funding coming in for the third quarter, requiring the city to borrow money.

President McGee stated that they were advised up the 14th would be enough time in order for bills to go out.

Councilor McGiverin stated that he had not heard from the tax collector on that question.

President McGee stated that he had been on the phone with the mayor while he was getting that information from her.

Councilor Jourdain stated that new information was continuing to come in relative to the sewer deficit. He then explained that the deficit of $389,000 they were told about before had been gone following a large industrial payment that had come in. He also stated that additional information had come in explained that street sweeping was $600,000 or possibly more. He then suggested that going back 5-10 years, ratepayers could be subsidizing taxpayers to possibly $6 million over the last 10 years. He added that it did not take into account collections that were 10% off for the last 3 fiscal years. He also noted that tax receipts were at 97% while sewer receipts were at one 90%, with the potential of bringing in at least another $500,000 per year. He also emphasized that it was better to make sure everyone pays than to have to pay more. He also stated that there were one time issues in the sewer budget that should not be used to advance a permanent sewer increase. He also explained that the Auditor informed him the $63 million levy already included the sewer portion, and that Ezekiel's Plan was the only unknown.
---> Laid on the table.

MCGIVERIN — That the City Council subsidize the revenue of the sewer budget from the tax levy in FY2024 by $1,039,680 (one million thirty nine thousand six hundred eighty dollars and 00/100) and remainder funded by sewer receipts.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 5, 2023.

Joshua A Garcia, Mayor
---> Received and referred to the Finance Committee.

President McGee clarified for the benefit of the public that the tax classification vote would be taken up on December 14th.

COMMUNICATIONS

(23:50)

From Mayor Joshua A. Garcia, letter appointing Mr. Paul Burns-Johnson to serve as a member of the Board of Appeals for the City of Holyoke: Mr. Burns-Johnson will replace Ms. Mary Monahan and will serve Ms. Monahans remainder term; said term will expire July 1, 2024.

Councilor Tallman asked that the appointment be approved right away, noting that the Board of Appeals chair, Josh Knox, communicated to him they had a meeting on the 15th that they needed another member available for.

Councilor Bartley stated that while he would not normally support this, Mr. Knox had also reached out to him as well and the position was explained to him. He also recalled that Mr. Burns-Johnson had worked with councilors recently to address a bus pad on South Street. He also emphasized that the term would be expiring the following year.

Councilor McGiverin stated that he did not have a problem with the request and would not question the integrity of the candidate. He did, however, have questions about the Board of Appeals being busy, noting that they addressed variances and hardships. He also questioned where their meeting minutes were. He then expressed a hope that Mr. Burns-Johnson could address those questions. He added that the Board in past years had tried to do more than they were allowed.

Councilor Bartley noted that there was no more esoteric board than the Board of Appeals. He agreed with the comments from Councilor McGiverin, noting that he had asked that those minutes be send to the Council as often as they can. He reiterated that Mr. Knox had expressed there was some urgency to getting a member appointed due to their meeting on the 15th.

Councilor Murphy-Romboletti stated that she was also contacted by Mr. Knox, adding that they were anticipating they would need to meet more often due to the city doing more code enforcement.
---> Received and appointment confirmed.

From Mayor Joshua A. Garcia letter appointing Mr. Axel Fontanez, 71 Lynch Dr. to serve as an Associate of the Board of Appeals for the City of Holyoke: Mr. Fontanez will serve a three year term; said term will expire on July 1, 2026.

Councilor Tallman noted that Public Service would be meeting the next day and Mr. Fontanez was expected to be in attendance.

Admin Asst Anderson-Burgos clarified that Mr. Fontanez had been invited but had not yet responded.

Councilor Tallman stated that if he was not there for that meeting, the committee would try to get him in for a future meeting.

Councilor Jourdain asked to make sure a resume was provided.

Councilor Bartley asked to clarify this was the same gentleman that ran for City Council.

Councilor Tallman confirmed that was accurate.
---> Received and referred to the Public Service Committee.

Motion was made and seconded to suspend the necessary rules to take up items 5 and 6 as a package.

From Tanya Wdowiak, Auditor YTD Sewer Budget Reports.
---> Received and referred to the Finance Committee.

From Tanya Wdowiak, Auditor, YTD General Fund Report.
---> Received and referred to the Finance Committee.

From Brenna Murphy McGee, MMC money cuts from FY2024 Supplemental Budget.
---> Received.

Councilor Anderson-Burgos stated that item 8 could be tabled and go with one of the reports from the Joint Committee.

Communication from Department of Environmental Protection re: Draft Waterways License, Holyoke Rows.
---> Received.

From PERAC, Appropriation for Fiscal Year 2025.
---> Received.

Motion was made and seconded to suspend the necessary rules to take up items 11 through 15 as a package.

From Holyoke Redevelopment Authority Executive meeting minutes of February 17, March 17, October 27, 2021, February 15, May 17, and June 21, 2023.
---> Received.

From Holyoke Redevelopment Authority regular meeting minutes of March 20, 2019 and May 18, 2022.

Councilor Jourdain asked if these were subject to some litigation, noting they were coming in years later.,

Councilor Bartley suggested that at least one of them was. He added that it could have been a real estate matter.
---> Received.

From Holyoke Redevelopment Authority regular meeting minutes of September 20, October 18, 2023.
---> Received.

From Historic District Commission meeting minutes of September 14, October 12, 2023.
---> Received.

From Holyoke Historical Commission minutes of September 11, 2023.
---> Received.

PETITIONS

(32:45)

Petition of a renewal for a Home occupation for William T. Lyle, 79 Merrick Ave for a Electrician Business.
---> Renewal granted. Received and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Rivera_J).

Petition of a renewal of a Home occupation for Daniel LiBoissonnault, 267 Southampton Rd. for a Plant Based/Non Dairy business.
---> Renewal granted. Received and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Rivera_J).

PRESIDENTS REPORTS

(34:30)

President McGee stated that the 150th Anniversary Committee would host a time capsule closing at 3 p.m.
He also stated that the Rotary Club would host their Eat, Drink, and Be Holyoke event in the City Hall ballroom, 5:30 p.m. - 8:30 p.m.
He also stated that on December 9th, the 8th Annual Community Dinner Celebration would take place at Kelly School, 4 p.m. - 7 p.m.
He then stated that the 150th Commemorative Book would be released early in 2024.
He then stated that on December 22nd, the City Hall employee holiday party would take place at Fame Lounge and 5 p.m.
He then thanked Admin Asst Anderson-Burgos for cookie tins given to each of the councilors.

Councilor Rivera_I stated that he and some fellow councilors attended the inauguration of the nee basketball gym at the charter school. He stated that it was an awesome event at a cool facility. He added that it was exciting to see the activity at a location that used to be a flea market.
He also stated that the Community Dinner was looking for volunteers, adding that anyone was welcome to attend. He noted that the day was also his birthday.

Councilor Bartley expressed how great it was to have another gym in the city, noting the last one built was at HCC in honor of his father. He commended Dr. Pope from the charter school, along with the rest of the team, that made it happen.

Councilor McGiverin stated that the Holyoke Merry-Go-Round would celebrate its 30th anniversary at Heritage Park that weekend. He then explained that Elsa and Spiderman would be present for the event on Saturday. He added that the Parade Committee would hold tartan gift sales. He also stated hat that the lead horse, Lancelot, would come back after 9 months due to going through restoration. He noted that the horse was appraised at $125,000 in 1986.

Councilor Bartley noted that John Hickey, former head of Holyoke Water Works, saw a need and helped get funds privately raised to buy the space, now one of the iconic parts of the city.

REPORTS OF COMMITTEES

(40:50)

The Committee on Joint Committee of City Council and School to whom was referred an order That the DPW paint a crosswalk at the corner of Jarvis Ave. and West Cherry St, crossing over Jarvis Ave

have considered the same and Recommended that the order be referred to the DPW to put in a crosswalk.

Committee Members:

Juan Anderson-Burgos
Jenny Rivera_J
Tessa Murphy-Romboletti

UNDER DISCUSSION:
Councilor Anderson-Burgos recalled that the Council was looking for feedback from the Joint Committee, who then referred it back in order for it to go to DPW.

Councilor McGiverin stated that he filed the order on behalf of the School Department, noting concerns of families living on the other side of the road from Sullivan School. He then explained that there was no crosswalk going across Jarvis and it was hard to make it handicap accessible due to a lack of a sidewalk and that there were guardrails in the way. He further explained that he spoke with Carl Rossi at the DPW and they were going to try to make it work.

Councilor Rivera_I asked Councilor McGiverin to use that same power to get a crosswalk at Kelly School that was being requested for over two years.
---> Report of Committee received and recommendation Adopted.

The Committee on Joint Committee of City Council and School to whom was referred an order that the city council work with the mayor and school superintendent to address the reinstatement of bus services for Lyman Terrace as soon as possible, as a matter of public safety. This has been a service they have received for the past 20 years.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Juan Anderson-Burgos
Jenny Rivera_J
Tessa Murphy-Romboletti

UNDER DISCUSSION:
Councilor Anderson-Burgos stated that the mayor's proposal had two funding strategies, which included E.N. White School, Lawrence, McMahon, and STEM with similar circumstances as Kelly, explaining that this was done to avoid possible liability. He then explained that option 1 would cost $437,000 a year for all schools whole option 2 would cost $172,000 for winter months only for all schools. He added that it would require 6 additional buses. He also noted that transportation costs had increased substantially. He also stated that school officials, as well as the Fire Department and the DPW, walked the school route to ensure safety issues were addressed such as crosswalks and signals. He added that a walking bus route would be instituted during winter months.

Councilor Rivera_I stated that his main concern was that the families at Lyman terrace suddenly had the bus taken from them and that it was poorly communicated. He then stated that the intent was to ensure that those concerns were addressed. He also recognized that there were monetary issues as well as equity issues with other schools. He suggested that while the walking school bus was a good plan, he would prefer kids around the city get buses.

Councilor Givner noted that one of her takeaways was that the bus was provided to Lyman due to construction and the related dangers of walking to school. She added that it that it took such a long time for that project to complete that nobody remembered that the school was still within a mile and they would have had to otherwise walk. She then expressed a hope that the walking school bus would continue.
---> Report of Committee received and recommendation Adopted.

Motion was made and seconded to suspend the necessary rules to take up items 8 and 18C as a package.

From Anthony Soto, Receiver/Superintendent of Holyoke Public Schools, letter re: Agenda Item 1, Financial Literacy Course.
---> Received.

The Committee on Joint Committee of City Council and School to whom was referred an order that the joint committee of school and council invite in the receiver to discuss and provide information on the Financial literacy programs for both high school campuses.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Juan Anderson-Burgos
Jenny Rivera_J
Tessa Murphy-Romboletti

UNDER DISCUSSION:
Councilor Anderson-Burgos stated that there were financial literacy courses being offered, which included earning, debiting, saving, budgeting, purchasing, insurances, and investments. He also explained that the courses were only being offered at the North Campus due to the staffing market. He added that it was a 5-credit course, with 20 students currently enrolled in the elective yearlong course. He added that students at Dean did have access during their freshman and sophomore years.

President McGee stated that this was what he was looking for.

Councilor Jourdain spoke in favor of the offering, emphasizing that it was an important class for the students. He also stated that these were the types of classes where students may question if they'll use the information, but could be the most impactful and critical, especially in breaking out of cycles of poverty and being prepared for retirement and the future. He also suggested that this could help students be ahead of the game in being ready for life.

Councilor Rivera_I stated that he agreed with the value of the program, adding that MassHire also offered a similar on a smaller scale. He suggested that more nonprofits expand on it if the schools couldn't offer it to everyone.

Councilor Anderson-Burgos stated that he did not recall having these types of classes when he attended school but had the opportunity to train Springfield students while working for a financial institution. He then expressed appreciation that this kind of instruction was taking place in Holyoke. He added that HPS had been doing it for quite some time.

President McGee commended Scott Taupier for helping to make sure this was offered in Holyoke.
---> Report of Committee received and recommendation Adopted.

(56:05)

The Committee on Ordinance to whom was referred an order that a review of the ordinance on the Soldiers Memorial Commission be done to update the language.

Have considered the same and Recommended that the order be adopted.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that the order was to update the membership of the Soldiers Memorial Commission so that people would be qualified without the specific requirement that two members be World War 2 veterans.

Councilor Tallman expressed appreciation for expediting this order. He then explained that the ordinance needed to be updated because many World War 2 veterans were passing away.
---> Report of Committee received and the Ordinance passed its first reading.
The Ordinance passed its second reading.
The Ordinance was passed to be enrolled.
The Committee has considered the same and find that it is truly and properly enrolled.
Report of Enrollment received.
The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and

nays-- Yeas 13--Nays 0--Absent 0.
Approved by the Mayor.

The Committee on Ordinance to whom was referred an order that Ordinance 2-421 be amended to include all public hearings so that the public has an opportunity to truly participate in their government and to advance transparency.

Have considered the same and Recommended that the order be adopted.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that there was a lot of back and forth with the legal language. She noted that the Law Department did not sign it due to not agreeing with the legal form, citing a legal opinion that the Retirement Board did not need to comply with the rule. She noted that the committee unanimously voted to recommend adopting the language to be considered consistent and more available to the public. She also stated that language added the allowance of email correspondence for members of the public who could not attend a public hearing.

President McGee stated that legal form was not provided.

Councilor Jourdain noted that Admin Asst Anderson-Burgos circulated the language. He noted that under the rule, the Law Department did not have to sign it.

Councilor McGiverin stated that the rule required that if the Law Department was not submitting legal form, it would need to be submitted to the City Clerk's office and typed into legal form distributed in the same fashion as legal form would normally be provided.

President McGee stated that he did not have the legal form with the order.

Councilor McGiverin stated that it was different and had to go to the City Clerk to be done.

Councilor Jourdain stated that legal form had been circulated but not done by the Law Department. He then explained that in the current ordinance, the Retirement Board was subject to the meeting rule of holding them after 5 p.m. but had not been following it believing they were exempt from the ordinance. He further explained that the Law Department wanted the committee to take the Retirement Board out of the ordinance. He suggested that it was better to have them not complying instead of being given an exemption. He emphasized that he believed they were doing great work but were not complying with the ordinance. He also noted that the committee went over the legal form at the committee meeting.

Councilor Rivera_I stated that while he agreed with having their meetings in the evening, it was explained to him that while the board was part of the city, it was instituted by state statute. He added that while he understood that many people would not be able to attend those meetings, he suggested that it might help if they at least recorded their meetings for better access.

Councilor Vacon explained that the Ordinance Committee had the legal form but just not signed by the Law Department. She then referenced rule 9H which established what had to happen if the Law Department did not agree with the committee. She suggested that the next step was to make sure the City Clerk had the form provided to her in order to submit it to the Council. She then suggested that it be tabled to get that done.

Councilor Jourdain suggested that the rule be suspended as it was not that material of an issue.

Councilor Vacon stated that the rule required that the draft be filed with the City Clerk who would then provide copies showing disapproval of the City Solicitor and provide the form in the same manner as if the Law Department had approved it.

Councilor Jourdain emphasized that the Retirement Board had not even been the subject of the order, but in the course of making other changes that were not controversial, the Law Department wanted the committee to fix the old issue that had been ongoing for ten years.

Councilor Vacon reiterated that it was coming to the Council on a 5-0 cote out of committee.

Councilor Jourdain made a motion to suspend the rule and vote now to move forward unless there was an objection.

Councilor Vacon seconded that motion.

Councilor Jourdain stated that he was open to waiting if people had strong opinions.

Councilor Maldonado Velez noted that this was the first time in the current term when the Law Department did not approve the language the committee asked for. He then asked how the Council voted if that happened.

Councilor Jourdain stated that while it was rare, the Council would vote on the legal form as created by the committee. He then emphasized that this was not about adding the Retirement Board but keeping the language as it already existed over the objections of the Law Department.

Councilor Maldonado Velez stated that the committee was pretty much on the same page as far as having meetings when people could attend them. He added that suggestions were added to make sure people could submit emails if they could not attend meetings.

Councilor McGiverin stated that he supported the ordinance when it was created ten years earlier, which included the Retirement Board. He then expressed concern, noting that he was not familiar with what the other changes were and objected to voting on it that evening.

Councilor Jourdain stated that he recognized the objection was valid. He then expressed frustration that the form wasn't circulated, suggesting that it was sabotaging the vote from going through and delaying for two weeks for something that was not controversial. He then questioned why the Council did not have the legal form.

City Clerk Murphy McGee stated (off mic) that she did not receive it.

Admin Asst Anderson-Burgos (off mic) stated that the mistake was his, citing that this had been the first time he had dealt with this process and misunderstood how legal form was supposed to be provided.
---> Laid on the table.

President McGee stated that the mayor requested the Council go out of order.

Councilor Bartley asked if the request was in compliance with open meeting law, noting the Council was in open forum.

President McGee stated that he received a text from the mayor.

Councilor Bartley stated that a text violated open meeting law.

President McGee asked for a motion to go out of order to item 19E.

Councilor McGiverin clarified that item 19E was not on the agenda. He then explained that the Finance Committee met the night before, and the result was that two items listed as awaiting disposition remained tabled in committee.

(1:16:20)

Motion was made and seconded so suspend the necessary rules to take up items 19I with items 20A, 20B, 20D, 20F, and 20H.

The Committee on Finance to whom was referred an order that there be and is hereby raised and appropriated in the fiscal year 2024, ONE MILLION AND 00/100 Dollars ($1,000,000) as follows:

FROM:
XXX-XXX 2024 TAX LEVY $1,000,000
TOTAL: $1,000,000
TO:
12992-57806 SPECIAL ARTICLE-EZEKIEL’S PLAN $1,000,000
TOTAL: $1,000,000

have considered the same and Recommended that the order be referred to the City Council without recommendation.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that this was the financial aspects of Ezekiel's Plan. He then suggested that the Public Safety reports explaining the plan be taken up first. Following that explanation, he stated that the committee referred it back to the full Council without a recommendation. He then recalled that this was initially discussed when the supplemental budget was taken up. He noted that one of the original concerns was the addition of 13 new officers for the Police Department. He then explained that a Crime Analyst position was taken out due to the need to create the position by ordinance first. He then stated that the Auditor and mayor explained the procedural steps, which was a request to transfer from the tax levy to a special article known as Ezekiel's Plan. He further explained that a special article was similar to grant funds which would be used to be part of the city budget, which would result in an adjustment to the tax levy. He then stated that any funds spent from this would be charged to the line item similar to how a grant would be charged. He added that the line item for this would be in the Public Safety budget. He then emphasized that while the individual costs could be split up into various departments, it would be harder to track and this made more sense for transparency and accountability. He then stated that for the current fiscal year, it would be 5 additional officers instead of the original plan of 13, leading to a savings in overtime expenses for the department. He then suggested that the plan was good sense in law enforcement. He also explained that this was largely about addressing deficiencies in various enforcement departments, emphasizing the difficulty in filling many positions throughout those departments. He also emphasized that the Council could only vote on the $1 million as a whole and could not make amendments to it.

Councilor Rivera_I stated that he agreed with a variety of the initiatives but had questions about some of the others, particularly in the Police Department. He then stated that while he agreed they needed more support, particularly with keeping expenses down such as overtime, it was not clear what their plan was to do that. He suggested that there had been times when they had utilized their power in ways that were not beneficial to the community. He then stated that he wished it could be voted on in pieces, noting that he was torn on how to vote on the whole proposal.

President McGee emphasized that the choice could be to vote against it and hope that they come back with more breakdowns.

Councilor Jourdain stated that he had some reservations as well. He then stated that while he found the proposal to be a sincere effort to address issues, he had concerns that the spending plan was going to change the criminal conduct and hearts of criminal intent in the city. He then stated that this was something the city could not afford, noting the city already had a $2-$3 million structural deficit, adding that this would be added to the tax levy dollar for dollar, on top of the massive tax increase already coming. He also questioned why the more patrolmen positions would be created in the Police Department when there were still empty positions to be filled. He also questioned if this plan was sustainable and something the city could afford. He also expressed frustration for an earmark of $488,000 for the Police Department, effectively doubling their overtime. He emphasized that the city was also facing the end of ARPA, along with the other increasing expenses, suggesting that this was not responsible budgeting that he could not support. He also questioned paying $90,000 to pay for lawyers to address civil disputes between tenants and their landlords. He noted the state already had resources to provide pro bono work to people. He also questioned adding another sanitarian position to the Board of Health, noting that the business case had not been made to add the position. He then expressed a hope that there would be other proposals if it gets voted down. He then suggested that this would effectively be a $1 million slush fund for the mayor to use on whatever he wanted. He then stated that much of the plan stimulated good conversation with noble things, but this proposal was not ready. He also suggested that there needed to be more examination of the opioid settlement funds and if those funds could be used on some of these line items. He also expressed concern that hiring more cops now could lead to laying them off later.

Councilor Murphy-Romboletti stated that while she not like ever aspect of the plan and had voiced that to the mayor - including needing more information on outcomes and benchmarks - she was glad that the mayor listened to concerns about adding 13 officers to the budget as it was not sustainable or fiscally responsible. She then expressed disagreement that this would be a slush fund, noting that this special article gave the Council more opportunity for oversight. She also suggested that it allowed the city to dedicate ARPA funding to last beyond the current fiscal year. She then stated that she could accept not agreeing with everything in order to get some of the things she did find important. She then stated that the mayor should expect the Council to seek more oversight.

Councilor McGiverin stated that he had become more comfortable with the funding after the 13 officer proposal was changed to 5, noting that it would now not require the ordinance cap of 95 to be changed. He then noted that the Chief was expecting 3-4 retirements in the Police Department in the next several months. He also emphasized that the city can usually count on several retirements in any given year. He also stated that he liked the Operation Safe Streets plan, noting the number of arrests made in a short amount of time, including distribution, trafficking, possession, trespass, as well as pickup of people who had warrants for failing to appear for court dates. He added that code enforcement was equally important to deter criminal activity. He then recognized that while affordability was important, money sometimes needed to be spend to get results.

Councilor Bartley stated that he would be voting solely because of the unsustainability of the proposal. He then asked that proposals for each department be brought before the Council. He questioned the process of asking for funds and then planning to talk about it later. He then commended the mayor doing an impossible position and doing everything he could to put the plan together, but he believed it needed to be discussed in parts. He also noted there were six funding sources being proposed for this, with many open questions over what they meant and what they could be used for. He also questioned having Holyoke lawyers helping indigent people who may or may not be Holyoke residents.

Councilor Vacon stated that while she agreed with a majority of the comments, she had concerns about the impact on the tax levy and asking taxpayers for an extra increase on a levy that was already going up. She then emphasized that people were asking for taxes not to be increased when they were already dealing with increasing expenses on fixed incomes. She then expressed agreement with those who would like to see this brought forward in individual parts.

Councilor Givner stated that she believed there were good parts to the plan. She then noted that the opioid settlement funding source was public information, and it was a funding source that was going to continue for many years. She also suggested that the plan incorporated a lot of ideas that the Council had discussed over the past couple of years. She then suggested that it was worth voting for if someone agreed with 75% of the plan.

Councilor Anderson-Burgos also stated that he believed there were good parts to the plan while others he had concerns about. He then stated that while money was a valid concern, he questioned when money became more important than life. He also emphasized that the lower wards had been dealing with many hardships since before he was growing up in the city. He then questioned how often some councilors may drive through the lower wards and see the what they were going through day to day. He then commended the mayor who continued working even after the first plan was shut down. He then suggested that while it was important to protect the taxpayers, protecting life was more important.

Councilor Rivera_I stated that the concern for him was less about the money but more about protecting against the traumatic experience of kids being over-policed on a regular basis. He recalled playing ball in the street while he was a teen and being pulled aside by an officer because of the shirt he was wearing, shaping his vision of how policing was being done. He then emphasized that he believed his role was to address those concerns for the kids living in the community now.

Councilor Jourdain suggested that people sometimes only look at their own situation and fail to look at the bigger picture. He then emphasized that Springfield was taking $9 million to put on their tax levy while Holyoke was looking at adding to the tax levy. He then noted that Chicopee was putting $3 million on their tax levy. He then expressed concern with bankrupting the city when there was already a structural deficit, adding another $1 million with no funding to

maintain it. He then expressed frustration with the implication that some councilors don't know about certain neighborhoods without knowing some peoples' life stories. He then suggested that it could be questioned who was or wasn't voting when others were doing work for the city. He also suggested that this could lead to a tax override in the future. He also emphasized that the city was spending much more than surrounding communities on law enforcement, and was now attempting to add more money that the city did not have.
---> Report of Committee passed two readings and Denied on a call of the roll of the yeas and nays--Yeas 7 (Anderson-Burgos, Givner, Maldonado Velez, McGiverin, Murphy-Romboletti, Rivera_J, Tallman)--Nays 6--Absent 0.

Motion was made and seconded to reconsider the previous action.
---> Laid on the table.

The Committee on Public Safety to whom was referred an order From Mayor Joshua A. Garcia, Proposal for Ezekiel's Plan: Operation Safe Streets

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

UNDER DISCUSSION:
Councilor Rivera_I noted that the requests focused on in the other orders went well with the focus of Ezekiel's Plan. He then stated that the mayor was hoping to create a Division of Community Response, which would help the city help build out a community responder model. He added that this would help address concerns around vagrancy, mainly on High Street and Main Street, but throughout the city overall. He then explained that they would build out the division that would help mitigate issues, along with a homeless navigator and using opioid settlement funds. He added that there was a request to fund a Public Safety Department at $500,000, noting that it was actually planned to be funded at $1 million. He also explained that he agreed with some initiatives while others he had concerns with. He also emphasized that some things were a moving target and still needed to be worked out. He then explained that in regard to work on the Race Street, while the Police Chief wasn't able to touch on that too much, the mayor explained that Ezekiel's Plan included making sure they addressed substance abuse as well as expanding to ensure that all departments working on these same issues were on the same page and striving toward the same goal. He further explained that the Law Department was getting finding for work in their office, the Board of Health was getting funding for the Housing Navigator position, while the Police Department broke down where and how allocation of funding for Operation Safe Streets would take place.
---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that an RFP be created to study a community responder model type program that is outside of the Police Dept but works in collaboration with that department as one of several contributing partners.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that employees at the Holyoke Police Community Center come into public safety and present on the services offered as well as any other projects they maybe working on that is important for the community to be aware of.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that the city of Holyoke form a working group focused on developing solutions to mitigate rampant ongoing issues of vagrancy on High st. It has been recently brought to my attention that a bus shelter will be removed due to some of these ongoing issues. How many more bus shelters will get removed?

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that the Mayor create and fund a Public Safety Department, suggesting a beginning budget of $500,000 for FY24. Refer to Mayor, Public Safety.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

---> Report of Committee received and recommendation Adopted.

(2:17:50)

The Committee on Ordinance to whom was referred an order that the City Council add a section for Battery Storage Facilities to the Zoning Ordinance (Section TBD) to reflect technology advancements and future need for such installations; new facilities will be reviewed through Section 10.0, Major Site Plan Review.

Have considered the same and Recommended that the order be adopted.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that the proposal was a request from the Planning Department and HG&E to allow residents to store electricity and bring it back to the grid. She added that in the business areas of the city, larger battery units could be installed to create more opportunity for efficiencies with the grid. She then explained that HG&E would determine residential storage situations and that large storage units would be subject to site plan review through the Planning Board.
---> Report of Committee received and the Ordinance passed its first reading.
The Ordinance passed its second reading.
The Ordinance was passed to be enrolled.
The Committee has considered the same and find that it is truly and properly enrolled.
Report of Enrollment received.
The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and

nays-- Yeas 13--Nays 0--Absent 0.
Approved by the Mayor.

The Committee on Ordinance to whom was referred an order With community support, Order that our trash receptacle ordinance be updated to reflect the following:
Update to Ordinance Chapter 74 Section 2:
(a) Residential rubbish receptacles.
(1) 96 gallon, rodent proof, water tight, residential rubbish receptacles are provided by the City. One receptacle is provided to each residential unit or household. Additional containers are not available and cannot be acquired. Lost or damaged containers must be purchased from the City/DPW by residents at the current rate. A smaller receptacle may available by request. Considerations are made on a case by case basis and depend on need as determined by the disabilities commission/senior advocate/ personal / health advocate?
&
(3) Should the number of containers necessary to contain all refuse at a given residential location exceed 1 95 Gallon receptacle on a weekly basis, the superintendent of public works will have the right to require the property to utilize an alternate method of collection.

Have considered the same and Recommended that the order be adopted.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that this was recommended on a 3-2 vote out of committee. She then noted that there were attempts to incorporate concerns into the legal form, but a majority of the committee did not want to entertain those proposals. She then explained that as a member of the minority, the form took a narrow approach that did not include a 35 gallon container, the ability to put yard waste into barrels, and other unintentional omissions. She suggested that the language was not ready in order to thoroughly address the concerns of residents.

Councilor Rivera_I expressed his position that this narrow change was about ensuring that the city was not functioning out of ordinance through the use of 96 gallon barrels. He then suggested that the other concerns could be brought forward as amendments after the mayor and DPW Director bring forward proposals. He then suggested that if the interest was cutting costs, one of the easiest ways to save money was to cut back on the easiest things such as trash.

Councilor Givner noted that the language was amended to 96 gallons, making a distinction from the number in the original order. She then suggested that there was a lot that was being done that did not follow ordinance and that it made sense to update this ordinance. She added that she agreed with considering other things but that the direction should come from the DPW, including having exceptions for residents that needed smaller bins because of their personal situations. She noted that the DPW Director was already meeting with people and discussing options with them.

Councilor Jourdain commended the members of the committee, noting that everyone agreed with about 95% of it. He noted that Mr. Rossi had a medical procedure and was unable to make the meeting. He suggested that the committee could have waited another two weeks to get it all right as there was no hurry to fix if, emphasizing that the 96 gallon barrels were already being given out. He then questioned why he would vote to make a 35 gallon illegal when many had been using that size for years and did not need and could not easily handle the much larger barrels. He added that some flexibility should be built into it for people with larger families who may need more than one barrel. He further stated that additional flexibility needed to be worked in to address situations where people could not store a 96 gallon barrel at their homes. He also suggested that an appeal needed to be added if people did not feel they were being treated fairly when making a hardship request to the DPW Director.

Councilor Bartley commended the Law Department and the Ordinance Committee for putting together a good ordinance. He did, however, question giving carte balance power to the DPW Director to determine if someone has a hardship. He then questioned the implication that anyone was trying to have the Council dictate anything, emphasizing that people were asking the Council to address their concerns. He suggested that the order be sent back to the committee to consider additional amendments.

Councilor Givner emphasized that the language being considered was only a tiny section of the entire ordinance. She suggested that some were misunderstanding the intention. She also suggested that some take the time to read the entire ordinance, which was more than these two paragraphs but also included sections on yard waste and recycling. She suggested that this did not need to be sent back because this specific section did not need to be added to.

Councilor Rivera_I expressed agreement that there were more pieces to be addressed, noting that this was about one section of the ordinance and those other ideas would need to be taken up as different pieces, including issues surrounding refuse, use of leaf bags, and the possibility of having more than one barrel. He reiterated that this should be about getting this piece done and then working on the other parts going forward. He also agreed with the idea of addressing the authority of the DPW Director to address hardships.

Councilor McGiverin expressed agreement that more work could be done on this to address more of the concerns. He noted that the only two changes in this language was changing the maximum from 35 gallon drum to 96 gallons, as well as addressing enforcement when a property owner exceeds 96 gallons. He noted that in driving around the city, he had noticed very little overflow with the new barrels but there was no option in the language if there was overflow.

Councilor Bartley noted that this was the same department that ignored the recycling ordinance on dual stream. Instituting single stream on their own. He emphasized that they did need some oversight.

Motion was made and seconded to refer the order back to the Ordinance Committee.
---> Report of Committee received and referred to the Ordinance Committee.

The Committee on Ordinance to whom was referred an order that street vendors who have received a license may be granted a renewal of the license for the same location without a hearing when all required approvals are presented with the application and any required fees/taxes are paid.

Have considered the same and Recommended that the order be adopted.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that the order was intended to avoid the necessity of people coming in each year to renew their license when they had met the initial criteria. She added that this was about streamlining the process to be less of a burden on businesses.
---> Report of Committee received and the Ordinance passed its first reading.
The Ordinance passed its second reading.
The Ordinance was passed to be enrolled.
The Committee has considered the same and find that it is truly and properly enrolled.
Report of Enrollment received.
The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays-- Yeas 12--Nays 0--Absent 1 (Rivera_J).
Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up items 18I and 18J as a package.

The Committee on Ordinance to whom was referred an order City Council review the law for the enforcement of rights of reverter and extensions of reverter.

Have considered the same and Recommended that the order has been complied with.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

---> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order Law Dept provide the City Council an inventory of all outstanding rights of reverter with parcel id numbers, address, what the current reverter expiration date is if it has one, provide a summary of the condition that the reverter is based on (i.e. change of use (such as if no longer used as a golf course) or if no development by X date).

Have considered the same and Recommended that the order has been complied with.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that clarity was sought because when there had been changes to extensions of reverters, they had been coming back to Council. She then deferred to Councilor Jourdain for a more detailed summary.

Councilor Jourdain commended the Law Department for putting together an Excel file of the different rights of reverters with the city. He then emphasized that one discussion taking place was when the Council passes a right of reverter, it may state something to the effect of a property buyer needed to develop within a certain number of years. He then noted that some believed the mayor could later change the term without returning to the Council. He then suggested that when the Council puts such a condition on a reverter, any change must come back to the Council for a vote. He noted that the opposing argument suggested that giving the mayor the right to dispose of property was allowing them this ambiguity to make changes without the Council. He then suggested that language to be more precise to make clear that such conditions are firm. He also suggested that if development on a property could take longer, the city should be able to consider that when setting the purchase price.

Councilor Bartley suggested that anyone who understands reverter law should go to Law School, noting it was the most difficult part of attending Law School for him. He then emphasized that in talking about the City Council being able to take a vote, it was about having a balance between the executive and legislative branches of the city government. He then questioned the Law Department's unrequested opinion citing legal findings and claiming that the mayor had unchecked authority to make these changes.

Councilor McGiverin noted that reverter clauses could be tricky. He then emphasized that while some language was standard, reverters clauses were about use. He then stated that the City Council was not the one to add the clauses but was the body to vote on selling properties. He further stated that the reverters were to ensure that when the buyer agrees to do something with a property within a certain amount of time, that it takes place. He noted that it can sometimes be tricky when it relies on a purchaser getting financing in place.
---> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order With Community support, Order to increase trash can minimum to 50 gallons for municipal pickup service, as our DPW accommodates piles of trash bags en lieu of required current 35 gallon size. This in an effort to increase can use participation in order to mitigate the health hazards of torn and rummaged through piled bags for pickup.

Have considered the same and Recommended that the order be given a leave to withdraw.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that the order was no longer needed because of the move to the 96 gallons.
---> Report of Committee received and recommendation Adopted.

(2:58:20)

The Committee on Finance to whom was referred an order in accordance with M.G.L. Chapter 44 s.53A, the City Council hereby accepts the donation of a new vehicle for the Council on Aging, valued at approximately $45,000, from The Friends of the Holyoke Council on Aging, and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of said donation and further authorizes the use of said proceeds in accordance with the wishes of the donor.

have considered the same and Recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the vehicle was needed for transportation purposes to get elderly residents to the Council on Aging and other provided transportation services. He noted that anything donated to the city had to go through the City Council.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).
Approved by the Mayor.

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “2023 COMMUNITY PLANNING GRANT, $200,000, NO MATCH” grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

have considered the same and Recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that grant was coming from the Mass Gaming Commission, which was the mitigation funding as a result of the casino in Springfield. He then explained that the grant would cover the cost of a sign inventory on the major ways in the city. He added that there would eventually be more uniform signs helping people get around the city.
Approved by the Mayor.

Councilor Tallman stated that this was a good idea to help people get to special places around the city.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “FY2024 MUNICIPAL ROAD SAFETY PROGRAM, $39,880, NO MATCH” grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

have considered the same and Recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that this was coming from the Office of Executive Public Safety and Security as a reoccurring grant to be used for extra traffic patrols. He also stated that part of it would be used to buy 8 portable handheld breathalyzers. He noted that the Chief clarified that not everyone patrol car currently had one.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).
Approved by the Mayor.

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “PARTNERS FOR A HEALTHIER COMMUNITY DBA PUBLIC HEALTH INSTITUTE OF WESTERN MA (PHC/PHIWM), $10,000, NO MATCH” grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

have considered the same and Recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that Kely Current from the Personnel Department explained that the grant would allow Diversity, Equity, and Exclusion training in the city, including the purchase of

materials.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).
Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, FIFTY THOUSAND AND 00/100 Dollars ($50,000) as follows:
FROM:
12101-51117 E911 DISPATCHERS $50,000
TOTAL: $50,000
TO:
12102-54221 SUPPLIES – AMMUNITION $50,000
TOTAL: $50,000

have considered the same and Recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the Police Chief explained that the surplus was due to vacancies in the position earlier in the year. He added that the transfer was to cover cost of ammunition with new officers in the department who needed to be training on use of firearms.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).
Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, ONE HUNDRED SIXTY FOUR THOUSAND SIX HUNDRED NINETY FIVE AND 27/100 Dollars ($164,695.27) as follows:
FROM:
8811-10400 CAPITAL STABILIZATION $164,695.27
TOTAL: $164,695.27
TO:
16503-58000 PARKS-CAPITAL OUTLAY EQUIPMENT $164,695.27
TOTAL: $164,695.27

have considered the same and Recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the transfer was to buy a replacement lawnmower for the department used for all the fields, including parks and other land owned by the city. He noted that the previous lawnmower had an obsolete part that they could not repair or replace.

Councilor Bartley noted how great the fields around the city looked. He emphasized that outsiders had remarked to him how many parks the city had.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays-- Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).
Approved by the Mayor.

The Committee on Finance to whom was referred an order to use $3,180,000 (3 million one hundred eighty thousand and 00/100 dollars) of the ARPA revenue loss as a funding source to the FY2024 budget.

have considered the same and Recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the request was for accounting that needed to be done prior to setting the tax rate. He emphasized that mayors could do whatever they wanted with ARPA funding, although there was some accountability that needed to be done afterwards.

Councilor Bartley recalled that the city used to get a lot of equipment from Westover, often donated to the city.

Councilor McGiverin recalled that the city used to get plows that had previously been used to plow the runways.

Councilor Bartley recalled that there was a lead machine.

Councilor Tallman recalled clearing snow for the parade with one of those machines. He suggested contacting them to see if they would still do that to save some money.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).
Approved by the Mayor.

Motion was made and seconded to remove an order from the Finance Committee.

Councilor McGiverin stated that this got missed on the agenda because it was added to the Finance agenda at the last minute last week and just got missed in being added to the committee reports.

Councilor Jourdain asked to clarify what order this was.

President McGee clarified that it was the order about the costs of street sweeping.

The Committee on Finance to whom was referred an order that Veolia provides the estimated cost for street sweeping for the next fiscal year for the purpose of decreasing the sewer rate required for the sewer enterprise fund. This is a citywide service that is properly paid from the general fund. A written response is acceptable.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the Council had been waiting some time for this information. He then explained that it was their cost for the street sweeping and other items that has been argued should not be a part of their budget but a part of the city budget, and the impact it would have on the sewer rate.

Councilor Vacon stated that the cost of this portion of the contract equated to around 50 cents on the sewer rate and taking it out would mean the current sewer rate was in good shape.
---> Report of Committee received and recommendation Adopted.

(3:15:15)

Motion was made and seconded to suspend the necessary rules to take up items 20C, 20E, 20G, and 20I as a package.

The Committee on Public Safety to whom was referred an order that city council invite representatives of the Sheriff department into public safety to present recidivism and release data specifically to Holyoke.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that the Board of Health, Police, or appropriate department let us know the process of addressing noise complaints, particularly when it comes to businesses operating their heavy machinery and making lots of noise as early as 5:30 am. The residents of Ward 1 say they have submitted complaints and nothing has been done to remedy the situation.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

UNDER DISCUSSION:
Councilor Rivera_I stated that the Board of Health and the Police Department were in to talk about addressing noise complaints. He then explained that the police had a tool to measure sound, but that they may not use it when they show up to address complaints. He noted that he filed an order to put into ordinance that a reading be done before a ticket is written to ensure the violation can be proven in court if someone fights it. He further explained that when complaints come in, the Board of Health fields the calls and would then send out a code enforcement officer if it's during office hours. He added that many of the calls go to the Police Department because people will call them directly, usually resulted in them going out an asking them to turn it down or writing a citation if it's been a repeated issue.
---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that the Holyoke Hub come into public safety and present and updates they may have on the work they have been doing since the Hubs inception.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

UNDER DISCUSSION:
Councilor Rivera_I stated that the Holyoke Hub was a collaboration between Ed Caisse at the Sheriff's Department as well as over 30 nonprofits agencies and service providers. He then explained that the intent was to service community members not receiving services, where situations were brought up in meetings, rated on acute risk of reoffending, and people could be partnered with the agencies to help them move forward productively. He also noted that grant funding helped to make sure that there was no cost to the people being referred. He also emphasized that this was about taking a holistic approach to addressing situations, with arrest being the last resort they want to take.
---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that the mayor, public health department, and sheriff department, veteran services department come into public safety to converse about the possibility of developing a Returning Citizens department under the public health.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

UNDER DISCUSSION:
Councilor Rivera_I stated that Sally Johnson from the Sheriff's Department provided a detailed presentation on incarceration figures in Holyoke, including recent and expected release figures. He then explained that a lot of the services that could be provided by a Returning Citizens office could help mitigate vagrancy and homelessness issues. He added that it would be a cheap cost to the city as many of the services were already being provided in different circles. He added that the All Inclusive Support Services through the Sheriff's Department had case workers assigned to Holyoke, which was not just about servicing ex-felons but anyone coming back to Holyoke, including from active duty, mental health facilities, or substance abuse facilities. He

added that the intent was to provide stability, workforce development, financial literacy, and helping people progress. He suggested that some of the opioid settlement funding could be used for some of this.
---> Report of Committee received and recommendation Adopted.

ORDERS AND TRANSFERS

(27:30)

PUELLO — That the board of health / health Commission please be invited to attend to discuss if changes are possible to the changes to the Tobacco license issuance policy that supports common sense economic growth on a case by case basis and also protects public health. That they also please discuss syringe access and whether common sense changes can be made. Ex: 1 for 1 exchange
---> Received and referred to the Public Safety Committee.

VACON — That we amend our charter and ordinances to change from an elected Mayor to a City Manager/Chief Administrative Financial Officer, appointed by the City Council.
---> Received and referred to the Charter and Rules Committee.

ANDERSON-BURGOS — Order that Dillon Ave be added to the list of streets that need to be repaved. Adopt and send to DPW.
---> Received and Adopted. Copy to DPW.

GIVNER — Ordered, that a streetlight be installed on the north side of Locust at the intersection with Appleton. At night, the intersection is very dark and drivers cannot see pedestrians crossing the street.

Councilor Bartley noted that the HG&E could be contacted directly.
---> Received and Adopted. Copy to HG&E. Copy to DPW, Mayor.

MCGEE — Ordered, that all ordinance/charter references to an Assistant Superintendent of Public Works be updated to Assistant Director of Public Works.
---> Received and referred to the Ordinance Committee.

Motion was made and seconded to suspend the necessary rules to take up items 31, 32, and 34 as a package.

MCGIVERIN — that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “FY2024 EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, $49,920, NO MATCH ” grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 5, 2023.

Joshua A Garcia, Mayor

---> Received and referred to the Finance Committee.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, FIVE THOUSAND AND 00/100 Dollars ($5,000) as follows:
FROM:
11611-51210 ELECTIONS OFFICERS $5,000
TOTAL: $5,000
TO:
11612-52700 EQUIPMENT/BUILDING RENTALS $5,000
TOTAL: $5,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 5, 2023.

Joshua A Garcia, Mayor

---> Received and referred to the Finance Committee.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY THOUSAND TWO HUNDRED FORTY AND 00/100 Dollars ($30,240) as follows:
FROM:
8811-10400 CAPITAL STABILIZATION $30,240
TOTAL: $30,240
TO:
16933-58001 WAR MEMORIAL-OUTLAY-BLDG IMPROVE $30,240
TOTAL: $30,240

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 5, 2023.

Joshua A Garcia, Mayor

---> Received and referred to the Finance Committee.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY EIGHT THOUSAND SEVEN HUNDRED FORTY NINE AND 83/100 Dollars

($28,749.83) as follows:
FROM:
12101-51105 SERGEANTS $12,591.80
12101-51107 PATROLMEN 16,158.03
TOTAL: $28,749.83
TO:
12101-51180 INJURED ON DUTY $28,749.83
TOTAL: $28,749.83

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 5, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:
President McGee stated that this transfer covered 12 employees.

Councilor McGiverin stated that this was an accounting move from payroll to injured on duty for the purposes of tracking.
---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).
Approved by the Mayor.

MURPHY-ROMBOLETTI , Jourdain, Rivera_I — Ordered that the position of Crime Analyst be created and added to Ordinance Schedule A.

Councilor Jourdain asked to be added to the order.

Councilor Rivera_I asked to be added to the order.
---> Received and referred to the Ordinance Committee.

MURPHY-ROMBOLETTI — An order to declare Parcel Holyoke Assessors Map 212, Block 00, Parcel 001, Easthampton Road, Holyoke, MA as surplus property and sell to the Massachusetts Department of Fish and Game with
an address of 100 Cambridge Street, Suite 620, Boston, MA 02114 for $270,000.00.
---> Received and referred to the Development and Governmental Relations Committee.

LATE FILED ORDERS AND COMMUNICATIONS

(3:32:10)

RIVERA_I — Order that the city council review noise ordinance and require a decibel meter reading before a ticket can be submitted or for music to be asked to be turned down. It is my understanding that the department has the necessary devices to measure readings and we want to be sure that they are being utilized in case citations are challenged in court.
---> Received and referred to the Ordinance Committee.

RIVERA_I — Order that the city forester cutback or trims trees on Main st. beginning at the Cabot St. intersection and ending at the Jackson St. intersection.

Councilor Rivera_I stated that while he had spoken with the DPW, he was continuing to receive complaints from businesses on Main Street about branches protruding into their roofs and potentially being a hazard to their windows.

Councilor Jourdain noted that this was happening in a number of places in South Holyoke.

Motion was made and seconded to take final action.

Councilor Jourdain noted that in many places, branches were blocking peoples' windows in multiple apartment blocks in that area of the city.

Councilor Anderson-Burgos noted that if branches were reaching your window, you won't get fined for cutting it yourself.

Councilor Rivera_I stated that this was true if it was your house and your neighbor's tree grew into your property. He added that if it was a city tree growing into your house, he was not sure that was true.

Councilor Anderson-Burgos stated that he believed you could.

President McGee stated that forestry could take care of it.
---> Received and Adopted. Copy to Forester.

RIVERA_I — Order that the city work on contracting with a consultant in order to move forward with vital traffic orders as well as others that are being held up due to the absence of a city engineer.

Councilor Jourdain stated that he believed this was already done through the hiring of an engineering consulting service in the absence of a City Engineer.

Councilor Rivera_I expressed his understanding that they were only doing day to day stuff and not necessarily a lot of the larger traffic orders that were being put on hold.

President McGee stated that was correct.

Councilor Rivera_I stated that the city should not be put on hold to wait for an engineer, emphasizing that it was a vital position.

Councilor Jourdain suggested trying to get them for more hours.

Motion was made and seconded to take final action.
---> Received and Adopted. Copy to DPW, Mayor.

RIVERA_I — Order that the police department present an update on the goals or steps taken to address some of the concerns raised out of the MRI audit.
---> Received and referred to the Public Safety Committee.

TALLMAN — Ordered, that Sean Sheedy from DPW review maintenance issues/needs at the Senior Center.
---> Received and referred to the Public Safety Committee. Copy to DPW.

Adjourned at 10:49 PM

SPECIAL MEETING OF THE CITY COUNCIL

December 14, 2023

The meeting was called to order by Acting President McGiverin 6:09 PM.

Motion was made and seconded to take a roll call vote that for the purposes of this meeting would be applicable to all motions to remove items from the table, place items on the table, package items together, or suspend the rules, unless there is an objection.

Acting President Acting President McGiverin called the roll. Absent members: 0 Present Members in person 8 (Bartley, Jourdain, McGiverin, Murphy-Romboletti, Puello, Rivera_J, Tallman, Vacon). Present Members on Zoom 5 (Anderson-Burgos, Givner, Maldonado Velez, McGee, Rivera_I).

The Pledge of Allegiance was recited.

Motion was made and seconded to remove item 1 from the table.

The Committee on Finance to whom was referred an order that the City Council subsidize the revenue of the sewer budget from the tax levy in FY2024 by $1,039,680 (one million thirty nine thousand six hundred eighty dollars and 00/100) and remainder funded by sewer receipts.

Have considered the same and Recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Acting President McGiverin stated that DLS and the outside auditor identified this as a needed subsidy to support the enterprise fund budget for fiscal year 2024. He added that if the city failed to vote on this, DLS would not allow the city's tax rate to go forward.

Councilor Jourdain stated that he was in favor of this as the right thing to do. He then stated that while the mayor's letter had a lot of correct points, he questioned the narrative that the sewer fund was radically underfunded and the taxpayers were subsidizing the ratepayers. He then explained that with regard to street sweeping, everyone should agree that it had nothing to do with sewer operations. He then emphasized that $600,000 in annual expenses had been put into the sewer fund, artificially causing it to be in a deficit. He then suggested that if those funds were put into the DPW budget, the $1 million appropriation needed this year would be $600,000 less. He further suggested that over the past ten years, that would have meant an extra $6 million in the sewer fund. He suggested that it was actually the ratepayers subsidizing the taxpayers just on this item alone. He added that the other reason this was short was because they were not collecting all bills, noting that 10% of the people were not paying their bills, adding up to over $700,000 a year. He then stated increasing that to 97% would bring in another $500,000 a year. He then questioned having the 90% who pay their bills make of that difference. He also noted that expenses from private capitalization were buried into this bill from years ago. He further stated that a one time fix of $750,000 was not a reoccurring expense and should need to be in the budget estimate. He also emphasized many other expenses such as culvert repair had nothing to do with sewer operations and should be pulled out. He suggested that when new bonding began to be taken on, there may be a need for an eventual sewer rate increase, but not now. He also noted that this figure was based on an estimate, adding that it was only halfway through the current fiscal year.

Councilor Vacon stated that it was good to finally get figured on street sweeping that the Council had been seeking for months.

Councilor Bartley stated that the only reason there was 90% collections was due to the Council passing an ordinance to pressure homeowners and commercial owners to pay their bill or their water would be shut off. He recalled that it had been controversial at the time. He then questioned the implication by some that $20 here or $40 there wasn't a big deal, adding that willful ignorance was not helpful to the city. He also emphasized that there was a recent commercial payment of $345,000 that the Council would not have been informed about if not for Councilor Jourdain asking about it. He also noted that the two brand new councilors joining in the next term had been attending meetings and coming in with some knowledge. He then expressed frustration that the previous Council had not done the same.

Councilor Rivera_I emphasized that he had only been on the Council for two years and much of what the city was facing had been going on for much longer than that. He then noted that with regard to collection rates, he's had many constituents call him with complaints that their water had been cut off when they had paid their bills. He questioned how those constituents were being served when the poorest in the community pay their rent but don't directly pay into the sewage because they don't own the property. He then suggested that the city needed to do things in a preventative way instead of in a reactionary way. He emphasized that the sewer issue was going on for decades and was now being addressed because there was now a mayor working in collaboration with the Council. He then questioned how some councilors can say they want lower taxes while advocating for more trash barrels that would cost the city more money.

Councilor Givner noted that $100,000 had just been appropriated for a study of this which was to be completed in May of 2024. She then suggested that the willful ignorance comment was inappropriate. She then questioned the implication that these issues were the fault of the last two years of councilors when the city was in year 18 of a 20 year contract.

Acting President McGiverin noted that incoming councilor-elect, Meg Magrath-Smith, was in chambers.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.
Approved by the Mayor.

(21:50)

MCGEE, MCGIVERIN — Order that the City Council vote to set a MRF for (FY24) tax classification.

Acting President McGiverin noted that tax classification allowed communities in Massachusetts to shift a single tax rate from residential to commercial and vice versa. He then explained that it was a majority vote of the City Council. He further explained that each round of voting would have 3 motions, with the last motion being voted on first according to parliamentary procedure.

Councilor Tallman made a motion to set the CIP shift to 1.6970, which would provide a residential rate of $18.91 and a commercial rate of $40.37. Motion failed for lack of a second.

Councilor Givner made a motion to set the CIP shift to 1.6790, which would provide a residential rate of $19.04 and a commercial rate of $39.95. Councilor Murphy-Romboletti seconded the motion.

Councilor Jourdain a motion to set the CIP shift to 1.7000, which would provide a residential rate of $18.89 and a commercial rate of $40.45. Councilor Vacon seconded the motion.

Councilor Bartley a motion to set the CIP shift to 1.6990, which would provide a residential rate of $18.90 and a commercial rate of $40.42. Councilor Vacon seconded the motion.

Councilor Jourdain stated that most rates would be going up on both, no matter what the Council does. He then explained that in looking at overall valuations, everything went up roughly the same between commercial and residential. He then suggested that the community's problem was that the city was wildly higher than surrounding cities when considering the competitiveness of the city, all 25-30% less than Holyoke. He also noted that the city's levy was massively less than those communities. He added that many of them were spending much less of many of their city departments, allowing them to put more into savings. He also emphasized that those cities were also putting free cash onto their tax levies while Holyoke did not have that as an option because free cash was not yet certified. He then explained that his proposed rate was about splitting the burden between residential and commercial taxpayers. He also stated that he could not support the mayor's request that the commercial be kept below $40, noting that it did not really make a difference when surrounding communities were several dollars below that. He also emphasized that the residential rate very uncompetitive compared to other communities, many that were much more affluent than Holyoke. He further emphasized that residential tax bills would be increasing an average of over $200 due to values also increasing.

He noted that Boston was the only other city in Massachusetts where values and rates were both going up.

Councilor Rivera_I stated that it was not fair to compare when the city was facing a lot more issues than other communities. He added that the values of the homes in those other communities was much higher, making it easier for them to keep their rates down. He then emphasized that he was not seeking an extreme increase to the residential rate, noting that he pays taxes and would hurt him too. He then stated that while keeping the commercial rate under $40 may just be a matter or pennies, it was about striving for a larger goal and thinking about the future.

Councilor Givner stated that the city was not the same as its neighbors and should not be compared to them. She then suggested that she did not hear about a lot of people moving for tax rates but were more focused on homes or communities that were appealing. She then suggested that businesses may move for tax rates. She then stated that with the loss of tax revenue from the mall, the city needed to do more to attract other businesses, many of which may open downtown.

Councilor Vacon emphasized that the majority of the Council tried to give an opportunity to citizens to vote a tax decrease which would have lowered the commercial rate below $40, but it was blocked by the mayor. She noted that most of the people arguing for a lower business rate now had voted against that ballot question to lower a tax surcharge. She then expressed a hope that the Council in the next year would keep their promise by putting that question on the ballot.

Councilor Bartley offered a summary of the points made by Councilor Givner and Councilor Rivera_I by stating their intent was to raise the rate for residential taxpayers and lower it for commercial. He then noted that the Zoning Board of Appeals would be voting the following night on whether to allow an investment on Whiting Farms Road which had been denied by the inspector in the Building Commission. He emphasized that this would help expand the tax base. He then advocated for a balanced approach, emphasizing that the current commercial rate was not keeping people from coming to the city and investing in development.

Councilor Jourdain stated that the conversation needed to start with a budget that needed a lot of work. He noted that the city was loving off of ARPA money, emphasizing the difficult budget conversations there would have been without it. He then questioned how some who characterize their service as progressive were advocating for trickle-down economics. He suggested that there was 30 years of evidence that it did not work. He then stated that when people look to buy a home in Holyoke, the city would be competing against surrounding cities. He suggested that it wouldn't be fair to shift it all one direction either way. He also stated that the state needed to invest more into communities where the need for resources was even greater, emphasizing that they record coffers of sales taxes and state income taxes.

Motion was made and seconded to suspend the necessary rules to allow the chair to enter into debate.

Acting President McGiverin suggested that property taxes were the most unfair way to force communities to pay for services to residents, a scheme that was dictated by the Commonwealth of Massachusetts. He then pointed out that if he were to move to a city like Agawam, his rate may go down, but his assessed value would increase as well as his property tax bill. He added that it was true that rates and values both went up in some communities. He then suggested that it was near impossible to make it completely fair to everyone. He then explained that when considering his vote on the tax rate, he believed it was important to look at new construction. He then stated that the city needed to find ways to attract new businesses, emphasizing that Holyoke was an industrial city. He also noted that there while the city was land-poor, there was potential to rehab, some new commercial construction, and to make that part of the community healthy again. He added that he was focused on a commercial rate that would promote new business and keep existing business in the city.

---> Motion to set the CIP shift to 1.6990 was received and denied on a call of the roll of the yeas and nays--Yeas 6 (Bartley, Jourdain, McGee, Puello, Tallman, Vacon)--Nays 6 (Anderson-Burgos, Givner, Maldonado Velez, McGiverin, Murphy-Romboletti, Rivera_J)--Absent 1 (Rivera_I).

Councilor Jourdain noted that this was a difference of pennies from the previous proposal and asked that anyone who voted yes before would vote yes on the next one. He also asked anyone else to reconsider and avoid loading it all on the residents with the option after this one.

---> Motion to set the CIP shift to 1.7000 was received and denied on a call of the roll of the yeas and nays--Yeas 5 (Bartley, Jourdain, Puello, Tallman, Vacon)--Nays 7-- Absent 1 (Rivera_I).

Councilor Jourdain asked to clarify that it this was defeated, there would potentially be other options.

Acting President McGiverin stated that was correct. He added that another 3 amendments could be taken up in order after this.

---> Motion to set the CIP shift to 1.6790 was received and denied on a call of the roll of the yeas and nays--Yeas 5 (Anderson-Burgos, Givner, McGiverin, Murphy-Romboletti, Rivera_J)--Nays 7-- Absent 1 (Rivera_I).

Councilor Tallman made a motion to set the CIP shift to 1.6940, which would provide a residential rate of $18.93 and a commercial rate of $40.30. Councilor Jourdain seconded the motion.

Councilor Vacon made a motion to set the CIP shift to 1.6960, which would provide a residential rate of $18.92 and a commercial rate of $40.35. Councilor Bartley seconded the motion.

Councilor Anderson-Burgos made a motion to set the CIP shift to 1.6820, which would provide a residential rate of $19.01 and a commercial rate of $40.02. Councilor Rivera_J seconded the motion.

Councilor Jourdain asked that one of the more middle of the road options be approved.

Councilor Vacon urged colleagues to consider the need to share the burden relative to the size of the budget and the issues the city was dealing with.

---> Motion to set the CIP shift to 1.6820 was received and denied on a call of the roll of the yeas and nays--Yeas 5 (Anderson-Burgos, Maldonado Velez, McGiverin, Murphy-Romboletti, Rivera_J)--Nays 7-- Absent 1 (Rivera_I).

---> Motion to set the CIP shift to 1.6960 was received and denied on a call of the roll of the yeas and nays--Yeas 6 (Bartley, Jourdain, McGee, Puello, Tallman, Vacon)--Nays 6 (Anderson-Burgos, Givner, Maldonado Velez, McGiverin, Murphy-Romboletti, Rivera_J)-- Absent 1 (Rivera_I).

Councilor Jourdain stated that he did not want to vote for this but would as a compromise.

Councilor Tallman stated that he believed this was fair, a little more than he would like for residential but would provide a fair rate for businesses.

Councilor Bartley stated that he would support this, noting that his preference would have been for 1.7. He then stated that this while this was $18.92, rates had often gone down a few cents in the past from the vote. He then clarified that in regard to his earlier point on the investment on Whiting Farms Road, if that did pass the ZBA, it would be a $1 million investment in a building that was assessed for $300,000 which would be new growth. He also emphasized that new growth had also come in at the old Geriatric Authority as well as Mira Vista located at the old Providence Hospital. He emphasized that the Council had repeatedly pushed for new housing development at the property at St Vincent without any updates from OPED.

Councilor Vacon noted that while she did not like this residential rate, she would support it in the spirit of compromise.

---> Motion to set the CIP shift to 1.6940 was received and denied on a call of the roll of the yeas and nays-- Yeas 6 (Bartley, Jourdain, McGee, Puello, Tallman, Vacon)--Nays 6 (Anderson-Burgos, Givner, Maldonado Velez, McGiverin, Murphy-Romboletti , Rivera_J)-- Absent 1 (Rivera_I).

Councilor Jourdain made a motion to set the CIP shift to 1.6920, which would provide a residential rate of $18.94 and a commercial rate of $40.26. Councilor Tallman seconded the motion.

Councilor Bartley made a motion to set the CIP shift to 1.6930, which would provide a residential rate of $18.94 and a commercial rate of $40.28. Councilor Vacon seconded the motion.

Councilor Murphy-Romboletti made a motion to set the CIP shift to 1.6850, which would provide a residential rate of $18.99 and a commercial rate of $40.09. Councilor Rivera_J seconded the motion.

Councilor Tallman noted that on some of the shifts, the residential was the same while the commercial changed a few cents. He then asked if that was an error.

Councilor Jourdain suggested that it was probably a rounding out.

Acting President McGiverin stated that the scale could be broadened or narrowed more. He then observed that this was one of the larger scales he had seen. He then relayed an update from Admin Asst Councilor Anderson-Burgos that the Assessors had had shifts in tenths instead of quarters.

---> Motion to set the CIP shift to 1.6850 was received and denied on a call of the roll of the yeas and nays--Yeas 6 (Anderson-Burgos, Givner, Maldonado Velez, McGiverin, Murphy-Romboletti, Rivera_J)--Nays 6 (Bartley, Jourdain, McGee, Puello, Tallman, Vacon)--Absent 1 (Rivera_I).

---> Motion to set the CIP shift to 1.6930 was received and denied on a call of the roll of the yeas and nays--Yeas 6 (Bartley, Jourdain, McGee, Puello, Tallman, Vacon)--Nays 6 (Anderson-Burgos, Givner, Maldonado Velez, McGiverin, Murphy-Romboletti, Rivera_J) --Absent 1 (Rivera_I).

---> Motion to set the CIP shift to 1.6920 was received and adopted on a call of the roll of the yeas and nays--Yeas 10--Nays 2 (Givner, Maldonado Velez)--Absent 1 (Rivera_I).

Councilor Bartley asked if something had to be signed.

Acting President McGiverin stated that something on the state level changed and therefore nothing had to be signed, adding that the vote would be given to the state for certification.

Adjourned at 7:28 PM.

REGULAR MEETING OF THE CITY COUNCIL

December 19, 2023

The meeting was called to order by President McGee at 7:05 PM

The Clerk called the roll. Absent members: 0 Present Members in person 11 (Anderson-Burgos, Bartley, Givner, Jourdain, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman, Vacon). Present Members on Zoom 2 (Maldonado Velez, Rivera_J)

The Pledge of Allegiance was recited.

Motion was made and seconded to take a roll call vote that for the purposes of this meeting would be applicable to all motions to remove items from the table, place items on the table, package items together, or suspend the rules, unless there is an objection.

The name of was Councilor Vacon pulled to head the roll call voting.

President McGee invited several special guests into the chambers.

Councilor McGiverin was asked to step up to the podium.

Kelly Councilor McGiverin, Councilor McGiverin's youngest daughter introduced herself, as well as her sister, Brenda, their mother, Jennie, as well as their other sister, Pauline who was on Zoom. She then stated that it was a special night for their family, marking the end of an era. She then explained that Councilor McGiverin had served as a trusted voice for the city for 44 years. She also thanked President McGee, Councilor Tallman, and Councilor Maldonado Velez for their years of service and dedication to the city. She then noted that her and her siblings grew up watching him on TV at meetings, and would often reenact meetings at home, marching with him in the parade, fighting over who would make the best campaign manager, and being a part of the Councilor McGiverin heritage. She then emphasized that the experience would be a part of who they were for the rest of their lives.

B. Councilor McGiverin stated that the night marked an historic moment in the city's history, an end of an amazing era of their father's longtime commitment to the citizens of Holyoke. She emphasized that the people of the city had trusted his reason, experience, and judgment for the past 44 years, in good times and challenging times. She also emphasized that not many could say that their neighbors and fellow residents to do this job. She also stated that during that time, he always grew and expanded his knowledge to make decisions for the city's future. She then joked that their pets were looking forward to spending more time with him. She, Kelly, and Jennie then presented Councilor McGiverin with a framed picture of City Hall.

Councilor McGiverin stated that while Springfield liked to call themselves the City of Homes, Holyoke should be known as the City of Family. He added that everyone in the room understood that in their heart. He then noted that while the hours could sometimes be long, the issues were important. He then emphasized that government was not just about elected officials but about the department heads, including the Police and Fire Department chiefs, the DPW Director, Treasurer, City Clerk, the people who work in the trenches to make government work. He added that it was about the people in the city. He also suggested that it was the most wonderful city in the world to raise a family. He then expressed pride in his daughters for their work in the community, giving back through their involvement in various local organizations even while holding demanding jobs. He then wished the best to everyone serving on the Council going forward.

Motion was made and seconded to suspend the necessary rules to take up Late File E out of order.

MCGEE, JOURDAIN — Ordered, that the section of Appleton in front of the YMCA be named “Joe Councilor McGiverin Way.”

Motion was made and seconded to take final action.
---> Received and Adopted.

Motion was made and seconded to suspend the necessary rules to take up public comment out of order.

PUBLIC COMMENT

(11:00)

Anne Thalheimer, 97 Brown Ave, Apt 2L., stated that while she usually comes in to complain about something - and there was plenty to complain about with some members behaving badly in public forums - she was there to thank the Charter and Rules Committee for proposing short meeting rules as well as to thank Councilor Maldonado Velez for his work. She then observed that he had been an inspiration through things he had done to revise process, make government more equitable, and to bring a human compassionate face to the work. She then expressed disappointment that he would not be continuing to work on the Council but was excited to see the other work he would do in the city. She also expressed support for the items he had filed on this agenda to be taken up by the next Council. She then observed that he had a compassionate approach and carefully considered things whether you agreed with him or not. She suggested that everyone on the Council should follow that model.

Ryan Allen, 84 Meadowbrook Rd, thanked the members of the body for their work for the city. He then noted that as a former Council appointee, he understood how difficult and taxing it could be. He then particularly thanked outgoing councilors, Tallman, McGee, and McGiverin, emphasizing that their work was deeply appreciated by the city. He added that their tenures were distinguished not just for their terms but with the way they served with humility, compassion, empathy, and respect. He also stated that they should feel proud for the way they represented their families and their community and had immeasurable impact on the city. He also quipped that he'd be happy to help in the disaster cleanup of cleaning out Councilor McGiverin's locker.

Nathan Chung, 9 Prue Ave, Apt 4A, offered thanks to outgoing councilors retiring, noting that Councilor Maldonado Velez often brought civil behavior and a different perspective as a minority/majority person. He then suggested that public forums with the City Council often did not feel safe from over the line criticism and emotional outbursts. He then suggested that if people were to feel hopeful about Holyoke, and bring in more investment and people who want to work for the city, the culture needed to change. He recognized that while people may have their personal struggles that impact the way they behave, there needed to be some self-reflection. He then expressed hope that it gets better in the next year. He noted that some changes had been proposed to make meetings more equitable, start earlier, and avoid going too long. He suggested that the interest of a more inclusive Council required not making the burdens for participation too high. He suggested that the way it was structured favored those who had a lot of time or were financially better off.

Linda Pratt, 39 St. Kolbe Dr, Apt C, offered thanks to the long serving councilors retiring from the Council. She then offered thanks to Councilor Maldonado Velez for his courage in talking openly about his own experiences growing up in Holyoke, as well as for his honesty and his hard work over the last 2 years on City Council. She also offered thanks for his decorum and respect for others.

Patti Devine, 58 Magnolia Ave, offered thanks to Councilor Maldonado Velez for his service, recognizing how hard he worked. She then offered thanks to Councilor McGiverin, Councilor Tallman, and President McGee. She then stated that she worked with Councilor McGiverin and Councilor Tallman when it was the Board of Alderman, noting that they on the Board when it was changed to City Council. She then thanked President McGee for his friendship and his service on the City Council. She then stated that as she was about to begin serving on the City Council again, she questioned where the sentiment, "Makers of Law, Makers of History" had gone, asking why were they no longer important to some councilors. She suggested that some councilors no longer respected those words but instead were makers of interrogation of city employees, particularly the women in the Law Department. She then questioned how the Council could allow one of its members to accuse that department of engaging in backdoor deals and using a series of disparaging words and terms against them. She also questioned allowing a councilor to disparage others on or joining the Council. She then stated that the Council needed to rise above pettiness.

Lisa Ball, City Solicitor, along with several other department heads, entered chambers. She then stated that they were there on behalf of city employees to pay tribute to three city councilors who were attending their last meeting. She noted that they collectively had served over 80 years to the city. She also emphasized that enough could not be said about them in terms of what they had done and their dedication to the city. She added that she found each of them to be the definition of a gentleman, showing respect, courtesy, and kindness. She added that Councilor McGiverin, Councilor Tallman, and President McGee had big shoes that could not be filled and that they would be missed. She also thanked their families for sharing them with the city. She then presented to each of them framed pictures of City Hall that had been signed by several city employees.

President McGee offered thanks for service to Councilor Puello, also leaving the Council after this term.

LAID ON THE TABLE

(28:30)

The Committee on Ordinance to whom was referred an order that Ordinance 2-421 be amended to include all public hearings so that the public has an opportunity to truly participate in their government and to advance transparency. Recommended that the order be adopted.

UNDER DISCUSSION:
Councilor Vacon stated that legal form was provided to everyone, noting that a technical question on the legal form had been straightened out. She then explained that this was about making sure all public meetings were after 5 p.m. or later for public access. She noted that language was also added to accept email communications.
---> Report of Committee received and the Ordinance passed its first reading.
The Ordinance passed its second reading.
The Ordinance was passed to be enrolled.
The Committee has considered the same and find that it is truly and properly enrolled.
Report of Enrollment received.
The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.
Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to remove items 1 and 2 from the table as a package.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, SIX THOUSAND AND 00/100 Dollars ($6,000.00) as follows:
FROM:
12101-51117 E911 DISPATCHERS $6,000.00
TOTAL: $6,000.00
TO:
12101-51910 STIPENDS $6,000.00
TOTAL: $6,000.00 Recommended that the order be adopted.

UNDER DISCUSSION:
Councilor McGiverin stated that he had learned the union was not in agreement with the way the proposal was packaged. He added that there would be some additional negotiations.
---> Report of Committee received and returned to the Auditor.

The Committee on Finance to whom was referred an order that there be and is hereby raised and appropriated in the fiscal year 2024, ONE MILLION AND 00/100 Dollars ($1,000,000) as follows:
FROM:
XXX-XXX 2024 TAX LEVY $1,000,000
TOTAL: $1,000,000
TO:
12992-57806 SPECIAL ARTICLE-EZEKIEL'S PLAN $1,000,000
TOTAL: $1,000,000

UNDER DISCUSSION:
Councilor McGiverin stated that after a lot of discussion about this plan, the mayor was not going to move forward with this order. He added that something new could be presented to the next City Council.
---> Report of Committee received and returned to the Auditor.

COMMUNICATIONS

(31:50)

From Mayor Joshua A. Garcia letter appointing Ms. Zaisha Robert, 267 Walnut St. to serve as a member of the Historical Commission for the City of Holyoke; Ms. Robert will replace Luis Salazar and will serve a three year term; said term will expire on December 1, 2026.
---> Received and referred to the Public Service Committee.

From Mayor Joshua A. Garcia, letter appointing Ms. Patricia Normand, 36 Pleasant St. to serve as a member of the Conservation Commission for the City of Holyoke: Ms. Normand will replace Ms. Chelsea Gazillo and will serve Ms. Gazillo's remainder term; said term will expire on February 1, 2025.
---> Received and referred to the Public Service Committee.

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Ass't to City Council minutes of November 21, 2023.
---> Received and Adopted.

From Office of Planning & Economic Development letter re: Amendment to the Special Tax Assessment Agreement between the City of Holyoke and Jackson Canal LLC.
---> Received and referred to the Development and Governmental Relations Committee.

Communication from Anthony Dulude, Executive Director, Holyoke Retirement Board, letter re: Amendment to Municipal Ordinance 2-421 – Time for Holding Meetings.
---> Received.

PRESIDENTS REPORTS

(32:45)

President McGee stated that there were plenty of snacks available brought in by various people. He then stated that the City Council party would take place on January 6th at Donovan's.

Councilor Anderson-Burgos noted that the Grand Colleen Pageant was the same day.

Councilor McGiverin clarified that it was the initial contest for contestants that wanted to get into the final five, but not the actual Grand Colleen Ball.

Councilor Rivera_I stated that the Three Kings event would be held on January 6th with Nueva Esperanza. He then stated that any families who wanted to register could reach out to Nueva to receive a gift that day. He added that gift wrapping for that event had been earlier that day as well as taking place the next day at 413 Main Street.

President McGee stated that with councilors leaving, it was tradition to offer time to give parting thoughts.

Councilor Puello stated that in looking at the end of the term, he wanted to reflect on collective achievements and express gratitude for the opportunity to serve as councilor. He noted that many legislative issues had been tackled, including the safety of neighborhoods through the implementation of ShotSpotter technology. He added that the Council had advocated for comprehensive public health initiatives, challenging the state on the issue of syringe access in the city. He also expressed pride in reestablishing the Jr ROTC program, helping to instill leadership skills, discipline, civic responsibility in the future leaders of the city. He also noted that orders had been filed to promote programs for youth, including comprehensive drivers' education programming. He then expressed hope that the city's leadership would accept and assist in the implementation of these programs. He also stated that his own votes had been in the service of good financial management and economic wellbeing of the city. He then acknowledged that challenges remained that had to be confronted, and that councilors who did their homework and spoke up passionately should be supported. He then expressed appreciation to his fellow councilors and the amazing people of Holyoke.

Councilor Maldonado Velez first explained that he could not be in attendance in person due to having food poisoning. He then expressed that he was grateful to everyone in the city, beginning with the veteran councilors who would be leaving. He observed that he had relied on their institutional knowledge as a new councilor who had no playbook or class to follow. He then specifically thanked Councilor Jourdain, Councilor Bartley, Councilor Vacon, and Councilor Puello for teaching him patience when they did not agree on everything, adding that it taught him a lot about himself. He also thanked Councilor Anderson-

Burgos for his support. He then expressed gratefulness for the other new councilors that joined with him, Councilor Givner, Councilor Murphy-Romboletti, Councilor Rivera_I, and Councilor Rivera_J, noting that they could rely and lean on each other. He then thanked the people of the community for doing the best they could with whatever their roles were. He then stated that Holyoke was a unique city and a proud city. He then thanked his family for their support. He also thanked Neighbor2Neighbor and other community partners that had taught him about systemic issues being faced every day.

Councilor Tallman thanked God for allowing him to be there to serve the city, adding that he found it humbling. He noted that he had served over 100 councilors over his 25 years, and that every one of them had something to offer and a love for the city. He emphasized that Holyoke had been his home for nearly all his life other than a few years while away serving in the Army in North Carolina with the 82nd Airborne as a Quartermaster. He then thanked his family for their support and for the time they allowed him to be away from them. He then expressed a desire to spend more time with them. He then expressed pride in all thar they did, stating that he had hoped to give half of what his wife had given. He also expressed pride in his two daughters and their families, noting they were both nurses working tough jobs. He added that he wanted to spend more time with his grandchildren. He then explained that it was a love of the city that drove him into politics, noting that he was quiet and why in school, but wanted to be a part of providing input in what goes on in the city. He then emphasized that employees and department heads were really the lifeblood of the city. He added that he often tries to show people they're appreciated no matter what they're doing in the community. He also noted that he often gets asked what he’ll do next and was looking forward to doing more to help out veterans.

Councilor Rivera_I asked Councilor Tallman to elaborate on the photo he displayed on his desk.

Councilor Tallman stated that he and several other councilors took a tour of the Tighe-Carmody Reservoir and one of the Water Works employees made the little flower and signed it on the back. He then offered to pass that on to Councilor Rivera_I to keep it with the Council. He then thanked the citizens of Holyoke for electing him over the years.

Councilor McGiverin offered thanks for allowing his family to be a part of the evening's ceremonies. He then emphasized the importance of family support, noting the sacrifice it was to serve. He then stated that the while working on the Council was working in the trenches, he had served with some incredible people serving as City Clerk, including Jimmy Seah, Sue Egan, as well as the current Clerk, Brenna McGee. He noted that when she began as a city councilor, she was quiet and asked for guidance on speaking well at events and had since developed into becoming a great speaker. He then stated that he had worked with many great Council presidents, including Tommy Monohan and Mike Mannix. He noted that he himself had been the last president of the Board of Alderman and the first when it became the City Council. He then offered tribute to former president, Councilor Jourdain, who ended Councilor McGiverin's 26 year tenure as president, taking over with vision, understanding of the inner workings of the City Council, and did his research. He then noted his own regret in never making him chair of a subcommittee. He hen offered thanks to President McGee for his service to the City Council, noting that he often brought his family values to the podium and led by example. He then recalled that the Council sworn in two years earlier was one of the greenest in many years, requiring a lot of change and growth. He then expressed hope for the new councilors coming onto the Council in the next term. He then offered advice to the next president, emphasizing that the most important thing they did was assigning the committees. He then suggested that the best way to make City Council meetings shorter was to encourage more councilors to attend subcommittee meetings and get their thoughts out, get their answers, and then take the votes at the full Council meetings.

President McGee offered thanks to Councilor Puello and Councilor Maldonado Velez for their service and for their vote to allow him to serve as president. He then noted that he said his peace back in March, but wanted to express that there were things he would miss. He then explained that he would miss Talman motioning to pass the second reading on financial orders. He added that Councilor Tallman and Councilor McGiverin had been good friends and mentors. He added that he would miss certain comments during debate, including "John Q Taxpayer," "skunk at the lawn party," "this isn't our first rodeo," "good steward," "camel's nose under the tent," "pig pile," "f…f…f," "tale of two cities," "this is the hair on fire moment," "City Council under the bus," "this isn't a cookie-cutter, one-size-fits-all," "poor as church mice", "the masterpiece is still on the canvas," "this is not ready for prime time." He then explained that these all came from Councilor Jourdain. He noted that a store in the city used to have a bingo game that would often use quotes from councilors as squares on their cards. He then stated that he enjoyed working with every councilor. He then encouraged councilors to leave their debates and their passions at the meetings, noting that they were still going to see each other in the community. He then thanked his mom, dad, and brothers for their support. He also thanked Councilor McGiverin for often stepping in for him, adding that he would not be there without him. He then highlighted a frame from his kids that played audio of them saying they loved him. He then stated that they would be his new focus. He then offered the best to everyone on the Council moving forward. He then commended the newest councilors for doing an amazing job in a short amount of time.

REPORTS OF COMMITTEES

(1:11:10)

Motion was made and seconded to suspend the necessary rules to take up items 9A and 9B as a package.

The Committee on Ordinance to whom was referred an order Per constituent request, order to install a handicap sign for Natalia Munoz at 247 Walnut St

have considered the same and Recommended that the order be adopted.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

---> Report of Committee received and the Ordinance passed its first reading.
The Ordinance passed its second reading.
The Ordinance was passed to be enrolled.
The Committee has considered the same and find that it is truly and properly enrolled.
Report of Enrollment received.
The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Givner).
Approved by the Mayor.

The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 34 No. Summer St. for Jeysha L. Detres Hernandez, Placard # PL5620318, Exp: 10/14/2027.

have considered the same and Recommended that the order be adopted.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that the applications were reviewed by the Disabilities Commission and recommended for approval.
---> Report of Committee received and the Ordinance passed its first reading.
The Ordinance passed its second reading.
The Ordinance was passed to be enrolled.
The Committee has considered the same and find that it is truly and properly enrolled.
Report of Enrollment received.
The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Givner).
Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up item 13D out of order.

The Committee on Development and Governmental Relations to whom was referred an order Special Permit Application of O'Connell Professional Nurse Service, Inc dba O'Connell Care at Home per 8.4.0 Professional office overlay district operate a professional office at 1763 Northampton Street (108-00-083).

have considered the same and Recommended that the special permit be granted with the following conditions:
1. The permit is conditioned upon the current lessee remain in its tenancy
2. The owner of the property shall supply sufficient parking to meet the criteria relative to the overlay district.

Committee Members:

Tessa Murphy-Romboletti
David K. Bartley
Joseph McGiverin
Jenny Rivera_J
Linda L. Vacon

UNDER DISCUSSION:
Councilor Murphy-Romboletti stated that the applicant applied for the special permit to create professional offices, which was currently Gallagher Real Estate, with the plan to use the space for nursing services.

She added that it was mainly for employees, noting that it was an at-home care agency. She added that it would have 4 employees at most, and signage was discussed. She then explained that the first hearing was continued to get review of the plans from the Planning Department. She then stated that the second hearing was largely about the topics of the conditions. She then explained that the Planning Board's letter had recommendations as well as items to address such as the zoning ordinance's language which stated that the applicant was either the owner and occupier of the premises or had a valid purchase and sale agreement. She suggested that the original intent of that criteria was to ensure there were professional office owners in the professional overlay district, adding that there may be room to review that language. She also stated that they discussed the parking requirements, and that if there was a need for any additional variances, they would need to address that separately.

Councilor Bartley emphasized that the Council was voting on the special permit under the city ordinances of the professional overlay district, noting it was a key economic viaduct for the city. He then explained that the permit was a request of the applicant to have a business in a residential district. He noted that the Planning Board provided a good opinion stating that the major issue was that the ordinance required the owner of the property also be an occupant, but that was not happening in this case. He then stated that the committee asked for a written contract between the property owner and the lessee. He suggested that the ordinance for the professional overlay district be amended to address this kind of issue. He emphasized that the professional overlay district was about preserving properties and enhancing the neighborhood.

Councilor McGiverin noted that the importance of the overlay district was the result of having received many zone change requests to put businesses on residential properties. He then explained that they recognized the attraction of bringing some types of businesses to this area of Northampton Street, while also recognizing that there needed to be a way to protect the neighborhood to avoid losing the entire residential character of it. He then agreed that the ordinance could be tweaked to address this kind of change in the future. He then emphasized that that O'Connell was well known and respected in the community. He also commended Mr. Gallagher for investing around $150,000 into the property and lived up to the requirements of the overlay district.

Councilor Tallman expressed support for this permit. He emphasizes the importance of keeping the integrity of the neighborhood.

Councilor Anderson-Burgos welcomed the business into Wadr 6 and encouraged them to reach out to him if they ever needed anything.
---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

The Committee on Ordinance to whom was referred an order With community support, Order that our trash receptacle ordinance be updated to reflect the following:
Update to Ordinance Chapter 74 Section 2:
(a) Residential rubbish receptacles.
(1) 96 gallon, rodent proof, water tight, residential rubbish receptacles are provided by the City. One receptacle is provided to each residential unit or household. Additional containers are not available and cannot be acquired. Lost or damaged containers must be purchased from the City/DPW by residents at the current rate. A smaller receptacle may available by request. Considerations are made on a case by case basis and depend on need as determined by the disabilities commission/senior advocate/ personal / health advocate?
&
(3) Should the number of containers necessary to contain all refuse at a given residential location exceed

1 95 Gallon receptacle on a weekly basis, the superintendent of public works will have the right to require the property to utilize an alternate method of collection.

have considered the same and Recommended that the order be adopted, as amended.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that the issue was straightforward but there were concerns that the original language lacked flexibility for citizens that had unique situations. She added that a process was built in for people to appeal to the Director of the DPW or the Board of Public Works as a second step for appeal. She then commended Director Rossi for his presentation, and for working with residents on switching out size containers to fit their needs. She added that they were working on better education and reminders to residents in a constructive way that was good for the environment and the city's economics.

Councilor Jourdain stated that this was a good job working with the Law Department and the DPW to provide the kind of flexibility residents were looking for. He then suggested that the goals and aims of the new program were premised on good intentions, including workplace safety, increasing recycling, improving the cleanliness of the city, and ensuring greater accountability to prevent non-residents from dropping things off on city streets. He noted that there needs to be more uniformity of policies, but with some flexibility to accommodate and adjust for unique circumstances.

Councilor Maldonado Velez thanked Mr. Rossi for working well with the Council and providing a lot of information. He also expressed the hope that Mr. Rossi would stay on for more than a couple years, noting there was a lot of turnover with many department heads. He also stated that trash was a main concern he was hearing from a lot of people in the city. He then recalled that the meeting included learning that there was bulk waste access for renters by going to DPW and getting a card for a year if they bring a utility bill showing their address, along with paying a $10 fee.

Councilor McGiverin emphasized the value of having taken a second look in committee. He then stated that the discussion in committee was important, noting that the city residents understand, want, and respect trash collection service. He emphasized that few communities in the area came close to what Holyoke did. He then noted that Mr. Rossi suggested that 96 gallons should be enough if people were recycling as much as they should be, but they would consider additional receptacles if they could prove there was need and they were doing as much as they could.

Councilor Bartley commended former Mayor Murphy for procuring the new 96-gallon receptacles through ARPA funding. He also emphasized the need to improve recycling, noting it was poor for the area. He also noted that the Council did the work years back to update the trash ordinance which allowed renters to get bulk waste cards. He also suggested that recycling needed to be promoted more on the website and through the Board of Public Works. He also suggested that the authority to address appeals should not be given to just one person. He then observed that these kinds of results sometimes require lengthy discussions.

Councilor Givner noted that there was a cost savings being recognized as a result of better recycling in the city.

Councilor Tallman emphasized the importance of getting the word out about recycling. He also expressed gratefulness that the city had bulk waste drop off, noting many surrounding communities did not offer that.

Councilor Rivera_I noted that in discussing ways to keep costs down, keeping trash costs down was low hanging fruit. He then stated that the next round should be finding ways to improve recycling.
---> Report of Committee received and the Ordinance passed its first reading.
The Ordinance passed its second reading.
The Ordinance was passed to be enrolled.
The Committee has considered the same and find that it is truly and properly enrolled.
Report of Enrollment received.
The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--
Yeas 13--Nays 0--Absent 0.
Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up items 9D, 9E, and 9F as a package.

The Committee on Ordinance to whom was referred an order That Cook and Company be invited to a future finance subcommittee meeting to review their recent health insurance analysis for the city.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that a comprehensive report was given to the committee, providing the nuts and bolts on grappling with the complex issues of health insurance. She also stated that the city was looking deeply at self-insuring. She also explained that a lot of negotiations would need to happen and that they would come back with an update on the next steps in the best interest of the city. She then suggested that it appeared to be a straightforward thing to do well, and the city would be building off the already self-unsured dental offering.

Councilor Jourdain commended the mayor for tackling a large and important issue, emphasizing the impact on addressing the budget, among other big impacts. He then stated that many options were looked at, with varying degrees of savings. He then suggested that self-insuring could result in cost savings. He then explained that the savings would need to go into the trust fund, and that the Council would need to approve creating a trust fund down the road. He then expressed a hope that it could be done by the coming spring.

Councilor Rivera_I stated that there needed to be more info on savings versus the GIC option. He emphasized that the city could be on the hook for potential liabilities.

Councilor Jourdain stated that as information comes in, it should be understood that most large government and private sector employers were self-funded as the norm. He then emphasized having safeguards to avoid spending or cutting in profitable years but that the city should work to build a cushion over years. He also explained that there would be a third party fee for employees to get support in managing their plans. He then suggested that it should result in reduced premiums in the long run

Councilor Anderson-Burgos asked if any other nearby communities were doing the same.

Councilor Jourdain stated that he understood many did, and that the state also had.
---> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order that the Ordinance Committee invite in the Mayor and DPW superintendent to review Chapter 74 of our ordinances on Solid Waste and how this reconciles with the proposed roll-out of a new residential trash pickup program in light of our already existing laws in this area. It is requested that they review their proposal with us so we and citizens can understand it better.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:
Councilor Vacon stated that this and the next order were companion orders to the trash discussion.
---> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order The DPW and Law Dept work with the Ordinance committee to invoke some flexibility in the new trash bin program. For example – to allow single family homes to apply for more than one 96-gal bin so long as the homeowner's request is reasonable and justified. Example two – to allow for the homeowner to swop out the 96-gal bin for a smaller, more suitable trash bin.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

---> Report of Committee received and recommendation Adopted.

(1:53:00)

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, FIVE THOUSAND AND 00/100 Dollars ($5,000) as follows:
FROM:
11611-51210 ELECTIONS OFFICERS $5,000
TOTAL:$5,000
TO:
11612-52700 EQUIPMENT/BUILDING RENTALS $5,000
TOTAL: $5,000

have considered the same and Recommended that the order be Adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the equipment rentals were for new voting machines, including their maintenance and software costs.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.
Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY THOUSAND TWO HUNDRED FORTY AND 00/100 Dollars ($30,240) as follows:
FROM:
8811-10400 CAPITAL STABILIZATION $30,240
TOTAL: $30,240
TO:
16933-58001 WAR MEMORIAL-OUTLAY-BLDG IMPROVE $30,240
TOTAL: $30,240

have considered the same and Recommended that the order be Adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the stabilization fund was used well over the last couple years. He then explained that the request was to replace a safety part for the elevator. He then stated that the bid went out and the lowest bid had been more than the original estimated price.

Councilor Tallman emphasized the importance of helping the War Memorial Building. He then stated that the elevator would be expected to work for over 30 years.

Councilor McGiverin quipped that as Councilor Tallman was planning to become more involved in veterans issues, he wanted to be sure he would be able to use the elevator.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.
Approved by the Mayor.

Councilor Tallman commended the City Clerk’s office for all their work and the professionalism of everyone in the office. He added the city had been able to see the importance of the work of that office since City Clerk Murphy President McGee took over. He recalled Jimmy Shea had been a book of knowledge when he served in that role. He then commended Councilor McGiverin for teaching him a lot about city government. He also recalled being the deciding vote when Councilor Jourdain took over as president, expressing confidence in what he could do, adding that he did well to keep the meetings in control. He then stated that he appreciated President McGee's knowledge as something the city was going to miss.

Motion was made and seconded to suspend the necessary rules to take up items 10C, 32, and 34 as a package.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, SIXTY THOUSAND FIVE HUNDRED AND 00/100 Dollars ($60,500) as follows:
FROM:
8811-10400 CAPITAL STABILIZATION $60,500
TOTAL: $60,500
TO:
14803-58004 PARKING CAPITAL OUTLAY-VEHICLES $60,500
TOTAL: $60,500

have considered the same and Recommended that the order be referred back to the City Council.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the order was this original request was divided into three separate categories, leading to a lot of questions. He then explained that the committee asked that the transfers be divided into two votes, one about vehicles and the other about uniforms, allowing councilors to vote differently on either one. He then stated that one category was for the two parking enforcement officers to do their work. He then noted that the tickets they wrote brought in revenue of over $37,000. He then emphasized that unenforced laws were useless. He added that in addition to revenue, the desks and parking lots were generating revenue, although many people were still working remote from COVID. He further stated that revenue was coming in from parking meters, although there was a hope that the parking committee could work on a plan to address meters that were out of commission. He then explained that the request was for uniforms specific to their job, which were set by contract. He also explained that uniforms through the DPW were rented, which included regular cleaning. He then stated that those officers had difficulty issuing tickets wearing regular DPW uniforms because it wasn't clear to people that they were legitimate enforcement officers. He then noted that item 34 was the replacement order for that specific request. He then shifted to the other request for vehicles, explaining that the two vehicles were utility vehicles for the parking officers that allowed them to get around for ticketing, a secure box for collection of coins out of meters. He noted that were currently sharing a hand-me-down Crown Victoria without any safety features and was not easy to park to get around for their job. He then emphasized that if parking revenues got back to 100%, the extra revenue would be enough to cover these costs. He added that in regard to the uniforms, there needed to be a good reason not to honor the contract. He then explained that the third part was for radios that would allow them to communicate with the foreman as well as with the Police Department if there was an emergency.

Councilor Rivera_I stated that this was an opportunity to merge together things that were happening simultaneously. He noted that many councilors had been advocating for getting a traffic squad back and suggested that that could be combined with the officers ticketing for parking violations. He suggested that reserve officers could be a part of the traffic squad, while also generating revenue. He also suggested that they could then use police vehicles and not need to purchase new cars.

Councilor McGiverin stated that the suggestion was worth discussion. He then suggested caution not to go too far into an area that would be subject to union negotiations. He suggested that the proposal be channeled through the mayor in order to bring it up during negotiations. He also emphasized that parking enforcement were not police officers.

Councilor Rivera_I noted that the auxiliary officers were not police officers either. He then noted that it was good to see them paired with the auxiliary officers for better safety.

Councilor McGiverin reiterated the importance of considering the collective bargaining process.

Councilor Jourdain expressed his understanding that these were going back to committee for further discussion.

Councilor McGiverin clarified that 10C was being replaced with 32 and 34 to vote on them separately. He also clarified that Councilor Jourdain had another commitment and was unable to attend the committee meeting.

Councilor Jourdain stated that he did get the additional information. He then suggested that splitting two bad ideas from one request into two was still two bad ideas. He then explained that the only thing he agreed with was the radios but those had been merged in with the vehicles. He then suggested that the contract did not require the city to spend $2,000 to rent uniforms. He then suggested looking into that further by returning the request to Finance. He questioned needing to wash their uniforms and giving them between 5-11 sets each. He also emphasized that the average Holyoker wasn't spending $1,000 on an outfit for work clothes. He then suggested that Rivera's suggestion of sharing vehicles should start right away instead of purchasing two vehicles for $54,254, noting that the Polce Department was constantly cycling through vehicles. He then advocated for better fiscal discipline, describing these as nice-to-have items, not need-to-have items, especially with the likely $2-$3 million shortfall in the budget for the next fiscal year. He also stated that while was okay voting for the radios, he noted that the employees had been operating off of their cell phones and it had been fine. He questioned how many calls they could be making.

President McGee asked for clarification of the plan for item 10C.

Councilor McGiverin stated that would be returned to the Auditor.
---> Report of Committee received and returned to the Auditor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, FIFTY FOUR THOUSAND TWO HUNDRED FIFTY FOUR AND 71/100 Dollars ($54,254.71) as follows:
FROM:
8811-10400 CAPITAL STABILIZATION $54,254.71
TOTAL: $54,254.71
TO:
14803-58004 PARKING CAPITAL OUTLAY-VEHICLES $54,254.71
TOTAL: $54,254.71

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:
Councilor Vacon stated that she would be more comfortable voting on items like this if the city's books were closed and free cash was known. She emphasized that every other community in the area already knew what their free cash was before setting their tax rate. She added that knowing the free cash number would be critical in being able to finish out the year. She then explained that she was not against radios and uniforms but wanted to see more information on the vehicles.

Councilor Bartley stated that he was not opposed to this request but was concerned about the quantity being out of whack. He also suggested that the revenue collected from enforcement be used for the cost. He then stated his intent not to vote for this for those reasons.

Councilor Rivera_I stated that he had similar concerns but would support it, noting the approval of similar requests for other departments for some of the same things. He then suggested that the way things were structured needed to be addressed so that more money wasn't being spent on these kinds of items when the revenue could be used.

Councilor Anderson-Burgos stated that he would support this because what he heard made sense, emphasizing that this would be paid for in the long run. He then suggested that if people are hired to do a job, they needed to be given the tools to do their job effectively. He also emphasized that the vehicles were planned to be multipurpose and would also be used by the Fire Department. He added that they were designed to fit into spaces normal vehicles could not. He also stated that they had secure locked boxes for coins.

Councilor McGiverin noted that as New Englanders, the coldest months of the year were coming. He then explained that the uniforms were for all seasons, not just for a single season. He then reiterated that the uniforms were contractual, adding that each employee was not being given 11 uniforms every week but there was an ability to be able to outfit them according to the weather changes. He added that the safety of the workers should be foremost in everyone's mind. He also emphasized that radios with a secure channel to get to the Police Department was far more efficient than trying to call by cell phone if there is an emergency. He also emphasized that not having a lockbox for coins was a safety issue and a crime waiting to happen. He also emphasized that the Police Department did not want to be involved in collecting money out of meters and confirmed to one area of the city.

Councilor Vacon expressed her understanding that the reason for separating the items was that the vehicles were coming out of stabilization while the unforms were coming out of the operational budget.

Councilor McGiverin clarified that the separation he asked for was due to a desire to vote on the issues separately. He then explained that capital stabilization could be used for these purposes.

Councilor Tallman stated that while he had the same concerns initially, hearing about the revenue coming in made sense. He added the need for two vehicles was needed to allow them to go to two different parts of the city, allowing them to collect more revenue. He also emphasized that the way someone dressed and the equipment they have for their job was important. He then questioned how safe it was for them to be wheeling a blue recycling bin with the money from the meters. He then suggested that these items were a must-have for these employees.

Councilor Jourdain rhetorically questioned how the parking program managed for decades without everyone having their own vehicles and all of these uniforms. He then asked that a business case be made for these costs. He then emphasized that the city had managed for all of these years, and now these requests were being made. He suggested that he would need to look into how other cities were managing their parking programs. He then suggested that this was amounting to putting the family vacation on a credit card and not having the funds to pay it off.

Councilor Givner suggested that it was not accurate to say the city was managing just fine, noting that 40% of the meters were operating. She also suggested that giving them the proper tools would help pull in more revenue than they already had.

Councilor Puello stated that he would not be voting for this. He then suggested that it was a failure of leadership that the officers were having to walk around with recycling bins collecting money. He then suggested that people did not need police-grade radios to be safe. He also suggested that they should have police officers patrolling to make sure they were safe.

Councilor Vacon stated that in looking at this from a longer term perspective, the concept of a cashless system needed to be considered. She noted that in visiting other communities, people were using apps. She suggested that this was spending money on a system that would not be around long. She then suggested that the departments be asked to share until the city gets to the new system.

Councilor Rivera_I questioned what the city had been doing with the revenue coming in if it was not fixing the meters for the past 10-15 years. He emphasized that a lot of effort had been put in by others for things they wanted, including the filing of lawsuits, while this was getting ignored. He then expressed his intent to file an order to ask for the parking revenue from the past 10 years. He then suggested that the body come together to work together on something that works and is efficient and effective.

Councilor Givner expressed her understanding that there were contractual obligations to buy uniforms. She also noted that even a cashless system would require enforcement.

Motion was made and seconded to suspend the necessary rules to allow Councilor McGiverin to speak for a third time.

Councilor McGiverin noted that the city had been going toward a cashless system. He recalled that when there was an old system with the parking garages, there were attendants that would collect fees as people left the lots for the day. He also noted that the city was working on getting a cashless meter that could be paid for through an app. He then stated that with a regular meter, when someone puts a coin in and leaves, someone else could still park there if there is time left but with a cashless meter, the timer would start over when someone leaves. He also stated that changes were being made, there was a study committee going, but this was about getting as much revenue as possible out of the next five years. He also recalled the work that had been done on the Suffolk Street parking deck with the hope that there would be a greater need for parking downtown.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 4 (Bartley, Jourdain, Puello, Vacon)--Absent 0.
Approved by the Mayor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, THREE THOUSAND EIGHT HUNDRED SIXTY SIX AND 32/100 Dollars ($3,866.32) as follows:
FROM:
8811-10400 CAPITAL STABILIZATION $3,866.32
TOTAL: $3,866.32
TO:
14802-55830 UNIFORMS $3,866.32
TOTAL: $3,866.32

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:
Councilor Jourdain stated that a post-game analysis study be done to add millions in cost to add the second level garage at the Suffolk Street garage to see if it made back the revenue. He then suggested that history proves that much of what was said about downtown parking turned out not to be true.

Councilor McGiverin clarified that the second deck was built but was saved due to adding steel girders. He added that he was optimistic about retail returning to downtown and that the Victory Theatre would reopen, bringing in more activity to downtown.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--
Yeas 11--Nays 2 (Jourdain, Puello)--Absent 0.
Approved by the Mayor.

President McGee stated that the city would be hosting a Kwanzaa celebration on Thursday, December 28th, at 1 p.m. at City Hall.

Councilor Jourdain asked about inauguration plans for January 2nd.

President McGee stated that a press release would come out the next day.

(2:57:50)

Motion was made and seconded to suspend the necessary rules to take up items 12A, 12B, and 12C as a package.

The Committee on Public Service to whom was referred an order that the City Council sign and support the attached Resolution to create a state-authorized cultural district for at least (5) years to be named the Puerto Rican Cultural District.

have considered the same and Recommended that the resolution be adopted, as amended.

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:
Councilor Tallman stated the resolution included language that a city official would be appointed by the mayor with approval of the City Council. He then commended Councilor Murphy-Romboletti, Councilor

Rivera_I, Councilor Rivera_J, and Councilor Maldonado Velez for putting the order forward.
---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Brenna Levitin, 48 Vernon St. to serve as a member on the Library Board of Directors for the City of Holyoke: Ms. Levitin will replace Ms. Julia Santiago and will serve her remainder term; said term will expire on February 2025.

have considered the same and Recommended that the appointment be confirmed.

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:
Councilor Tallman stated that Ms. Levitin had great experience on the Board of Trustees for the Wilbraham Library, attended school for Library and Information Science, was new to the city and wanted to get involved in city government.
---> Report of Committee received and recommendation Adopted.

The Committee on Public Service to whom was referred an order that Personnel post to fill City Council At-Large appointment(s) to the Community Preservation Committee that will be opening soon.

have considered the same and Recommended that the appointment of Jason Ferreira be confirmed.

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:
Councilor Tallman stated that Mr. Ferreira was the one applicant so far, noting that at least one other position may need to be filled. He then explained that Mr. Ferreira wanted to get back involved in the community, discussed the benefits of the CPA to the community, and wanted to lend his voice to the committee.

Councilor Jourdain stated that he was pleased to see Mr. Ferreira stepping forward to be on this committee. He noted that Mr. Ferreira was also a former colleague on the Council.

Councilor Rivera_I expressed disappointment that there was only one applicant stepping forward. He suggested that more be done to get the word out.

Councilor Tallman stated that the post was still up and expressed hope that more people would hear about it and want to get involved.
---> Report of Committee received and recommendation Adopted.

The Committee on Public Service to whom was referred an order That the City Solicitor review section 2-156 &162 of the charter covering legal opinions and provide a written legal opinion explaining, when is the department allowed to refuse to provide legal opinions.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:
Councilor Tallman noted there was some contention on this issue, recalling that the attorneys were not available to attend that evening, but some discussion happened, and it was considered complied with.

Councilor Puello stated that he believed Councilor Tallman had been very fair as chair. He then questioned the notion that city employees were above criticism. He then emphasized that councilors were there to work for the taxpayers, not for the city employees. He then stated that someone who just got a raise and was making six figures was not above criticism.

Councilor Tallman stated that he respected that position. He added that while employees were not above criticism, there should be respect shown in how employees are talked to and how they are treated. He then emphasized that while he often was not confrontational, he believed it was important to back people up and try to seek more cordiality.

Councilor Vacon stated that while the importance of having respect should not be lost, the Council should not lose sight of the legal obligations of employees. She added that when the City Council asks for a written legal opinion, the Law Department was obligated to provide one. She also stated that precedent should not be set in allowing a department to decide they don't want to do something because they didn't like the tone.

Councilor Rivera_I emphasized that the main point was respect. He also stated that the system was different, and people don't like to be disrespected. He added that if people feel offended when being asked to do something, they'll likely not want to do what was asked or do it in a less effective or efficient manner. He suggested that in the current system, someone could go somewhere else and make more.

Councilor Jourdain stated that with the advent of social media, people should avoid going on there and blasting their colleagues. He suggested that people refrain from going after each other on social media where the public can see it. He then expressed concern that while there was a need for good decorum, there needed to be healthy debate that was kept to issues.

Councilor Anderson-Burgos stated that while he may be guilty of posting things on social media, he believed it was not as bad as what was said in this room that would be on record for years. He then stated that with a following on social media, he believed he owed it to people to express himself there. He added that he avoids disrespecting people or using peoples' names but tries to call things like he sees them. He also suggested that if people don't like what they see on social media, they should look at themselves. He also emphasized that the way councilors talk to each other was being watched by the city.

Councilor Tallman stated that a lot of these issues were why he was not on social media. He then agreed that there was a need to show more respect in person and also online.

Councilor McGiverin stated that he loved everyone.
---> Report of Committee received and recommendation Adopted.

(3:18:55)

The Committee on Development and Governmental Relations to whom was referred an order As the city of Holyoke continues to grow and host an increasing number of events, it is essential to foster effective collaboration among various city departments, including the Licensing Board, Board of Health, Fire Department, Police Department, DPW, and any other relevant city agencies. To achieve this, we propose convening a comprehensive meeting aimed at discussing and streamlining the event planning process within our city, particularly in cases involving vendors – crafts, food, food trucks, non-profits.
This meeting will serve as a platform for addressing key aspects such as permits, licenses, fees, and the distinction between events held on public property versus private property. Our primary objective is to enhance clarity and coherence across departments, event organizers, and stakeholders. Furthermore, we will explore potential updates or revisions to existing ordinances to ensure a more efficient and transparent process that benefits all parties involved."

have considered the same and Recommended that the order has been complied with, and be referred to the mayor to provide a checklist.

Committee Members:

Tessa Murphy-Romboletti
David K. Bartley
Joseph McGiverin
Jenny Rivera_J
Linda L. Vacon

UNDER DISCUSSION:
Councilor Murphy-Romboletti stated that the intent behind the order was motivated by many events where there was confusion over who should go to what department for what permits and also whose responsibility it was to notify people about road closures. She noted that most departments were unavailable to attend other than Mike Gallagher from DPW. She then explained that it was the job of event hosts to notify people about road closures. She then noted that Councilor Vacon suggested that a checklist be created for people. She then explained that this being sent to the mayor was in recognition that this wasn't in the City Council's purview.

Councilor Maldonado Velez stated that another order was discussed in the Ordinance Committee around special events with the police. He suggested that there was potential for changing the ordinance to streamline event planning. He noted that the checklist would be a big help, but there were contradictory ordinances about costs for permitting, differences between types of vendors, and how special events impacts people with permits to be in certain locations. He expressed a hope that things could be made more clear to department heads and to community members trying to do good things in the community.

Councilor McGiverin emphasized the streamlining of event planning in the city. He suggested that the Parade Committee may have a good example with their process where they meet with each of the departments a month before the event to ensure everything needed was in place.
---> Report of Committee received and recommendation Adopted.

The Committee on Development and Governmental Relations to whom was referred an order From Councilor Bartley, Resolution in Support of Paint Stewardship Legislation

have considered the same and Recommended that the order be adopted.

Committee Members:

Tessa Murphy-Romboletti
David K. Bartley
Joseph McGiverin
Jenny Rivera_J
Linda L. Vacon

UNDER DISCUSSION:
Councilor Murphy-Romboletti stated that this was a follow up from a previous discussion, which resulted in this resolution being filed in support of state legislation to enact a paint stewardship program to encourage safe discarding of paint.
---> Report of Committee received and recommendation Adopted.

The Committee on Development and Governmental Relations to whom was referred an order Special Permit Application of James Kay per 7.2.1 to operate a gasoline station and convenience store at 820 High Street (009-02-009).

have considered the same and Recommended that the special permit be granted with the following condition:
1. That the hours of operation will be 6am-11pm, seven days a week.

Committee Members:

Tessa Murphy-Romboletti
David K. Bartley
Joseph McGiverin
Jenny Rivera_J
Linda L. Vacon

UNDER DISCUSSION:
Councilor Murphy-Romboletti stated that Mr. Kay attended, as well as the attorney for the owner of the property. She then explained that the discussion included questions over whether the special permit was needed. She explained that the use may be allowed outright. She noted that the Law Department was looking into it. She then explained that they would not be making major improvements to the property and so no site plan review was needed. She also noted that nobody from the public attended to peak in favor or against the permit.

Councilor McGiverin recalled that when the gas station and convenience store was opened, it was a required special permit. He then explained that it was becoming apparent across the country that gas stations were also adding convenience items and it made no sense to keep the special permit off the books, and he believed it was taken off the books. He then noted that the Building Department gave the new owner the occupancy permit because he did not believe the permit was needed. He then expressed concern that the applicant was paying fees when he may not need to.

Motion was made and seconded to suspend the necessary rules to allow Atty Bissonnette to address the Council.

Atty Bissonnette stated that there was a change to the definitions allowing that to go in as a service station with convenience store or fast food. He then explained that in this case, the permit originally given to the property had long expired, requiring this permit to be granted before this could be allowed by right. He then suggested that this path was the safest for the investment.

Councilor Bartley asked for that to be provided in writing. He then stated that the property owner had already put in substantial investment and would be a credit to the city.

President McGee asked to clarify that the special permit was still going to be granted.

Councilor McGiverin stated that it may be a vote in vain. He then asked that if the special permit turned out not to be needed, the applicant should be refunded their application fees.
---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

The Committee on Development and Governmental Relations to whom was referred an order that the City Council declare a lot on Easthampton Road as surplus property available for disposition. Said parcel is identified by the Holyoke Board of Assessors records as Map 212, Block 00, Parcel 001 consisting of vacant land of approximately 53.5 acres in size. The property is more particularly described at the Hampden County Registry of Deeds in Book 5574, Page 41. On May 21, 2007, the property was awarded to the City via a Land Court Decree with a Final Judgment recorded in Hampden County Registry of Deeds Book 16740, Page 126. The property is zoned Business General (BG) and has an assessed value of $1,119,200.

have considered the same and Recommended that the order be adopted.

Committee Members:

Tessa Murphy-Romboletti
David K. Bartley

Joseph McGiverin
Jenny Rivera_J
Linda L. Vacon

UNDER DISCUSSION:
Councilor Murphy-Romboletti stated that this was for the Easthampton Road parcel, an undeveloped forested lot zoned, located south of the Log Cabin property. She added that it contained significant wetland resources and was designed for both estimated and priority habitat of rare and endangered species. She added that the committee voted 4-1 to declare it surplus.

Councilor McGiverin emphasized the importance of declaring this as surplus when the city wanted to dispose of property. He added that the mayor can then negotiate the price, to be confirmed by the City Council. He then explained that Fish and Game came to the mayor with an offer. He then noted that the city had a lot of protected land. He then suggested that this land could be developed in a limited way. He then explained that this originally was discussed at an earlier meeting and failed to come out of committee on a 2-2 vote, but that the mayor and Purchasing Department still went out with an RFP at the committee's request to see if there was interest but that nobody responded to it. He then suggested that the property needed to be at least declared surplus to allow it to be available for sale if the next City Council can look at the proposal from Fish and Game.

Councilor Vacon questioned how the local assessed value was $1.1 million and then a new assessed value for $270,000 being considered as market rate. She suggested that it needed to be marketed more aggressively so that the city gets the value for the land.

Councilor Bartley expressed disagreement with declaring this surplus, emphasizing that there was no rush on doing this. He then emphasized that that the assessment was different from the appraisal that wasn't necessarily independent, and it wasn't clear what it was based on. He then suggested that it was premature to declare it as surplus and more work needed to be done by the Planning Department.

Councilor Jourdain questioned how someone already wanting to buy it came to the committee meeting when it still needed to be declared surplus for the city to market it. He also questioned if enough was being done to market it to everyone.

Councilor Rivera_I expressed his understanding that the lot was not buildable. He also asked who was currently covering the cost of maintaining the property and who would if the property was taken over by Fish and Game. He suggested that if it was not sold, the city would remain on the hook for maintaining it for another several years. He then stated that he would be in favor of keeping the property there was a plan but there did not appear to be a plan.

Councilor Murphy-Romboletti emphasized that what was on the agenda was declaring the property as surplus, and any discussion about proposals could be taken up whenever the next DGR meeting takes place. She then emphasized that the property was owned by the city and not generating any tax revenue.

Councilor Givner expressed her understanding that the parcel was not developable and that the financial burden should be shifted to another entity.

Councilor Jourdain emphasized that he was paid to think forward and look ahead. He then questioned how much in taxes the state would pay if they took it over. He then suggested that there was likely not much in maintenance costs when it was just a wooded lot. He then reiterated that the city should do its due diligence to ensure it was being marketed well.

Councilor Murphy-Romboletti suggested that people watch the DGR meeting when a lot of these things were discussed. She then reiterated that this was just about declaring it surplus.
---> Report of Committee received and recommendation Denied on a call of the roll of the yeas and nays--Yeas 8--Nays 5 (Bartley, Jourdain, McGee, Puello, Vacon)--Absent 0.

The Committee on Development and Governmental Relations to whom was referred an order That the Honorable City Council, in accordance with M.G.L. ch. 30B and the Holyoke Procurement Ordinance, vote that the City of Holyoke accept the proposal submitted by Jeffrey Dias and Tiago Martins and sell 736 Dwight Street (Parcel #006-09-002) and Dwight Street Parcel #006-09-001 for $17,500. These surplus properties are contiguous parcels of vacant land on Dwight Street at the corner of Walnut Street totaling approximately 10,109 square feet in size. The properties are zoned Limited Business (BL) and have a combined assessed value of $46,800.

have considered the same and Recommended that the order be adopted.

Committee Members:

Tessa Murphy-Romboletti
David K. Bartley
Joseph McGiverin
Jenny Rivera_J
Linda L. Vacon

UNDER DISCUSSION:
Councilor Murphy-Romboletti stated that the applicants had renovated nearby new apartments at Dwight and Walnut Streets. She then stated that this was a $1.3 million investment proposal, representing 6 townhouses, with construction to begin in 12-18 months.

Councilor Bartley stated that this would be an expansion to an incredible investment they had already put up. He emphasized the new housing was exciting for the city.
---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

The Committee on Development and Governmental Relations to whom was referred an order That the Honorable City Council, in accordance with M.G.L. ch. 30B and the Holyoke Procurement Ordinance, vote that the City of Holyoke accept the proposal submitted by The Boys & Girls Club of Greater Holyoke and sell 118 Newton Street (Parcel #011-03-008), Newton Street Parcel #011-03-009 and 94 Newton Street (Parcel #011-03-010) for $15,000. These surplus properties are contiguous parcels of vacant land on Newton Street totaling approximately 19,230 square feet in size. The properties are zoned Downtown Residential (118 Newton St.) and Downtown Business (Parcel 009 & 94 Newton St.) and have a combined assessed value of $83,100.

have considered the same and Recommended that the order be adopted.

Committee Members:

Tessa Murphy-Romboletti
David K. Bartley
Joseph McGiverin
Jenny Rivera_J
Linda L. Vacon

UNDER DISCUSSION:
Councilor Murphy-Romboletti stated that the property abutted the lot with the Boys and Girls Club playground, adding that their plan was to build a youth center and afterschool program, primarily serving teens between 13 and 18 years old.

Councilor Bartley stated that would link up with a basketball court on Newton Street. He emphasized that this would help provide needed teen programming for the city. He then expressed an expectation that this would come to fruition.

Councilor Rivera_I asked if they had already secured funding for the project. He noted that the city had historically done this kind of thing before for the Boys and Girls Club where a project was proposed but they did not have the funding. He then stated that while he was okay with selling them the lot, he was concerned that it could take 10-15 years and it could still end up as an empty lot.

Councilor McGiverin stated that he did disclose a perception of a conflict but was told by the Ethics Commission that it was not a conflict. He then commended the Boys and Girls Club for the type of programming that has allowed many kids to come out and go on to be very successful. He noted that this lot had been empty for close to 25 years. He then explained that the question on funding was not asked but would be a good question. He then expressed his intent to file a disclosure with the City Clerk.

Councilor Murphy-Romboletti stated that the funding issue was discussed where they were asked if they had proof of funds. She also noted that there was a reverter, as there were in all city RFPs.

Councilor Bartley stated that while he did not get into development, there was a reverter clause.
---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

Councilor Jourdain asked item 13H.

Councilor Bartley clarified that the committee met the night before, but it was still awaiting surplus and was not really on the agenda.

Councilor Jourdain questioned how the proposal was there if the item wasn't yet declared surplus.

(4:03:15)

The Committee on Charter and Rules to whom was referred an order that committee chairs limit the amount of public hearings added to an agenda, It is not fair and undemocratic to have the public wait until 10:30 – 11:00 pm so they can be heard.

have considered the same and Recommended that the order be adopted.

Committee Members:

Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A. McGee

UNDER DISCUSSION:
Councilor Maldonado Velez stated that the language was discussed to add a new rule, and it was decided that it would require that any public hearings starting after 9 p.m. be continued to a future date so that the public is able to contribute if they want to say something. He added that it was also requiring committee chairs inform the public that they can email the administrative assistant if they want to submit comments but can’t attend.

Councilor Bartley stated that while it was a noble idea other than the fact that people travel distances to the city for their hearing. He then suggested that requiring it to a future date ties the hands of those applicants. He suggested tweaking it to make continuation at the option of the petitioner.

Councilor Maldonado Velez noted that Councilor Vacon has a similar concern at the meeting. He then explained that the intent was that a hearing opening after 9 would still be discussed but still allow members of the public to provide input at a future date if they could not stick around until that late.

Councilor Jourdain stated that the intent was to be concerned for the public. He then questioned opening a public hearing at 10 and not having anyone from the public to speak. He then stated that he did not care if a petitioner was okay with having nobody from the public to speak. He emphasized that this was about protecting the public's voice, giving people real rights to be heard.

Councilor Maldonado Velez suggested that it could be made more clear by stating "if a pubic hearing opens after 9 p.m." He added that it was not fair to expect people to stick around that late in order to make their voices heard.

Councilor Bartley stated that while he understood the intent, the petitioner was the one paying for it and could be coming a long distance. He suggested tabling this or sending back to committee to work on the language to incorporate some of these additional thoughts.

President McGee asked to clarify the amendment.

Councilor Jourdain asked what the language was.

Councilor Bartley stated that it should be changed to "may" be continued.

Councilor Jourdain stated that if that was the case, there should be no rule. He added that "may" would mean it wouldn't happen and it would become arbitrary and wouldn't be a change from what the Council was already doing. He then suggested that it state that no public hearing be opened after 9 p.m. He also noted that they get advertised for 6:30 but then so many get stacked up that they start much later.

Councilor Vacon offered a reminder that laws dictate timelines relative to when public hearings have to be scheduled. She suggested that hearings could be shorter if people didn't talk for two hours for every hearing. She also suggested that a rule could state that hearings have to be opened before 9 p.m. to ensure the availability of the petitioners and respect the public.

Councilor Jourdain suggested that the language could state that "no public hearing shall be opened after 9 p.m."

Councilor Vacon suggested saying it in the affirmative, "any public hearings shall be opened before 9 p.m." She suggested that the other way could prohibit a hearing opening, which would violate the law.

President McGee asked to clarify the amendment.

Councilor Jourdain stated that the motion from Councilor Vacon was that the language would be changed to say that "every public hearing shall begin before 9 p.m." He then seconded the motion.

Councilor Rivera_I suggested that chairs plan the agenda accordingly to list hearing first for those who may be coming from other distances. He questioned that the language will still result in hearings happening after 9 p.m.

Councilor Maldonado Velez suggested that the amendment did not make sense procedurally unless all public hearings were being opened as a group before 9 p.m. He then questioned how that could be assured with the way the presentation and debates tend to proceed. He then suggested that the original language made the most sense.

Councilor Jourdain suggested that the amendment would be the better rule was stronger before in the other scenario, a petitioner cold come in and present their whole plan but then the hearing has to be continued and not be required to present again at the next meeting, preventing the public in the second meeting from having the benefit of the presentation.
---> Laid on the table.

The Committee on Charter and Rules to whom was referred an order With community support, order that city council meetings be regulated to 2.5 hours or 150 minutes. AND that a majority vote be required to continue meetings beyond 150 minutes, adding an additional 15 minutes no more than twice, capping meetings at 180 minutes. This with the intention of encouraging a broader participation of Holyoke's public through meeting efficiency and limited repetition of comments. The most common critique by Holyoke residents regarding City Council meetings is that they are too long, continue too late, and are dominated by lengthy repetitive commentary.

have considered the same and Recommended that the order has been complied with.

Committee Members:

Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A. McGee

UNDER DISCUSSION:
Councilor Maldonado Velez stated that after back and forth discussion, including conversation about Springfield's time limit, it was decided that it was complied with and other councilors could come back with another order in the next term if they wanted to.
---> Report of Committee received and recommendation Adopted.

President McGee stated that there were no reports from the Joint Committee.

ORDERS AND TRANSFERS

(4:22:25)

Motion was made and seconded to suspend the necessary rules to take up items 16 and 18 as a package.

ANDERSON-BURGOS — That a handicap sign be placed in front of 38 Beacon Ave. for Elijah Santos, Placard #PL5530997.
---> Received and referred to the Ordinance Committee. Copy to Disabilities Commission.

GIVNER — that a handicap sign be removed from 195 Beech St. for Wilfrin Puello.
---> Received and referred to the Ordinance Committee.

Motion was made and seconded to suspend the necessary rules to take up items 17 and Late File A as a package.

BARTLEY — Ordered, that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare 432 Hillside Avenue (Assessors Map 123, Block 00, Parcel 021) as surplus property available for disposition. The property was acquired via a judgment in tax lien foreclosure in 2023. It is an approximately .17 acres lot with a single family home constructed, zoned R1-A and has an assessed value of $175,600.00.
---> Received and referred to the Development and Governmental Relations Committee.

BARTLEY — Introduced by Councilor Bartley: Ordered, that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare 37 Brown Avenue (Assessors Map 081, Block 00, Parcel 042) as surplus property available for disposition. The property was acquired via a judgment in tax lien foreclosure in 2022. It is an approximately .14 acres lot with a single family home constructed, zoned R-2 and has an assessed value of $219,900.00.
---> Received and referred to the Development and Governmental Relations Committee.

MALDONADO-VELEZ — Order that the city council takes necessary steps towards imposing term limits for all elected officials. Maximum 5 terms per elected official. Send to Charter and Rules.
---> Received and referred to the Charter and Rules Committee.

MALDONADO-VELEZ — Order that all city departments work towards creating digital access to all their forms, permits, and licenses to streamline access and reduce paperwork. Send a copy to all department heads and request an update to the finance committee with any expenses we would acquire in order to

make this transition happen.
---> Received and referred to the Finance Committee.

MALDONADO-VELEZ — Order that zoning ordinance for cannabis expand beyond the IG district. Once expanded, social equity applicants and those negatively impacted by the racist War on Drugs get priority to opening business within these zones. Send to Ordinance.
---> Received and referred to the Ordinance Committee.

Motion was made and seconded to suspend the necessary rules to take up items 22 through 26 as a package.

MALDONADO-VELEZ — Order to create a rental registration, requiring all rental units, including short term rentals, register with the city. This can be housed in the Board of Health or Building Department. Send to Public Safety.
---> Received and referred to the Public Safety Committee.

MALDONADO-VELEZ — Order that the council works with Tapestry, state delegation, and appropriate city departments to work towards creating safe injection sites. These would be medically supervised and connect users to services available in our community. Send to Public Safety with a copy to Ordinance.
---> Received and referred to the Public Safety Committee. Copy to Ordinance.

MALDONADO-VELEZ — Order that the city creates a Certificate of Occupancy program that works to inspect rental units in order to acquire the certificate. Certification is based on passing State Safety and Sanitation Codes on a regular basis (not more than 3 year cycles, less for continuously problematic properties) for properties with 3 or more units. Send to Public Safety.
---> Received and referred to the Public Safety Committee.

MALDONADO-VELEZ — Order that the city creates a public accessible landlord registry database. Information includes (but not limited to) who owns the property, who is responsible for maintenance, how many code violations that property has received through the city, and how many no cause evictions has the landlord filled on residents. Send to Public Safety.
---> Received and referred to the Public Safety Committee.

MALDONADO-VELEZ — An order that the Holyoke City Council declare that Housing is a Human Right, which means everyone regardless of income, history of criminal justice involvement, mental health status, substance use, race, sexual orientation, immigration status, physical ability, sex, gender, religion, and veteran status deserve safe and affordable dignified housing.
---> Received and referred to the Public Safety Committee.

MALDONADO-VELEZ — Order that we create pathways for community ownership of property (land trusts, condominium conversion, cooperative housing etc). Send to Public Safety with a copy to Ordinance.
---> Received and referred to the Public Safety Committee. Copy to Ordinance.

Motion was made and seconded to suspend the necessary rules to take up items 28 and 29 as a package.

MALDONADO-VELEZ — Order that the city creates an Office of Tenant Protections, that would oversee rental registration, certificate of occupancy and public database implementation, build relationships with landlords, tenants and community agencies to create recurring Know Your Rights and Responsibilities program, and house tenant legal services. Send to Ordinance.
---> Received and referred to the Ordinance Committee.

MALDONADO-VELEZ — Order that the city creates a Housing Committee tasked with creating policy suggestions and implementation of office of tenant protections, office of returning citizens and homelessness liaison. Roles and committee to be created by Ordinance while bylaws to be created by the committee.
The committee should included at least one of the following – 1 tenant in market rate housing, 1 tenant with section 8 voucher holder, 1 tenant with MRVP or continuum of care, 1 tenant of HHA, 1 tenant representative of local organization working on housing issues, 1 home owner, 1 landlord.
---> Received and referred to the Ordinance Committee.

Motion was made and seconded to suspend the necessary rules to take up items 30 and 33 as a package.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, THREE HUNDRED THOUSAND AND 00/100 Dollars ($300,000) as follows:
FROM:
8810-10400 CITY STABILIZATION $300,000
TOTAL: $300,000
TO:
19412-57630 CLAIMS & DAMAGES $300,000
TOTAL: $300,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

Councilor McGiverin stated that sending this to committee could put it on hold until late January or early February.

President McGee noted this was addressed during an executive session.
---> Received and referred to the Finance Committee.

MCGIVERIN — that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “COMMUNITY PLANNING GRANT PROGRAM, $90,000, NO MATCH ” grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

Councilor McGiverin stated that he had not heard about a time frame on this.

President McGee stated that there was not any communication on that question.
---> Received and referred to the Finance Committee.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY FIVE THOUSAND THREE HUNDRED EIGHTY EIGHT AND 75/100 Dollars ($25,388.75) as follows:
FROM:
12101-51105 SERGEANTS $8,394.52
12101-51107 PATROLMEN 16,994.23
TOTAL: $25,388.75
TO:
12101-51180 INJURED ON DUTY $25,388.75
TOTAL: $25,388.75

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:
President McGee stated that this covered 12 employees.

Councilor McGiverin suggested that the next Council try to figure out a way to not have to vote on these. He then stated that this was an accounting and tracking move for public safety officials being paid their salary while out due to being injured on duty.

Councilor Bartley noted that the salary was paid tax free.
---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Givner).

PUELLO — That a handicap sign be placed in front of 958 Main St. for Wilfrin Puello, Placard #PL3650728.

Puelo stated it would be refiled in the next term.
---> Given a leave to withdraw.

Motion was made and seconded to suspend the necessary rules to take up items 36 and Late File C as a package.

PUELLO, Vacon — That a new rule regarding proclamations be established: When a proclamation is issued by the City Council recognizing good citizenship of a person, it shall be withdrawn upon discovery & documentation of repeated criminal convictions (such as illegal guns and drugs).

Councilor Vacon asked to be added to the order.
---> Received and referred to the Charter and Rules Committee.

Communication from Councilor Puello, context regarding article for Juan Montano
---> Received and referred to the Charter and Rules Committee.

PUELLO, Bartley, Tallman — That the DPW please continue to monitor Ingleside and St. Vincent for water and treat/salt as needed during freezing temperatures.

Councilor Bartley asked to be added to the order.

Councilor Tallman asked to be added to the order. He also motioned to amend to add Bemis across from Kennedy Park.
---> Received and Adopted. Copy to DPW.

PUELLO — That the handicap parking at 527 South Bridge Street please be removed. The original applicant has moved and will be reapplying for the new location.
---> Received and referred to the Ordinance Committee. Copy to Disabilities Commission.

LATE FILED ORDERS AND COMMUNICATIONS

(4:32:40)

VACON — Ordered, the law department send a communication to Valley Springs and the company emptying the dumpster at Valley Springs, advising them re: our ordinance re: allowed times.
Could you please inform the Commercial disposal group of the Code of Ordinances Sec. 38, item 6. Either Suez Or Republic companies They are emptying Valley Spring’s dumpsters every Monday morning between 4-4:30 AM which, without fail, wakes us up. Section 38 item 6 “(6) Loading and unloading. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers. The emptying of bulk waste containers located within 1,000 feet of a residentially zoned parcel shall be prohibited between the hours of 11:00 p.m. and 7:00 a.m.”

Motion was made and seconded to take final action.
---> Received and Adopted. Copy to the Law Department.

MCGEE -- Ordered, that the City Council give Sean Gonsalves a proclamation for years of service to the Board of Health

Motion was made and seconded to take final action.
---> Received and Adopted.

Councilor Anderson-Burgos stated that three of his favorites were leaving the Council. He recalled that when he was first elected, he was nervous as it was all new to him. He then recalled President McGee explaining how things went, and he then thanked President McGee for his leadership. He then thanked Councilor McGiverin for how much he had learned from him. He then stated that he learned a lot of patience from watching Councilor Tallman. He then expressed how much he respected and loved Councilor Maldonado Velez for everything he had done. He then stated that while working with Councilor Puello had sometimes been difficult, he respected him and thankful for what he brought to the table, no matter how things played out.

Adjourned at 11:41 PM

Brenna Murphy McGee MMC, City Clerk
Irma L. Cruz, Assistant City Clerk

OFFICE OF CITY CLERK

To: City Council

Re: List of appointments January 2024	Term length	Expires
Administrative Assistant to the City Council		
Jeffery Anderson-Burgos, 236 Locust Street	2 year term	January 2026
Community Preservation Committee		
Maribel Ortiz, 101 Saint Kolbe Drive	3 year term	January 2027
Water Commissioner		
Timothy F. Keane, 52 Lexington Avenue	3 year term	January 2027
Whiting Street Fund		
John Pietrikowski, 28 No. Bridge Street	3 year term	January 2027
Tax Collector		
Laura Wilson, 20 Bray Park Drive	3 year term (dated back to January 2023)	January 2026

RECEIVED

DEC 28 2023

Registrar
Holyoke

536 DWIGHT STREET • HOLYOKE, MASSACHUSETTS 01040-5019
PHONE: (413) 322-5520 • FAX: (413) 322-5521 • EMAIL: mcgeeb@holyoke.org