**Finance Committee**

Monday, March 4, 2024

Video of meeting can be found at <https://youtu.be/rOSaYWWAwmw?feature=shared>

Members present: Chair Patti Devine, Vice Chair Kocayne Givner, Carmen Ocasio, Michael Sullivan, Kevin Jourdain

Other councilors present: Linda Vacon, Tessa Murphy-Romboletti, Israel Rivera

Chair Devine called the meeting to order at 6:33 PM

Chair Devine made a motion to take a roll call vote that for the purposes of this meeting would be applicable to all motions to remove an item from the table, place items on the table, package items, or suspend the rules, unless there is an objection. Councilor Jourdain seconded the motion.

Item 1: Minutes of February 12, 2024 meeting

--->Approved 4-0-1 (Givner)

DISCUSSION:

Councilor Jourdain made a motion to approve item 1. Councilor Sullivan seconded the motion. Motion passed.

Item 2: 2-20-24 Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "MA DEPARTMENT OF FIRE SERVICES FY24 FIREFIGHTER EQUIPMENT GRANT, $17,245.53, 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.

--->Approved 4-0-1 (Givner)

DISCUSSION:

Chief Kadlewicz stated that this grant was given out yearly, with one more year approved for this grant. He then explained that this would give the Fire Department funding to buy different kinds of equipment based on priority need. He further explained that they would be purchasing eight class 3 rescue harnesses to bring them up to compliance with their tech rescue and rope rescue. He added that they would also be getting two sets of additional ballistic gear for their active shooter requirement. He also stated that they would be buying four NFPA compliant thermal imaging cameras.

Councilor Jourdain made a motion to approve item 2. Councilor Sullivan seconded the motion. Motion passed.

(2:35)

Councilor Jourdain made a motion to remove item 3 from the table.

Item 3: 2-20-24 Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "MA DEPT OF AGRICULTURAL RESOURCES- ARPA SPENDING BILL EARMARK, $90,000, " 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.

--->Approved 5-0.

DISCUSSION:

Chair Devine stated that the Animal Control Officer, Erick Valez, was away due to a family emergency. She then stated that he explained to her that the grant's scope of services showed that this would help enhance compliance with animal control regulations while improving animal welfare and mitigating related nuisances. She added that they would be expanding animal control services and educational outreach. She added that funding would support advertisement in English and Spanish. She also stated that this would allow upgrades to the department's vehicle.

Councilor Jourdain asked what was meant by vehicle changes, noting that a vehicle was recently purchased for the department.

Chair Devine stated that there may have been an issue with putting animals into the vehicle.

Councilor Jourdain noted that the documents described equipment to put onto the new vehicle.

Councilor Jourdain made a motion to approve item 3. Councilor Sullivan seconded the motion. Motion passed.

(5:45)

Councilor Jourdain made a motion to suspend the necessary rules to remove items 4 and 5 from the table as a package. Councilor Sullivan seconded the motion. Motion passed.

Item 4: 2-6-24 Devine - Ordered, Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, EIGHT HUNDRED FIFTY THOUSAND AND 00/100 Dollars ($850,000.00) as follows:
FROM:
3000-10400 SCHOOL ROOF PROJECTS $9,718.40
3010-10400 DPW HIGHWAY RECONSTRUCTION $2,269.50
3040-10400 DESIGN OF CONNECTOR ROAD $10,113.55
3100-10400 POLICE STATION $29,859.85
3130-10400 PROPERTY DEMOLITION PROJECT $2,080.25
3150-10400 FIRE STATION $3,453.54
3170-10400 MOSHER STREET CSO $96,784.01
3250-10400 COMMUNITY FIELD $44,721.97
3270-10400 APPLETON STREE SEWER SEPARATION $1,568.25
3290-10400 FLOOD CONTROL LEVEE CERTIFICATION $614.63
3320-10400 PARKING GARAGES RECONSTRUCTION $16,602.59
3330-10400 DEAN voe SCIENCE LAB $156,211.90
3340-10400 FIRE TRUCKS $20,692.14
6040-10400 SEWER PLANT IMPROVEMENTS $7,309.42
0430-10400 SALE OF REAL ESTATE $303,000.00
8811-10400 CAPITAL STABILIZATION $145,000.00
TO:
13003-58200 CAPITAL OUTLAY-SCHOOL BUILDINGS $850,000.00

--->Laid on the table 5-0.

Item 5: 2-20-24 Devine - Ordered that the City Council consider approving the purchase by the City of 225 High Street, Holyoke by a consensual order of taking. This order is a companion order to a previous order requesting a transfer in FY 2024 of $850,000.00 from several accounts to Capital outlay-school buildings.

---> Laid on the table 5-0.

DISCUSSION:

Mayor Garcia stated that the team working on this included Margaret Wood, Owners Project Manager (OPM) from Anser Advisory, as well as HPS Superintendent Anthony Soto, and City Treasurer Rory Casey. He added that Atty Mantolesky had worked with them to navigate the legalize of the a friendly take of 217 to 225 High Street.

Chair Devine asked to clarify that this was at the corner of Dwight and High Streets.

Mayor Garcia stated that it was. He then stated that the building was built in 1898. He then noted that there had been many conversations about getting the School Department out of its current lease at their Suffolk Street location and into a new space. He then explained that this presentation would explain conditions and needs of the building, potential floor plans, as well as funding strategies. He noted that it had a new roof and fire suppression system. He added that it could save the city an estimated $222,000 a year in lease costs, which would include Transitions Academy currently leasing space at Open Square. He emphasized the importance that the building would be ADA compliant.

A. Soto stated that Transitions Academy was currently serving about 28 students, with a projection of closer to 36 students the following year. He then explained that the students were between 18-22 years old with disabilities who were being helped into an emerging adult role, including getting work experience as well as taking care of themselves. He noted that they were outgrowing the space at Open Square. He added that the lease would be up in December and they had gone out to bid to find space for the program.

Chair Devine asked if they would have to break their lease.

A. Soto stated that he did not believe it would be a problem as they would first need to renovate the space if the deal worked out, adding that the existing owner would likely allow them to go to a month-to-month until the new space at 225 High Street was ready.

Mayor Garcia stated that Ms. Wood would be describing the proposed floor plan.

M. Wood noted that she worked as an architect before her current role. She also noted that she was also working on the Peck Middle School project, as well as some ARPA-funded municipal renovations. She then emphasized that the presentation represented working sketches, not the final plans. She then explained that the plan showed the footprint of both buildings proposed for taking, one being two stories and one being six stories. She then described planned locations of conference spaces, open spaces, kitchens, as well as renovations that would need to be done. She noted that certain spaces were not fully ADA accessible and would likely need to be used as private space. She then explained that the presentation represented a Fit Plan, which was a plan to determine if there was enough space for what was needed. She emphasized that this plan had been developed by her based on working with the School Department over the last few years and considering the best way to provide space for 58 employees. She noted that the basement space could be used for private and secure storage.

Councilor Jourdain asked how this square footage would compare to the current location at 57 Suffolk.

A. Soto stated that it would provide a little more square footage. He noted that the department previously had a similar floor plan up to 2016. He added that due to the need to cut costs, they looked at a few other locations. He then explained that the task force performing that work recommended a temporary solution of consolidating the number of floors they were using at that time, allowing them to cut their lease in half. He also stated that the purchase of 57 Suffolk was one option they were recommending but was not pursued by the mayor's office at that time.

R. Casey explained that the consolidation brought their square footage from 23,000 down to 11,148 of office space. He further explained that the space at 225 High would be comparable to 57 Suffolk but spread out over more floors. He noted that the space just for Transitions Academy would be around 8,300 square feet.

Councilor Jourdain asked for clarification that the current building was around 11,000 square feet and that the new proposed building would be the same, and that Transitions would use an additional 8,3000 square feet.

M. Wood stated that in looking at the comparison of net space, 57 Suffolk had around 8,700 square feet while 225 High Street had around 14,000 square feet.

Councilor Jourdain asked to confirm there would be around 22,000 square feet, including Transitions Academy.

M. Wood stated that there would be.

A. Soto stated that as part of consolidating, they had to spread people out across the district, forcing them to create makeshift office space that would have been used for other school needs and programs.

Councilor Sullivan asked where the $18 million estimate for renovation of the Suffolk Street location came from.

M. Wood explained that in comparing three different possible locations, they sought to equitably represent the cost. She then explained that while the buildings had their own individual issues, she used $325 per square foot for the simpler renovation projects at Metcalf and $00 per square foot at 57 Suffolk Street as well as 217-225 High Street.

Councilor Sullivan asked for clarification of the cost for Metcalf.

M. Wood stated that the gross square footage was around 26,000, 57 Suffolk was at 45,900, and 225 High Street was at around 27,000. She then reiterated that the High Street location had a new roof, accessible bathrooms that the other facilities did not, full sprinkler system, but did need a full mechanical and electrical upgrade. She added that there was a value associated with the fact that it was vacant.

Councilor Sullivan asked for a reminder of the square footage being used at Suffolk Street.

Chair Devine stated that it was 11,000.

Councilor Sullivan asked why the renovation cost was based on 46,000.

M. Wood stated that she was basing it on a theoretical purchase of 57 Suffolk Street.

Mayor Garcia emphasized that High Street would be a friendly taking while Suffolk likely would not be.

Councilor Sullivan expressed his sense that there would be no benefit for the city.

M. Wood stated that was accurate.

Mayor Garcia stated that while he initially thought of moving the department to Metcalf made sense since the city wouldn't have to buy it, he had heard a lot of feedback that the department should remain downtown. He added that there would also be other need for that building.

A. Soto stated that there was also a new landlord, Eric Suher, that had recently purchased the 57 Suffolk Street building. He noted that they had since seen a decline in the upkeep of the building, emphasizing that they went almost a year without a working elevator, adding that this forced them to rearrange some offices so that some people could work on the first floor. He added that Mr. Suher had also hinted that they were paying well below market value and would likely increase the rent to cover the cost of renovations.

Councilor Sullivan asked where $10.7 million would come from for renovations if the High Street location was purchased.

Mayor Garcia stated that the cost would be spread out over the course of 10 years. He noted that as it was an historic building, there could be other resources they could tap into such as CPA funding.

Councilor Sullivan stated that was one of his prime concerns. He noted that the city would be losing money in real estate tax.

Councilor Jourdain also emphasized that the operational costs had also not been discussed.

A. Soto stated that utilities were currently part of the rent they were paying. He added that if the city owned the space, the utility expenses would be on the School Department and built into the operating budget as a eligible expense toward net school spending.

Mayor Garcia stated that it was an investment, requiring the city to be strategic, but the potential rent increase needed to be factored in. He suggested that it came down to a matter of preference.

Councilor Sullivan suggested that even if it were an unlikely 0% bond, it appeared there would be a cost of $180,000 a year for $157,000 a year in savings.

Mayor Garcia stated that there were creative ways they could move forward to make it more palatable.

Councilor Sullivan asked where people would park.

Maor Garcia stated that the Dwight Street parking garage was an option. He added that they were rethinking downtown parking. He noted there would be a presentation of the downtown parking management study on March 7th. He then explained that they hoped to implement new parking strategies, possibly adding new spaces, and fixing Dwight Street. He suggested that the Dwight Street lot could absorb the extra employees.

Councilor Sullivan asked if the parking problem and the new program could be accomplished to meet the goals.

Mayor Garcia stated that 51 needed parking spaces could already be fit there and would already be plenty of space if this were to be done in the next month.

Councilor Sullivan asked if the fire protection system was already inspected to ensure it was up to the current code.

M. Wood stated that it had not been, but it was a good idea.

R. Casey stated that the building records could be provided. He then noted that there had been several recent renovations, including a roof that was recently installed. He added that some of the repair work had to do with the fire suppression system.

Councilor Sullivan, noting that the documents suggested that it was in good structural condition, asked who checked the mortar, the plumbing systems, water connections, etc.

M. Wood stated that all of those things had not been looked at but Fuss O'Neil had looked at the whole building recently.

R. Casey stated that there were different reports. He noted that former City Engineer, Kris Baker, had been involved and found that the building was structurally sound. He noted there had been mortar issues identified by the Building Department a few years back, but they had been corrected. He added that they had documentation to back that up.

Mayor Garcia added that the current owner had done a lot of work in recent years.

Chair Devine asked how long it took the owner to fix the elevator at 57 Suffolk Street.

A. Soto stated that it went down March of the previous year and had just been fixed a month and a half ago.

Chair Devine noted that it needed a new roof. She then asked to confirm that there were no guarantees that improvements would be done if the rent was raised.

A. Soto stated that was correct.

Mayor Garcia emphasized that he was not looking to make it appear that the owner was being negligent, noting that there were complexities behind getting things done as quickly as would be preferred.

Councilor Jourdain asked for an explanation of relocation expenses.

A. Soto expressed a hope that they would be able to absorb some of the soft costs like that.

M. Wood stated that they hadn't looked at that yet. She then explained that they were looking to provide a comparison of hard costs.

Councilor Jourdain emphasized that there wouldn't be relocation expenses if they stayed at 57 Suffolk.

M. Wood stated that there would be other impacts, such as installing a new mechanical system into an occupied building, requiring costs associated with moving people around. She then stated that if the city sought to pursue any of the options, the next step would be to dig into the soft costs.

Councilor Jourdain stated that he needed all of the information in order do his due diligence in evaluating proposals and being asked to vote for things. He then asked if any other presentations and reports the group relied on would be shared.

R. Casey stated that they would.

M. Wood stated that the city had good records on the building.

Councilor Jourdain stated that it would be helpful to understand the costs of hearing and other utilities associated with the six story and two story building on High Street. He then emphasized his skepticism at reviewing this building, adding his belief that 57 Suffolk had been a case study in waste, fraud, and abuse. He also suggested that there wasn't much difference between a friendly or an unfriendly taking, noting that the only important factors were the legal requirements to show public purpose and just compensation. He noted that he believed the city should have done an eminent domain taking years earlier. He then asked if the new proposal would be to occupy the entire building.

A. Soto stated that they could. He then explained that they would have to reevaluate if it was the desire of the body to leave any floors open.

Councilor Jourdain explained that his point was that in doing comparisons, one factor to look at was consideration of renting out any sections. He then emphasized that if a taking had been done, the School Department could have had their space for free other than cost for utilities. He noted that many others were renting out space there and the city could have been the recipient of those rents. He questioned if it had been studied whether the city was taking the right building. He then asked if ESSER funds could cover acquisition and renovation costs, noting that $13 million needed to be used by September 30th.

A. Soto stated that if they took action on this soon, they could go through a bid process and the HVAC system would likely be an eligible expense that could be justified. He then explained that while windows would be an eligible expense, they wouldn't get them done in time to spend the money.

Councilor Jourdain asked if this was the last year of the ESSER funds.

A. Soto stated that it was.

Councilor Jourdain asked if HVAC was the big ticket item.

M. Wood stated that the challenge with the ESSER funds was that the whole market was awash with school department trying to use those funds for HVAC projects, making it hard to buy the equipment and find someone to install it. She noted that previous ESSER round deadlines had been extended but this was appeared to be getting held to a solid deadline.

Councilor Jourdain asked if the work had to be done or could the items just be paid for.

M. Wood stated that the money just had to be spent or at least committed through contract.

Councilor Jourdain suggested that there would be a separate conversation on acquisition. He also asked that a tenancy analysis be done.

M. Wood stated that they could figure that out based on rents in the area.

Mayor Garcia stated that while they could go back and reevaluate taking 57 Suffolk, Transitions Academy wouldn't be going in there. He added that they spoke to Girls Inc about using available space there, but that would be another lease increase. He then deferred to Atty Mantolesky on the difference between High Street and Suffolk Street locations in terms of what was a friendly taking.

Atty Mantolesky explained that the difference related to litigation costs. She then stated that with a friendly taking, it would involve a property owner who was in agreement with taking a property, and a consensus on the amount of the taking, the amount for damages, and then proceed with an order to take the property and paying them. She then stated that with a non-friendly taking, there would be more disagreement with the amount of damages and reasonable compensation to the land owner, along with legal fees for potential outside counsel as well as time. She added that the judicial process could take years to complete.

Councilor Jourdain noted that the city had a lot of experience with nonconsensual taking, including Dean School which was taken from the Sisters of Providence. He recalled that the eventual figure was a lot closer to what they were asking than what the city was looking to pay, on top of accumulated interest. He then stated that he had seen an appraisal of around $600,000 but it wasn't in the presentation. He then suggested that they needed to start with the assessed value as a baseline for each property. He added that the proposal was for $850,000. He then asked if that was what they were asking for.

R. Casey asked to confirm that the appraisal was included in the packet.

Councilor Jourdain stated that it was.

R. Casey stated that the building was for sale for $875,000.

Joudain asked what the assessed value was.

R. Casey stated that 217 High Street had an assessed value of $207,800 and then 223 - noting that the whole package would be 217-225 - had an assessed value of $1,366,100.

Mayor Garcia asked how much Suffolk Street sold for.

R. Casey stated that he didn't have that information. He then stated that based on a price conversation at the time, it was around $1 million to buy it in 2017. He added that the private purchase a couple years ago was around $650,000-$700,000.

Councilor Jourdain asked how they came to a proposal of $850,000 given the assessed value.

Mayor Garcia stated that in friendly takings, they involve negotiation and consensus building, which ultimately led to the proposed price. He added that timeline of potential rent increases and the need for additional space for Transitions were also factors in trying to come to a quick agreement.

Councilor Jourdain asked if this building would be better than trying to take 57 Suffolk Street

Mayor Garcia stated that this would allow the city to eliminate two leases instead of one.

Councilor Jourdain asked why Transitions Academy couldn’t go into 57 Suffolk Street.

Mayor Garcia expressed his understanding that it wouldn't fit.

Councilor Jourdain stated that it was twice the size of the building.

M. Wood stated that if it was fit on the ground floor, it would displace someone else.

Chair Devine emphasized that it also would not be a friendly taking.

Mayor Garcia stated that it would take more time. He added that the renovation costs would be nearly double, around $18 million.

Councilor Jourdain expressed a desire to plumb more into that.

Councilor Sullivan suggested that $18 million was based on renovating threw whole 46,000 square feet.

A. Soto stated that if the city owned the building, that it what would need to happen, especially with moving Transitions Academy there. He then explained that moving Transitions there would mean needing to build in a kitchen and the other needs of the program. He emphasized that it was important to make sure Transitions was downtown to make it easily accessible to partners.

Councilor Jourdain stated that he was looking to do a side-by-side comparison. He noted that 57 Suffolk was twice the size of the High Street building, allowing the program to go there and still would have a lot of other space. He also reiterated that rented space would allow the city to collect money. He the suggested that this would allow the city to recoup some of the money through arrangements with the tenants where they could cover the costs of building out. He then emphasized that his intent was to ensure that possibility was evaluated.

Mayor Garcia agreed that it should be included in comparisons but emphasized that the time it would take was a factor. He then expressed his expectation that Mr. Suher would fight it if the city sought to take that building or ask for a crazy figure.

Chair Devine expressed her expectation that this wasn't going to be ready for a vote that night. She then asked if the discussion should be tabled and hold another meeting soon that would only be this item.

Mayor Garcia asked Mr. Casey and Ms. Wood if they were clear what was being asked for.

R. Casey expressed his understanding that the Joint Committee would be discussing this.

Councilor Jourdain stated that it could be discussed. He noted that the Joint Committee agenda did have an item to discuss the future use of ESSER funds.

R. Casey asked if it made sense to organize tours of the space. He suggested that the plan would become more real after looking at it.

Chair Devine suggested scheduling a meeting for the 12th.

A. Soto stated that the School Committee would be meeting that day.

Admin Asst Anderson-Burgos stated that the Development and Governmental Relations Committee was also meeting that day.

Chair Devine suggested the 18th.

Councilor Jourdain stated that he was unavailable.

Chair Devine asked about the 25th, 26th, or 27th.

Admin Asst Anderson-Burgos stated that Charter and Rules was meeting on the 25th and Ordinance was meeting on the 27th.

Chair Devine suggested scheduling the meeting on the 26th.

R. Casey suggested that date would work well because the Joint Committee will have already met and provide any questions they may have.

M. Wood suggested that the comparison with 57 Suffolk made sense but comparing it to Metcalf made less sense because it would be looking at a location that wasn't built to be an office building. She then asked if Metcalf should be included.

Councilor Jourdain stated that it wasn't as obvious a choice. He added that Metcalf could also be ruled out if it was shown to have other uses as a school.

A. Soto that moving offices to Metcalf would also take 55 employees out of the downtown area patronizing area restaurants.

Chair Devine stated that the Finance meeting would take place on March 26th to discuss items 4 and 5.

Councilor Jourdain made a motion to lay items 4 and 5 on the table. Councilor Sullivan seconded the motion. Moton passed.

A. Soto stated that the Holyoke High Knight defeated Westwood and were moving on to the Final 8 in the state tournament against Malden Catholic.

Mayor Garcia stated that the Peck School groundbreaking would take place that Friday at 4 p.m.

M. Wood stated that it would off of Chapin Street to keep people out of the mud. She noted that this would be the location of the front door of the new school.

(1:36:10)

Councilor Jourdain made a motion to remove item 6 from the table. Chair Devine seconded the motion. Motion passed.

Item 6: 2-20-24 Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, NINETY FIVE THOUSAND EIGHT HUNDRED AND 00/100 Dollars ($95,800) as follows:
FROM:
12101-51107 PATROLMEN $95,800 |
TOTAL: $95,800
TO:
12102-52410 R&M MOTOR VEHICLES $8,000
12102-52500 R&M BUILDINGS 2,000
12102-53010 DATA MAINTENANCE 13,000
12102-53030 PRINTING 2,000
12102-54220 SUPPLIES-OTHER 500
12102-54800 M/V FUEL 37,000
12102-54830 M/V SUPPLIES 32,000
12102-57301 LEGAL DEFENSE 1,300
TOTAL: $95,800

--->Approved 5-0.

DISCUSSION:

Chief Pratt stated that the expense lines were originally requested at higher amounts but had been cut and these funds would be needed to get through the end of the fiscal year. He then explained that R&M Motor Vehicles was for vehicle repairs, Buildings was for day-to-day cleaning costs at their building, Date Maintenance was for contracts to run everything they had, Printing was self-explanatory, Supplies-Other was for bills such as Comcast, water, and other minor things, MV Fuel was for their fuel bill averaged out to the end of the year, MV Supplies was for auto parts and fluids for vehicles, and that Legal Defsnese was a contractual obligation the city entered into with the Patrolmen's union where the city was picking up half the cost. He noted that officers were not required to sign up, which mean that the city didn't have to pay half for those officers.

Councilor Jourdain asked for clarification of the surplus in the Patrolmen account. He noted that extra funds were put in there to hire extra officers, adding that a tough vote was taken by councilors a few months earlier regarding the Ezekiel's Plan. He then expressed frustration that those extra funds puta aside specifically for extra officers was not being used for that.

Chief Pratt stated that some of the money in that line was due to grants coming in that pay some of the salaries. He added that while they were budgeting to fully fund the department, some officers don't always make it out of the academy which would lead to vacancies. He added that officers leaving for other reasons also creates a shortage. He then stated that the staffing level was currently at 85 and they were looking to get to 95. He then suggested that without funding them, they would not be able to hire. He then explained that with grant funding, the positions are budgeted for prior to grants coming in.

Councilor Jourdain emphasized that his point was that while it likely would have been impossible to fill the extra ten officer openings by the end of the fiscal year, there was a request to budget for all of them. He then expressed a hope that they would eventually get to 95.

Chief Pratt stated that they needed to also account for the fact that 6 officers failed out of the academy.

Mayor Garcia stated that while 95 was budgeted for, they were at the target that they had when the plan was put together. He then noted that they had been at 95 and would also be 4-5 fewer than that number. He then asked how many were sent to the academy.

Chief Pratt stated that the 4 in the academy were accounted for in the 85.

Mayor Garcia asked how many were sent to the academy.

Chief Pratt stated that 10 were.

Mayor Garcia stated that the 6 that failed out was combined with those who had left the department. He noted they would continue to discuss how to cast a wider net to bring it closer to 95 during budget negotiations.

Councilor Jourdain made a motion to approve item 6. Councilor Ocasio seconded the motion. Motion passed.

(1:47:10)

Councilor Jourdain made a motion to remove item 7 from the table. Councilor Sullivan seconded the motion. Motion passed.

Item 7: 2-20-24 Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "MASS STATE POLICE-PROJECT SAFE NEIGHBORHOODS, $40,000, 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.

--->Approved 5-0.

DISCUSSION:

Chief Pratt stated that the grant was a collaboration with the Mass State Police. He then explained it would be used to fund more Safe Streets operations. He added that it was a reimbursable grant where the overtime would be expensed and then the state would reimburse it.

Chair Devine noted that the documentation explained that the grant was intended to support interagency cooperation and collaboration and target violent crime within the city.

Councilor Jourdain asked for an explanation of what was meant by targeting violent crime.

Chief Pratt stated that it would include drug offenses and gun offenses.

Councilor Jourdain asked what types of things would be done to target crime.

Chief Pratt stated that it was like Safe Street operations similar to those that had recently been done.

Councilor Jourdain made a motion to approve item 6. Councilor Sullivan seconded the motion. Motion passed.

(1:49:20)

Councilor Jourdain made a motion to remove item 11 from the table. Councilor Sullivan seconded the motion. Motion passed.

Item 11: 1-22-24 Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “FY23 TDI EQUITY, $38,550, 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.
\*Tabled 1-31-24

--->Return to Auditor 5-0

DISCUSSION:

Councilor Jourdain made a motion to return item 11 to the Auditor. Councilor Sullivan seconded the motion. Motion passed.

(1:50:15)

Councilor Jourdain made a motion to suspend the necessary rules to take up items 8 and 9 as a package. Councilor Sullivan seconded the motion. Motion passed.

Item 8: 1-22-24 I. Rivera — Ordered, that the City Council be provided with a report of retirement payouts for the Police Department for the past 20 years.

--->Complied with 5-0.

Item 9: 1-22-24 From Holyoke Police Department, response to Councilor Israel Rivera’s order asking for the report of payouts for the Police Dept from the past 20 years.

--->Complied with 5-0.

DISCUSSION:

Chair Devine noted that the report asked for in item 8 had been received.

Chief Pratt stated that these were the last 20 years of payouts from when officers separated from the department. He added that they included a buyout from unused time. He noted if that time had been used, it would likely have resulted in a lot of overtime costs.

Councilor Jourdain noted that the past 20 years was provided, but did not include 2023.

Chief Pratt stated that it wasn't his department that provided it.

Councilor Jourdain noted that the item appeared to infer that it came from the Polce Department.

Chief Pratt expressed his understanding that this was asking for his response.

Councilor Jourdain asked if 2023 could be provided.

Admin Asst Anderson-Burgos stated that the email providing the report came from the Auditor.

Councilor Jourdain asked if this would help inform how the department budgets going forward in terms of how they consider what is put aside for buyouts and buybacks.

Chair Devine asked if police officers needed to give a year's notice if they were thinking of retiring.

Chief Pratt stated that they did not. He then explained that they typically look at those eligible to retire and then put that in the budget. He noted that it usually gets some cuts by the mayor of the Council, and then ask for more later if they need it. He added that they do have to give a 90 day notice contractually if they expect to get the money within the budget year.

Joudain made a motion that items 8 and 9 were complied with. Motion passed.

(1:57:40)

Chair Devine made a motion to remove item 10 from the table. Councilor Jourdain seconded the motion. Motion passed.

Item 10: 2-6-24 I. Rivera - Order that the honorable city council ask the police department to provide us with an itemized budget breakdown of dollars received and expended over the last 5 years from the criminal seizure and forfeiture account.

--->Laid on the table 5-0.

DISCUSSION:

 Chair Devine stated that a report was provided, along with a letter from the Police Chief. She then asked for an explanation of the letter.

Chief Pratt stated that the letter went over the basic overview of the accounts and what laws and guidances dictated how those funds were used. He added that this was a five year lookback with two separate accounts, one being the state forfeiture account and the other being the federal forfeiture account. He noted that the funds could not be supplemented to offset the budget, emphasizing that they could take those funds back. He then explained that they had been using it for training, equipment, and to offset the cost of investigations.

Councilor Sullivan asked why it showed there were no deposits of expenditures for FY24 when the Auditor provided information showing that $22,000 had gone in and $26,000 had gone out. He then noted that in previous years, it appeared the bulk of it had been going into payroll.

Chief Pratt expressed his understanding that his department had not received that money.

Councilor Sullivan asked City Auditor, Tanya Wdowiak, to explain it.

T. Wdowiak suggested that a receipt may have been mis posted and she would look into it.

Councilor Sullivan noted that interest had been collected on these accounts, as well as a third account that could not be spend out of, adding up to close to $800,000. He noted that the interest could go into the general fund.

T. Wdowiak stated that the city could put interest into that account if that is what the city chose, but there was no interest in the funds for the federal and state forfeiture accounts. She noted that interest was usually taken care of by the Treasurer's office and that there was normally DLA guidance on what can or cannot be done with interest.

Councilor Sullivan stated that the third fund had $780,000 and was interest bearing.

T. Wdowiak stated that the third account did appear to be in an interest bearing account, and that this was the decision that was likely made at the time it was created. She added that the decision could be reevaluated, if it was allowable.

Councilor Jourdain asked for an explanation of the account with $780,000, noting that the reports did not show a balance anywhere near that amount.

Councilor Sullivan clarified that there was a third account for funds that were held until they cleared the courts, allowing them to be transferred and broken down and distributed.

Chief Pratt stated that the third account should be thought of as evidence.

Councilor Jourdain asked if that meant money from raids would be put into that account until a trial and then the money gets surrendered. He also asked how it was determined how much the city gets.

Chief Pratt stated that when a case gets settled through court proceedings, those monies are ordered forfeited by a judge, they go through the DA's office who compiles a list of cases, and then cases get researched, and the dollars are portioned up from there. He noted that the DA gets around half, and the other half gets divvied up by other departments that participated in the cases.

Councilor Jourdain asked if that meant the State Police and the city Police Department would divide up the half after the DA got its half.

Chief Pratt clarified that the State Police fell under the DA's office and would probably get theirs out of that first portion. He then explained that the second half would be portioned out to any other local police departments and agencies that may have been involved.

Councilor Jourdain asked if the formula worked based on getting a piece of the entire amount based on the city's involvement.

Chief Pratt stated that was correct.

Councilor Jourdain asked if the budget requests were less due to the availability of these funds or if the full amount was requested. He noted that when budgets get discussed, grant funding is often discussed but there was not often discussion of the average amount the department was getting from forfeiture dollars. He then asked these averages to be provided during the budget discussion so there was a real grasp of the department's operational budget and how much the taxpayers were funding.

Chair Devine invited Councilor I. Rivera to ask the chief any questions, noting that his order was being discussed and the previous orders, items 8 and 9, had already been discussed.

Councilor I. Rivera stated that when he requested the five year breakdown, he had hoped for different budgets for each year in order to better understand what was being looked at. He then stated that it was hard to read the budget sheet without bouncing around because it was all bunched on one sheet rather than being parsed out by year. He then asked what was currently in the account.

Chief Pratt stated that the state account had $20,009.65 and the federal account had $103.09. He then explained that they were tracked by fiscal year. He then explained that the top of the sheet had a starting balance and then deposits, expenditures, and reimbursements were listed. He added that this was the way they tracked it.

Councilor I. Rivera stated that he was used to seeing budgets organized with each year closing out and the new one opening so that it didn't get confused.

Chief Pratt clarified that the accounts didn't close out each fiscal year but carried over.

Councilor I. Rivera stated that while he understood that, there should be another system. He then noted that in the letter, the ideal intent of these funds was to supplement. He then expressed a need to understand how things were going in and going on, and how it was benefiting the city. He suggested that there should be an opportunity to advocate through the DA for more funding because of situations the city was dealing with. He then suggested that Holyoke detectives were also working in other communities where there were busts happening, with tax dollars going to do policing in other communities.

Councilor Sullivan suggested that this remain tabled in order for more answers from the Auditor's office, as well as more discussion of the city's share of these funds. He noted that there were recent years in the federal account when the city receiving nothing. He also asked that there be more discussion of where the interest was going in the third account.

Councilor Sullivan made a motion to lay item 10 on the table. Councilor Jourdain seconded the motion.

Meeting adjourned at 8:55 PM