

REGULAR MEETING OF THE CITY COUNCIL

February 6, 2024

The meeting was called to order by President Murphy-Romboletti at 7:08 PM

The Clerk called the roll. Present Members in person 13 (Anderson-Burgos, Bartley, Devine, Givner, Greaney, Jourdain, Magrath-Smith, Murphy-Romboletti, Ocasio, I. Rivera, J. Rivera, Sullivan, Vacon).

The Pledge of Allegiance was recited.

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

President Murphy-Romboletti asked for a moment of silence in memory of Rafael Fernandez after his courageous battle with cancer. She then noted his contributions to the community, opening the Fernandez Family Restaurant with his wife and family in 1988. She added that he retired in 2013 and left an incredible legacy on the city.

Councilor Jourdain also asked for a moment of silence in memory of Merle Hillman, a victim who was killed on the U.S.S. California at Pearl Harbor in 1941 and had finally recently been laid to rest in Holyoke.

A moment of silence was observed for Mr. Fernandez and Mr. Hillman.

Councilor Devine escorted Irma Cruz, former Assistant City Clerk, to the podium. She then offered congratulations to Ms. Cruz on her retirement and be presented with a proclamation in honor of her years of service to the city. She then asked people to think about Irma when they see the color purple or Betty Boop.

President Murphy-Romboletti presented a proclamation to Ms. Cruz on behalf of the City Council for her service and dedication to the city for over 30 years. She recalled meeting Ms. Cruz when she was 22 and was very helpful.

I. Cruz thanked the Council for the proclamation. She then stated that it had been an honor for over 30 years. She then stated that she began working for the city at the age of 17 in the Retirement Board, later moving to the License Board, and then hired by Susan Egan in 1993 to work in the City Clerk's office. She then thanked her coworkers in the Clerk's office who had become good friends. She then thanked City Clerk Brenna Murphy McGee for giving her the chance to be her assistant, and for being the best and her friend. She then thanked her family for supporting her decision. She then stated that it had been an honor and an experience working for the city.

PUBLIC COMMENT

(7:50)

Helene Florio, 31 Wellesley Road, offered a reminder of promises made the previous year when the vote was taken to place a question on the ballot on reducing the CPA tax from 1.5% to 1%. She then emphasized that

when the mayor vetoed it, there was a promise that it would come back this term and was on the agenda. She asked for support to put it on the ballot.

Spencer Fox Peterson, 51 Portland Street, stated that the community needed to support their houseless neighbors and not criminalize that. He then expressed that he had been disheartened by the sweeps over the winter and did not believe it was a solution but just a band-aid. He suggested that the city work toward solutions that did not involve police, guns, badges, and cages. He then emphasized that these people were everyone's neighbors. He also emphasized that as God was invoked at the beginning of every meeting, he urged the Council to act like Jesus on this matter. He also expressed concern that 45 minutes was spend on debate over chair seating, noting that the Council was a laughing stock on the local internet. He suggested that those who think they get respect through seating should reconsider what respect meant.

COMMUNICATIONS

(11:20)

President Murphy-Romboletti stated that she and the administrative assistant had received calls and emails asking councilors to speak directly into their microphones so that people at home can hear everyone.

From Mayor Joshua Garcia, letter appointing Kayla Rodriguez of 14 Laurel St to service as a member of the Valley Opportunity Council. Ms. Rodriguez will replace Jackie Watson and will serve a three-year term expiring December 31, 2027.

---> Received and referred to the Public Service Committee.

2. From Mayor Joshua Garcia, letter reappointing Mr. George Mettey of 7 Hemlock Drive, Holyoke, to serve as a member of the Library Board of Directors. Mr. Mettey will serve a two-year term expiring in February 2024.

Councilor Vacon asked if that date was correct.

Councilor Bartley stated that it should be amended.

President Murphy-Romboletti stated that the letter itself said 2026.

Motion was made and seconded to amend the item, changing 2024 to 2026.

Councilor Bartley stated that it was common for reappointments to be confirmed on the floor, unless anyone has questions they want to ask. He noted Mr. Mettey had served on the board for a while.

Councilor Jourdain asked if someone could serve on two boards, noting Mr. Mettey was also on the Fire Commission. He then stated he did not believe it was a two-salary issue.

Councilor Devine stated that Mr. Mettey had been on the board for a while and suggested that it would have come up if it was an issue.

Councilor Jourdain used the analogy, if you rob a bank and don't get caught, does that mean bank robbery is legal. He then emphasized that rules are rules. He suggested that the Clerk look into it and it be approved, subject to ensuring it was allowed.

Councilor Bartley expressed an expectation that Mr. Mettey would do the honorable thing if he could not serve on two boards.

Councilor Jourdain stated that Mr. Mettey was a wonderful guy and was just seeking to have this looked into.
---> Received and appointment confirmed.

From City Clerk Brenna Murphy McGee and Admin. Assistant Jeffery Councilor Anderson-Burgos, minutes from the January 22, 2024 meeting.

---> Received and Adopted.

From Mayor Joshua Garcia, letter reappointing Ms. Mary Moriarty of 429 Homestead Ave., Holyoke, to serve as a member of the Conservation Commission. Ms. Moriarty will serve a three-year term, expiring February 1, 2027.

Councilor Bartley stated that she had served honorably for years.

---> Received and appointment confirmed.

From OPED Director Aaron Vega, communication regarding the Office of Planning and Economic Development

---> Received.

From, David Weinberg, communication regarding Victory Theater

Councilor Bartley stated that he spoke with Mr. Weinberg and had some healthy discussions about this. He added that Don Sanders from MiFA spoke with him that afternoon and offered to attend the meeting, but was advised it would not be necessary, and that it would be referred to committee for a deeper discussion. He added that he encouraged Mr. Sanders to send additional information to discuss in committee.

Councilor Greaney rhetorically asked if Mr. Sanders mentioned when the Victory Theater would be opening.

Councilor Bartley stated that it had been a moving target. He then explained that he mentioned in a meeting the previous fall that they expected it to be in December of 2023, which hadn't happened. He then expressed a need for fairness to Mr. Sanders and MiFA, there should be a better airing out of all the details than what was currently provided.

---> Received and referred to the Development and Governmental Relations Committee.

PRESIDENT'S REPORT

(20:05)

President Murphy-Romboletti stated that the scheduled March 5th meeting would be moved to March 5th due to the presidential primary. She then noted that representatives from the Parade Committee and the Caledonian Pipe Band were invited, and work was being done to update them. She noted that there had been great subcommittee meetings so far and everyone was doing well in their chairs. She then noted that with an item on the agenda to end meetings at 10 p.m., if it was adopted, she asked councilors to be mindful of this as they give their committee reports and debate the items. She added that she as president, would work to keep conversations moving.

Motion was made and seconded to suspend the necessary rules to take up items 47, 48, and 49 out of order as a package.

President Murphy-Romboletti-That the Polling Places for each of the voting precincts in the City of Holyoke for the Presidential Primary to be held Tuesday, March 5, 2024, be and the same are hereby designated as follows:

ORDENA, que los lugares para cada recinto en la Ciudad de Holyoke para la Primaria Presidencial que se llevaran a cabo el Martes, 5 de Marzo 2024, sea y al igual, por este medio designado lo siguiente: WARD ONE BARRIO UNO

PRECINCT A – Rosary Towers Recreation Room 21 Bowers St..

RECINTO A—Rosary Towers Recreation Room 21 de la Calle Bowers

PRECINCT B—City Hall Basement, 536 Dwight St.

RECINTO B—City Hall Sotano, 536 de la Calle Dwight St.

WARD TWO BARRIO DOS

PRECINCT A—Morgan School Gym, South Bridge St. Entrance only

RECINTO A—Gimnasio de la Escuela Morgan, en la Calle So. Bridge solamente

PRECINCT B – Falcetti Towers, 475 Maple St.

RECINTO B – Falcetti Towers, 475 de la Calle Maple

WARD THREE BARRIO TRES

PRECINCT A – Metcalf School Gym, 2019 Northampton St..

RECINTO A – Gimnasio de la Escuela Metcalf, 2019 de la Calle Northampton

PRECINCT B – Metcalf School Gym, 2019 Northampton St.

RECINTO B –Gimnasio de la Escuela Metcalf, 2019 de la Calle Northampton

WARD FOUR BARRIOS CUATRO

PRECINCT A & B – St. Paul’s Church Parish Center, Appleton St.

RECINTO A&B – St. Paul’s Church Parish Center, en la Calle Appleton

WARD FIVE BARRIOS CINCO

PRECINCT A – Lt. Elmer J. McMahon School Gym, Kane Rd.

RECINTO A—Gimnasio de la Escuela McMahon, en la Calle Kane

PRECINCT B – Maurice A. Donahue School Gym, Whiting Farms Rd.

RECINTO B—Gimnasio de la Escuela Donahue, en la Calle Whiting Farms

WARD SIX BARRIO SEIS

PRECINCT A&B –Sullivan School, 400 Jarvis Ave.

RECINTO A&B – Escuela Sullivan, 400 de la Calle Jarvis

WARD SEVEN BARRIO SIETE

PRECINCT A&B - E. N. White School Gym, 1 Jefferson St.

RECINTO A&B- Gimnasio de la Escuela E. N. White, 1 de la Calle Jefferson

---> Received and Adopted.

President Murphy-Romboletti- Ordered that the City Council suspend the necessary rules and cancel the City Council Meeting for March 5, 2024, due to the Presidential Primary.

---> Received and Adopted.

President Murphy-Romboletti- Ordered That the Presidential Primaries in the City of Holyoke for the expression of Presidential Preference, or of No Preference, of Political Parties, or for the Election of Candidates of political Parties for offices herein stated be and they are hereby called to be held on Tuesday, March 5, 20124, in the several places as designated by the City Council.

The polls will be opened at 7:00 AM and remain open continuously thereafter until 8:00PM., when the polls will be closed, and all voters of the political parties will in the several polling places in which they are entitled to vote, between said hours, give in their votes by Accu-Vote for the election of candidates of political parties for the following offices:

Presidential Preference.

Members of the State Committee, one man and one woman for each of the Political Parties for the Hampden-Hampshire Senatorial District.

Not more than 35 members of the Democratic Ward Committee, from each of the Seven wards.

Not more than 35 members of the Republican Ward Committee, from each of the Seven wards.

ORDENA, que las primarias presidencial en la ciudad de Holyoke por la Expression de preferencia presidencial, o de ninguna preferencia de partido politico, o para la eleccion de candidatos de partidos politicos para oficinas en esto declarado. Ser y por este medio sera llamada a llevar a cabo el Martes, 5 de Marzo 2024, en los varios lugares designado por los Asambleistas municipal.

Las urnas estaran abiertas a las 7:00A.M. y permaneceran abiertas continuamente de alli en adelante hasta las 8:00P.M. Cuando las urnas sean cerradas y todos los votantes de los partidos politicos, vayan a los varios lugares de votacion en el cual tienen derecho a votar, entre dichas horas, den sus votos, votando en Accu-Vote para la eleccion de candidatos para los partidos politicos las siguientes oficinas:

Preferencia Presidencial.

Miembros del comite del estado, un hombre y una mujer para cada uno de los partidos politicos para el Hampden-Hampshire Distrito Senatorial.

No mas de 35 miembros del comite barrio Democratico, de cada uno de los siete barrios.

No mas de 35 miembros del comite barrio Republicano, de cada uno de los Siete barrios.

ORDENO, mas adelante, que el escribiente municipal causa aviso de dicha primarias que sea emprentado en uno o mas periodicos publicado en esta ciudad y tambien sea conspicuo anunciado en las oficina del escribiente municipal.

Councilor Bartley asked if March 6th was already being designated for the meeting.

President Murphy-Romboletti stated that a special meeting will be called.

Councilor Bartley asked when that would be done. He then suggested that it be posted as soon as possible.

President Murphy-Romboletti suggested that it would be the same Friday at noon deadline, but the meeting would be posted as soon as possible.

City Clerk Brenna Murphy McGee asked if it was okay to keep the same deadline so they can set up for the election on Monday.

President Murphy-Romboletti stated that would work.

---> Received and Adopted.

COMMITTEE REPORTS

(26:00)

The Committee on Ordinance to whom was referred an order that the City Council amend Ordinance 2-336(a) and (b) to reflect a streamlined process for disposition of tax title properties and other properties not needed by the City for municipal purposes and to add a new section for the creation of an Abutter Lots Sale Program.

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

UNDER DISCUSSION:

Councilor I. Rivera stated that the order was discussed several times. He then explained that due to a lack communication on things that happened in the past and language not coming up the way the committee asked for, it was suggested that the order be referred to the Council without recommendation. He then stated that while he voted for that recommendation, he preferred it to be tabled to figure out how to proceed. He added that this was still an issue to deal with and that OPED and other department heads were interested in addressing it.

Councilor Vacon made a motion to refer the order back to committee. Councilor I. Rivera seconded the motion.

Councilor Devine asked if the language would be the same.

Councilor I. Rivera stated that he did not expect so. He then stated that the main issue was that there was not much progress from the previous meeting and there was an interest in moving things out of the committee jacket. He then expressed a hope that it could move faster, but would be open to giving it a leave to withdraw if there was no additional progress.

--> Report of Committee received and referred to the Ordinance Committee.

The Committee on Ordinance to whom was referred an order that the Zoning Ordinance, Section 6.4.2 Exemptions, be amended to add a letter, (k) Banners or signs associated with a civic or municipal program may be allowed in all districts. Community or commercial sponsorship may be displayed on said banner or sign provided that the banner or sign itself is not be greater than six (6.0) square feet. These installations must be approved by the City and by the Department of Public Works as applicable. Recommended that the order be referred to the City Council without recommendation.

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

UNDER DISCUSSION:

Councilor I. Rivera stated that the committee had met on this several times, but the progress and the intended designed were not clear. He noted that the vote had been 3-2 to refer it out without recommendation. He then explained that he voted against that, preferring that it stay in committee to figure out what is being put forward. He suggested that it could be refiled if it was a necessary process.

Councilor Vacon made a motion to deny the ordinance change. Councilor Bartley seconded the motion. She then stated that there were several discussions. She then explained that the committee asked for legal form in one way and received a different legal form. She further stated that the current proposed language would greatly expand the ordinance. She then suggested that an exemption should be narrow. She further suggested that a new order could be filed to better answer the questions.

Councilor Bartley pointed out that anytime an ordinance relative to free speech was proposed, it was tricky to address all aspects. He suggested that this was not well thought out and expressed hope that OPED, as the real proponent, could bring it back in a clearer and narrower format and could expose the city to problems. He also emphasized that passage would require a two-thirds vote of the Council. He also noted that the Ordinance jacket and the length of meetings during the past year had been out of control, adding that he would seek to keep the committee more focused going forward. He expressed a preference that the order be given a leave to withdraw.

Councilor Devine noted that the motion was to deny it. She then asked if that would mean someone else would have to file a new order. She then expressed confusion over whether the motion was to deny or to give it a leave to withdraw.

President Murphy-Romboletti stated that the motion on the floor was to deny it.

Councilor Bartley rhetorically asked if he had made a motion.

President Murphy-Romboletti confirmed that he had not.

Councilor Anderson-Burgos recalled that in order to clean things out, there was a rule created that an order extending from the previous session would be removed. He also recalled that several of his order had been removed from the jacket. He emphasized that the jackets were congested and holding up getting real work done.

President Murphy-Romboletti stated that there was no hard and fast rule.

Councilor Magrath-Smith clarified that it was not a rule because that proposal was still in the Charter and Rules jacket. She then observed that being a new member of the Ordinance Committee, she understood that it

was a love of detail. She then asked those who were against this order what they would have preferred to see done differently so that it could be done better next time.

Councilor Vacon stated she listed all of the older orders in the Ordinance Committee jacket on the agenda to be given a leave to withdraw in an effort to thin out the jacket. She then stated that a lot of information came in on this order, mostly from the Planning Department, indicating that they were interested in promoting a specific program with a narrow focus, adding that the program did not yet exist but was still in the pipeline. She added that this order was much broader and did not seem to fit under an exemption.

Councilor Greaney asked to call the question.

---> Report of Committee received and the Ordinance passed its first reading.

The Ordinance passed its second reading.

The Ordinance was denied to be Ordained and 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 That a handicap sign be placed in front of 38 Beacon Ave. for Elijah Santos, Placard #PL5530997
Recommended that the order be adopted.

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

UNDER DISCUSSION:

Councilor I. Rivera stated that the Disabilities Commission reviewed the site and recommended 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 13--Nays 0--Absent 0..

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up items 10 and 11 as a package.

The Committee on Ordinance to whom was referred an order that a handicap sign be removed from 195 Beech St. for Wilfrin Puello.

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

---> 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.

11. The Committee on Ordinance to whom was referred an order 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.

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

UNDER DISCUSSION:

Councilor I. Rivera stated that the orders should be adopted as read.

Councilor Bartley expressed his belief that these were just a voice vote.

Councilor Jourdain stated that they were in the ordinances so had to be removed by ordinance.

---> 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.

(46:00)

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 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.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that the grant was from the state's Executive Office of Public Safety to increase patrols in conjunction with the state police if they needed to be called in to help.

---> 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, THREE HUNDRED THOUSAND AND 00/100 Dollars (\$300,000) as follows:
FROM:

12101-51105 SERGEANTS \$115,000
12101-51107 PATROLMEN 65,000
12101-51117 E911 DISPATCHERS 120,000
TOTAL: \$300,000

TO:

12101-51300 OVERTIME \$300,000
TOTAL: \$300,000

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that the Police Department did not anticipate needing to come back in the current fiscal year for overtime requests. She then explained that the department currently had 95 patrolmen,

including 87 officers, 4 were in the academy, 12 were injured on duty, and 2 were in the military. She then stated that they planned to fill a vacant position.

Councilor I. Rivera asked to clarify how much they had expended in overtime during the current fiscal year.

Councilor Devine stated that they started with \$300,000, and then requested \$200,000, \$300,000, as well as this request for \$300,000. She then stated that it added up to \$1.1 million.

Councilor Jourdain noted that they expended \$1 million the previous year.

Councilor Sullivan noted that funds had also been transferred out of the seized assets fund but it was not clear how much was added to overtime.

---> 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 in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "2023 COMMUNITY MITIGATION FUND TRANSPORTATION PLANNING GRANT, \$82,300, 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:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that Carl Rossi, Director of the DPW, provided a printout of the streets to be paved. She then explained that the city was requesting funding from the Community Mitigation fund to perform initial engineering design work. She added that it was an extensive list.

Councilor Vacon noted that the list posted on the city website did not match the list submitted to the committee. She then asked that the administrative assistant contact the department to have it corrected.

Councilor Ocasio asked who was responsible for paving alleyways, noting that there were a lot of potholes in some of them.

President Murphy-Romboletti stated that alleyways were owned by the property owners on each side.

Councilor Ocasio stated that the mayor was going to look into it.

Councilor Devine suggested reaching out to Mr. Rossi to explain where the specific alleyway was located to see if they can start patching.

---> 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 in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "MASS EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION PLAN, 26,800, 10% IN KIND/VOLUNTEER 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:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that Yoni Glogower, Conservation Director, explained that FEMA required a vendor from the Pioneer Valley Planning Commission, and they had until FY26 to complete the funding. She added that they had to follow FEMA guidelines to allow the city to remain eligible to apply for flood mitigation assistant program and other opportunities.

---> 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, TWENTY THOUSAND AND 00/100 Dollars (\$20,000) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$20,000

TOTAL: \$20,000

TO:

11212-53009 CONTRACTED SERVICES-MAYOR \$20,000

.....- AMBULANCE FEASIBILITY

TOTAL: \$20,000

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan

Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that the mayor proposed this, along with the Fire Department. She then explained that an RFP went out for a feasibility study to get information on the possibility of running an ambulance service through the Fire Department. She added that the mayor committed to put the \$20,000 back into the stabilization account.

Councilor Greaney asked what the balance was in the stabilization account.

Councilor Devine stated that she would work to find out.

Councilor Bartley expressed his intent to file an order on free cash certification. He then asked President Murphy-Romboletti to look into it.

Councilor Greaney expressed a reluctance to take money out of stabilization without knowing how much was in it.

Councilor Jourdain clarified that this was capital stabilization.

Councilor Vacon expressed her intent to support this due to the mayor's commitment to replace it in the stabilization account, noting that she preferred not to use those funds for consultants. She also noted that she spoke with the mayor two weeks earlier and he confirmed that the free cash would be certified within two months.

Councilor Bartley stated that he was a fan of this account, noting that former Councilor Lisi had been a longtime proponent of establishing the fund. He then commended Mayor Garcia for finally making it happen. He then explained that the account's purpose was for special projects that may not necessarily be budgeted for. He then expressed agreement that the city should avoid using the main stabilization account.

Councilor Greaney corrected his previous comment, noting that he initially believed this was coming out of the main stabilization account.

---> 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 the City Council vote to approve the attached Memorandum of Understanding allowing the City of Holyoke to receive transportation reimbursement in accordance with the provisions of the Every Student Succeeds Act, and as allowed by the provisions of M.G.L. c. 44, s70.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine explained that when the state transfers kids from outside the district, it doesn't get reimbursed. She then stated that this was put in place to allow the city to get reimbursed in the future. She noted that it would be around \$20,000. She then explained that this could be amended at any time by the parties if any changes needed to be made.

Councilor Greaney asked if Durham was still the provider for bus transportation.

Councilor Devine stated that she was not sure.

President Murphy-Romboletti stated that she believed it was Durham.

Councilor Bartley asked what the School Department was spending on the transportation of busing people from outside the district.

Councilor I. Rivera stated that it was a difficult question to answer because funding came from a variety of sources. He then explained that if a person was unhoused, there was a process for paying for them. He added that it ultimately would come out of the education budget, but the line item was funded specifically from federal or state dollars not necessarily coming out of the city budget. He also explained that students may be bussed out because the city may not have services they needed or they were school choosing out.

Councilor Greaney expressed his understanding that this transportation was mandated by law.

Councilor I. Rivera stated that it was, depending on if they had an individualized plan.

---> 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 the City of Holyoke establish a Health Insurance Trust Agreement pursuant to MGL c. 23B, Section 3A. MGL c. 32B, Section 3A permits a municipality to establish a health insurance trust to "organize, arrange, or provide for the delivery or payment of health care coverage or services". The establishment of a trust by the City to administer health care payments will create a significant savings to the FY'25 proposed budget.

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

Committee Members:

Patricia Devine
Kocayne Givner

Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine noted that there was video of a presentation from Cook and Company during an Ordinance Committee meeting in December. She then explained that they needed the City Council to authorize establishing a trust in order to look into organizing, arranging, and providing for the municipality to establish a health insurance trust. She noted that a timeline for pursuing self-funding was provided.

Councilor Greaney asked if the city would be paying a fee to this company for handling this trust.

Councilor Vacon pointed out that although the order said that it would create significant savings for the FY25 proposed budget, the savings would likely be in the second or third year and would be held within the plan but would not be significant savings for the city budget. She then suggested that if this plan was pursued, there needed to be adequate funds to provide coverage for claims.

Councilor Jourdain explained that there would be subsequent votes on this and that this was just an entry level vote to get it out of the gate. He added that there would be more information needed before final approval. He noted that they were hoping to make this happen for July 1st if the decision was made to do it. He also noted that the savings would not be usable for elsewhere in the budget. He added that it would need to build up a reserve, noting that the city would be paying all the claims with self-funded insurance while a third party provider would be processing claims and providing the network. He emphasized that self-funded insurance had become the norm among most large employers, including government entities. He also emphasized the importance of stop-loss coverage for the potential of large claims that could quickly deplete the funds in the trust.

Councilor Greaney asked who the watchdog would be for this company.

Councilor Jourdain stated that there is supposed to be a trust fund.

Councilor Devine asked if everyone had received the form.

President Murphy-Romboletti stated that everyone should have received it.

Councilor Devine stated that it provided a lot of the information, including responsible parties, start date and target end date, tasks to be completed, among other items.

President Murphy-Romboletti encouraged councilors to watch the video of the full discussion.

Councilor Devine also encouraged councilors to leave the self-funding timeline in their desks.

Councilor Jourdain stated that one of the coming important steps would be that the Law Department would be providing a trust document setting up the rules for how the trust fund would work. He added that the Council would have a say over who the trustees overseeing the fund would be.

---> Report of Committee received and recommendation 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 the ballot question approved by the City Council be placed on the ballot on November 4, 2024 as referenced in the 9/26/23 decision by Judge Mulqueen.

Ballot Question

Shall the City of Holyoke amend the current Community Preservation Act real estate surcharge, as established in accordance with the provisions of Section 3 of Chapter 44B of the Massachusetts General Laws, and which amendment of such surcharge is permissible pursuant to Section 16 of Chapter 44B of the Massachusetts General Laws, and approved by its legislative body, from 1.5% to 1.0%, a summary of which appears below? (with revised dates)

8

Community Preservation Act Ballot Question and Draft Summary

Ballot Question

Shall the City of Holyoke amend the current Community Preservation Act real estate surcharge, as established in accordance with the provisions of Section 3 of Chapter 44B of the Massachusetts General Laws, and which amendment of such surcharge is permissible pursuant to Section 16 of Chapter 44B of the Massachusetts General Laws, and approved by its legislative body, from 1.5% to 1.0%, a summary of which appears below?

Summary of Question

On October 3, 2023, the City Council voted, without taking a position, to place a question on the ballot which will allow voters to reduce the current Community Preservation Act real estate surcharge from 1.5% to 1.0%. The question will be approved, and the real estate surcharge shall be so reduced, if a majority of the voters voting on the ballot question vote "yes". The question will not be approved, and the real estate surcharge shall remain the same, if a majority of the voters voting on the ballot question vote "no"

On November 8, 2016, the voters of the City of Holyoke voted to accept Sections 3 to 7 of Chapter 44B, known as the Community Preservation Act (hereinafter referred to as the "Act"). By accepting the Act, a funding source was established to enable the City of Holyoke to: (1) acquire, create and preserve open space, which includes land for parks, playgrounds and athletic fields; (2) acquire, preserve and rehabilitate historic resources such as historic community buildings and artifacts; and (3) acquire, create, and preserve and support community housing to help local families meet their housing needs. By accepting the Act, a surcharge of 1.5% was assessed on real estate on an annual basis beginning in Fiscal Year 2018. Exempted from the surcharge are: (1) property owned and occupied as a domicile by any person who would qualify for low income housing or low or moderate income senior housing in the City of Holyoke, as defined in Section 2 of the Act; (2) \$100,000 of the value of each taxable parcel of residential real property; and (3) \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59. A taxpayer receiving a regular property tax abatement or exemption will also receive a pro rata reduction in the surcharge. Any taxpayer seeking a low income or senior exemption shall apply for said exemption annually to the City of Holyoke.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Vacon noted that the election date of November 4th should be amended to November 5th.

Councilor Jourdain stated that October 3rd would also need to be amended to the current date.

Councilor Devine expressed her understanding that the City Clerk would get a notice of acceptance and certify the ballot.

Councilor Magrath-Smith recalled that this topic had come before the body in several ways over the last few years. She then emphasized the importance of understanding what CPA had done for the city. She then explained that Holyoke was among 194 communities in Massachusetts with CPA. She noted that 1.5% was the average among those communities, adding that they could go as low as 0.5% or as high as 3%. She added that the city created an exemption for property values up to \$100,000, matching the community's desire to invest in Holyoke while doing it as reasonably as possible. She noted that the average home value was \$236,000 with an average CPA surcharge of \$38.34. She then stated that while she understood it could be a lot for some, that little bit was doing a lot for the community. She also emphasized that the city was getting a 31% match from the state on the funding the city was putting forward. She then explained that the funding had provided for popular projects such as Scott's Tower and Anniversary Hill, the City Hall stained glass windows, the Library Commons project, with much of those CPA funds leveraged for additional state and federal grants that would not have come without the initial investment. She then emphasized the importance of explaining to the public why these funds were being asked for and why they matter.

Councilor Vacon recalled that Councilor Magrath-Smith, while serving as chair of the CPA Committee, had come into several committee meetings to share information on the worthy projects the CPA was funding. She then emphasized the importance of acknowledging that the taxpayers were funding the CPA and they had been expressing that they were struggling with increasing taxes and fees with greater frequency and intensity. She then explained that this question would give the voters the right to have a say about a surtax that was approved by ten points. She added that it had been in effect for five years, and they should now have a right to weigh in. She also noted that the proposal to go to 1% was a compromise following much discussion. She also stated that this vote to place it on the ballot did not bind any councilor to being in favor or against the reduction.

Councilor Jourdain expressed his belief that good people on both sides can disagree on this, and there had been equally logical arguments as to why it should or should not be reduced. He then noted that this was collecting around \$450,000 a year when it first started and was now collecting double that due to increasing home values. He then suggested that the reduction would take back some of that increase while still being more than what was originally pitched. He added that constituents had expressed concern about the tax levy going from \$28 million to \$63 million in the last 25 years. He then stated that just as he believed it should be the peoples' choice to vote on it in 2016, he believed it should be their choice now.

Councilor I. Rivera noted that when the mayor vetoed the question the previous year and got sued, the judge sided with the mayor, stating that it had to do with not following procedure. He then asked if the city would be following proper procedure this time and what that meant. He then stated that he could not support this until the proper procedure was figured out.

Councilor Vacon noted that the question on proper form was raised with the Law Department and after further research, Atty Degnan explained in the committee meeting that the question was in proper form and would be received by the state.

Councilor I. Rivera clarified that the question was not whether or not it was in proper form but whether the proper procedures were followed, including if the Council needed to take a vote on taking a position on it.

Councilor Vacon noted that Atty Degnan addressed that question specifically. She then emphasized that the initial question stated that the City Council was placing it on the ballot without taking a position, and it was in proper order to put it on the ballot without taking a position. She added that the judge found no harm since the plan was to put the question on the ballot in 2024.

Councilor Jourdain stated that Atty Degnan researched the question based on the fact that the DOR approved the language with the "without taking a position" language the first time, she determined that the same language would be approved this time.

Councilor Greaney stated that the public voted in favor of the CPA, as was their right, and should have the right to vote this time, emphasizing that they did not get many chances to vote on taxes.

Councilor Devine reiterated that the committee voted 5-0 to recommend putting it on the ballot without taking a position. She then thanked Councilor Magrath-Smith for providing her perspective and explanation, as the CPA expert.

Councilor I. Rivera stated that while he appreciated the context and explanation of how it was done before, he had concerns with the argument that doing what was done before was okay. He then expressed a preference to hear from the DOR that using the same process as the past would be okay now. He also argued that if people had the right to vote to rescind, they should also have the right to increase it if it was going to be equitable.

Councilor Anderson-Burgos recalled hearing an earlier point that if it was reduced to 1%, the CPA Committee would not be able to afford the salary of its administrative assistant. He then asked Councilor Magrath-Smith if that was correct.

Councilor Magrath-Smith clarified that the initial conversation proposed lowering it to 0.5% and there would have been no way to afford their salary at that level, adding that it would still be tight at 1% because the CPA legislation prevented them from using more than 10% for administrative fees, which includes costs such as Zoom hosting, as well as paying their administrative assistant. She emphasized that their assistant was doing a lot for them, including invoicing and writing contracts, items that would have been tasked out if the admin budget was more limited.

Councilor Anderson-Burgos asked City Clerk Murphy McGee how much time there was to have this approved for the ballot.

City Clerk Murphy McGee stated that it would need to be done 35 days prior to the election.

Councilor Anderson-Burgos stated that there was plenty of time. He then made a motion to lay the item on the table in order to get some of Councilor I. Rivera's questions answered. He then emphasized his earlier promise the previous year that he would vote to place this on the ballot, but wanted to ensure that everyone had their questions answered.

Councilor Devine noted that the committee voted to recommend it out. She then asked if the next step would be to give it a leave to withdraw of table it.

Councilor Vacon called the motion.

President Murphy-Romboletti clarified that the motion to pass the first reading was done, and the motion to pass the second reading was on the floor.

Councilor Bartley stated that he did not have an issue with tabling it, but reminded everyone that the point was made that people needed to attend the committee meetings.

President Murphy-Romboletti reiterated that she had made that point.

Councilor Bartley stated that he had no issue with tabling the item. He then suggested that the second meeting in March should be enough time to get questioned answers, and encouraged anyone with questions to do their due diligence to get the information.

Councilor Jourdain stated that he would support tabling the item if there was a legitimate open question but he believed the question was asked and answered.

Councilor Bartley seconded the motion to lay the item on the table.

Following an uncertain voice vote, motion was made, seconded, and thirded to take a roll call vote.
---> Report of Committee received and laid on the table on a call of the roll of the yeas and nays-- Yeas 9--
Nays 4 (Greaney, Jourdain, Ocasio, Vacon)--Absent 0.

The Committee on Finance to whom was referred an 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.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that the committee voted to send it to the mayor. She added that the City Clerk's office was already taking care of much of the requests in the order.

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

Motion was made and seconded to suspend the necessary rules to take up items 21 through 25 as a package.

The Committee on Finance to whom was referred an order that the honorable city council work with the law department on identifying the 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?

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that Councilor I. Rivera spoke with the OPED office and the Law Department and felt the order was complied with.

Councilor I. Rivera stated that he did speak with Aaron Vega and Atty Ball around some of the issues, filling him in on the gaps on information he was raising. He noted that he learned a good lesson to reach out to department heads before filing some orders.

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

The Committee on Finance to whom was referred an order In light of the recent announcement of Holyoke's allocation from the State of nearly \$500,000.00 in tax appropriation for its infrastructure, the Mayor and DPW Superintendent provide a plan on how to use the funds for this fiscal year. So the public is aware, please see agenda item #8 from the 1/2/24 meeting (Fair-Share Amendment).

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that Carl Rossi explained that this would be added to Chapter 90 funds and a road list had been provided. She added that the mayor was hoping to stretch the road work in the future. She also noted that they could not yet address Lincoln Street because of planning utility work.

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

The Committee on Finance to whom was referred an order From MassDOT, letter regarding Holyoke Fair Share apportionment for FY2024

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Bartley noted that this item was the letter tied to the previous item.

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

The Committee on Finance to whom was referred an 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.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Sullivan stated that the Police Chief provided a nice presentation. He then noted that a dollar amount on each use was not given, but that some was spent on overtime, some was spent on ammunition, among other things. He recalled that this same topic was discussed several years earlier, with around \$900,000 in the account at that time. He then stated that there was only around \$150,000 now. He then suggested that the item be sent back to committee or tabled, emphasizing that there was information that still needed to be provided.

Councilor Devine noted that Councilor I. Rivera filed another order asking for a five year breakdown on the account. She suggested that a lot more information could be provided as a response to that order.

President Murphy-Romboletti noted that it was item 51.

Councilor I. Rivera stated that his order will be able to answer the questions he still had. He then expressed a need to be provided a line item breakdown of the account, adding that there was no information for many years on how much money was going into it and how it had been allocated. He also suggested that there could

have been savings in terms of tax dollars that had been used to pay for equipment for the department.
---> Report of Committee received and recommendation Adopted.

The Committee on Finance to whom was referred an order That the Finance Committee review the FY 22 budget impact, as well as, school building financial analysis impact of the Assessors' decision to lower the Holyoke Mall's assessment by an additional \$36 million (for a \$1.46 million annual revenue drop) the day after the Council's February 15 vote to approve spending \$475,000 on a feasibility study for a new middle school.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that this order was filed in March of 2022, and was considered complied with.
---> Report of Committee received and recommendation Adopted.

(1:56:35)

The Committee on Development and Governmental Relations to whom was referred an order that the City Council approve the Resolution for the Certified Housing Development Incentive Program (HDIP) Project including a Local Tax Increment Exemption (TIE) Agreement with Wrights Block LLC for the redevelopment of 106 - 120 High Street (Assessor Map 013, Block 01, Parcel 006) into downtown market rate housing.

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

Committee Members:

Kocayne Givner
Linda L. Vacon
Carmen Ocasio
Juan Anderson-Burgos
Michael Sullivan

UNDER DISCUSSION:

Councilor Givner stated that Aaron Vega and John Dyjach from OPED, as well as the developer, Vadim Tulchinsky, attended to discuss this project. She then stated that housing and development was needed in the city, adding that Mr. Tulchinsky had other projects in the city that were going well. She added that the TIF would help them do a larger project than they had done before.

Councilor Bartley stated that Mr. Tulchinsky and his partner had invested a fair amount of money and would be a nice addition to that end of High Street. He noted that a restaurant was also going to be opening up in that section of the street soon. He then explained that 16 of the 19 units would be market rate, with the other 3 being accessible or affordable housing. He then expressed that this could be an anchor for the area, leading to additional expansion. He also noted that Mr. Tulchinsky was very enthusiastic for the city and wanted to do more. He also emphasized that with the TIF, the tax break was on new growth and would be scaled down over five years.

Councilor Jourdain stated that he supported this and appreciated the work going into it. He then suggested that the people of Holyoke deserved a statement of gratitude, noting that this kind of break meant that everyone else needed to chip in more on their taxes. He noted that the average citizen needing to replace their windows or fix their roof can't go to City Hall and ask for a break on their taxes. He then emphasized that these redevelopment projects were important because many had been difficult to get back on the tax rolls, but this property had received serious investments, including CPA funding. He then suggested that there needed to be follow up to ensure that the commitments come through.

Councilor Anderson-Burgos recalled that before the mall opened, High Street had been the place to be and where every family went to. He then stated that the city had since been relying on taxes coming from the mall, adding that they were now seeing challenges. He then suggested that taxpayers know that their investment into the CPA was helping to reimagine and rebuilding this corridor of the city. He then suggested that this was a good investment.

Councilor Vacon expressed support for this but believed it was important to say that people deserved the right to vote on one of the few occasions they have to vote on their taxes.

President Murphy-Romboletti asked that the discussion remain focused on the order.

Councilor Bartley emphasized that this would be a tax relief on the increased value above what it currently was and was not a tax break or giveaway. He reiterated that it would be a give year sliding scale on the tax relief. He also noted that the developer had already invested over \$1 million of private money for a building that was not in the best shape.

Councilor Greaney moved the question.

--> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--
Yeas 13--Nays 0--Absent 0.

Motion was made and seconded to suspend the necessary rules to take up items 27 and 28 as a package.

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 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.

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

Committee Members:

Kocayne Givner
Linda L. Vacon
Carmen Ocasio
Juan Anderson-Burgos
Michael Sullivan

UNDER DISCUSSION:

Councilor Givner

---> 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 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.

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

Committee Members:

Kocayne Givner
Linda L. Vacon
Carmen Ocasio
Juan Anderson-Burgos
Michael Sullivan

UNDER DISCUSSION:

Councilor Givner stated that both properties would be a tax title transfer to surplus property. She noted that they had been vacant for some time and this would help get them sold and back on the tax rolls.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--
Yeas 13--Nays 0--Absent 0.

(2:10:35)

The Committee on Charter and Rules to whom was referred an order that the City Clerk provide information outlining the procedures for submitting changes to Municode and ensuring accurate publication of the City Charter.

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

Committee Members:

Meg Magrath-Smith

Linda L. Vacon
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Magrath-Smith stated that they learned it had been a process over the last decade to figure out how to codify the Charter. She noted that funding for the software had been pulled in 2016 with the intent to have it done inhouse, but the transition was messy, leading to some updates not occurring. She added that some changes in the Charter dating back to 1993 had not been recorded correctly. She then suggested that it was now about figuring out how to move forward. She then explained that ARPA funding had been secured to acquire software from CivicPlus who acquired municode. She also explained that ordinance updates to municode were only being done 2 to 4 times a year, and that this new software would allow for expanded use of municode as well as legislative tracking. She added that this would allow for more real time updated of ordinances in municode. She then suggested that councilors email the Clerk if they know of items that were missing from municode so that those updates can be made.

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

The Committee on Charter and Rules to whom was referred an order that RULE 4. CITY CLERK section A: In case of the absence of the City Clerk, a Clerk Pro-Tempore shall be appointed....the words Clerk Pro-Tempore shall be deleted and changed to "Assistant City Clerk, 2nd Assistant City Clerk or Administrative Assistant to the City Council shall resume the duties of the City Clerk when the City Clerk is absent."

have considered the same and Recommended that the order be adopted, amended by deleting "Administrative Assistant to the City Council" and replacing with "or other qualified individual."

Committee Members:

Meg Magrath-Smith
Linda L. Vacon
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Magrath-Smith stated that the order was a request from the City Clerk's office to clarify that it was meant to mean those specific roles in the office. She noted that one question that came up was whether it made sense to have the administrative assistant effectively wearing two hats, leading to the amendment to "other qualified individual" if there was the occasion where no other person from the City Clerk's office could fill in.

Councilor Bartley questioned why this was being done, emphasizing that pro-tempore was a Latin phrase that meant "for the time being."

President Murphy-Romboletti stated that the question was discussed the previous night.

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

The Committee on Charter and Rules to whom was referred an order 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.

have considered the same and Recommended that the order be adopted, amended to remove EST and replace "unanimously approved by all " with "approved by a two-thirds majority of"

Committee Members:

Meg Magrath-Smith

Linda L. Vacon

Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Magrath-Smith stated that building consensus had built over time to establish a cap on meetings while building in a method for extension if needed. She then explained that the main change was to prevent one person from being able to stop a meeting from going forward, leading to the amendment that it be a two-thirds majority.

Councilor Vacon stated that she supported the change. She then noted that the language would have to be added to every agenda to be in compliance with open meeting law.

Councilor Jourdain expressed his support for the change. He then asked to clarify that this was just for regular City Council meetings.

President Murphy-Romboletti confirmed that was accurate.

Councilor Greaney stated that he would be supporting this.

Councilor Magrath-Smith asked if this would be going into effect for this meeting.

President Murphy-Romboletti stated that it would have to be posted first.

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

President Murphy-Romboletti stated that items 31, 32, and 35 remained in committee.

The Committee on Charter and Rules to whom was referred an order that RULE 3 MEETINGS 3(A) be changed to reflect that City Council meetings shall be held on the first and third Tuesday of the month at 6:30 p.m. (change from 7:00 p.m.)

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

Committee Members:

Meg Magrath-Smith
Linda L. Vacon
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Magrath-Smith stated that the discussion centered around changing one variable at a time to see if it solved the problem. She noted that there were additional potential complications, including timing of executive sessions, with changing meetings to 6:30 PM. She suggested other options could be explored if the previous order didn't accomplish the desired results.

Councilor Bartley emphasized that executive sessions could be scheduled any time, not just right before Council meetings. He also noted that subcommittees were already meeting earlier and everyone was able to attend them. He then expressed his opposition to giving this a leave to withdraw.

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

ORDERS AND TRANSFERS

(2:24:50)

President Murphy-Romboletti implored councilors to not debate items going to committee.

Givner- With community support, that all one way streets include a stop sign on both even and odd sides of the street's corner on approach to a stop.-Ordinance / Copy to DPW

---> Received and referred to the Ordinance Committee. Copy to DPW, City Engineer.

Givner- With community support, order that city departments develop an online portal to collect information from property and business owners. Our current postal mail approach slows the collection of needed data, creates data entry work for city employees, and has the potential to get lost/missed by those it is sent and/or returned to. The first departments that come to mind are our Building, Board of Health, and Board of Assessors. This will be especially useful as the city continues to become more efficient in the collection and use of property information.

-Receive, adopt and send to the Mayor

---> Received and Adopted. Copy to the Mayor.

Givner- Ordered, that the City Council approve the Resolution for the Certified Housing Development Incentive Program Project including a Local Tax Increment Exemption (TIE) Agreement with Open Square Properties, LLC for the new downtown market rate housing development at 4 Open Square Way (Assessors Map 022, Block 01, Parcel 003).

---> Received and referred to the Development and Governmental Relations Committee.

Givner- In an effort to support Holyoke's need for housing, Order that the City Council approve the Resolution for the Certified Housing Development Incentive Program Project including a Local Tax Increment Exemption

(TIE) Agreement with Open Square Properties, LLC for the new downtown market rate housing development at 4 Open Square Way (Assessors Map 022, Block 01, Parcel 003). (Resolution attached)
-DGR

Murphy-Romboletti stated that this one was a duplicate of the previous order.
---> Given a leave to withdraw.

Givner- Per constituent request, order that the handicap placard be removed from 277 Walnut St as resident Jane Pafford has moved.
-Ordinance / Copy to DPW
---> Received and referred to the Ordinance Committee.

Givner- Per constituent request, order that a stop sign be added on the left side of Pine Street when approaching Cabot.
-Ordinance / Copy to DPW
---> Received and referred to the Ordinance Committee. Copy to DPW, City Engineer.

Givner- With community support, order that a street light be installed between 31 and 33 O'Connor Ave on the odd side of the street. There have been multiple vehicle break ins here. A light would provide pedestrian safety and deter vehicle break ins on this very dark section of the street.
-Ordinance / Copy to DPW

Councilor Vacon stated that HG&E handled these requests.

Councilor Bartley stated that the proper way to do this was going through a pole petition with HG&E. He then explained that it wouldn't be needed if the property owner would allow an easement to allow a pole to be placed on their property.

Councilor Givner stated that it wasn't the property owner asking for it.

Councilor Bartley reiterated that there would need to be a pole petition to the HG&E, which could take several months, or the property owner could be approached to see if they would allow it on their property.

Councilor Vacon asked if there was an existing pole.

Councilor Givner stated there was one near the location but not where the request was for. She added that the property owners had garages and driveways, and it was people parking on the street having the issues.

Councilor Bartley reiterated his suggestion that this could be tabled to speak to the home owner, or that a petition be filed through the HG&E.

Councilor Givner asked if that meant this didn't need to go through a committee.

Councilor Bartley stated that it would not.

Councilor Givner suggested that something not going to committee did not need to be tabled.

Councilor Bartley reiterated that the fast way would be to talk to the homeowner to grant an easement, or a pole petition could be sought through the HG&E. He then explained that his suggestion to table was to give time for the ward 4 councilor to speak with the property owner.

Councilor Givner asked if it needed to go to committee if either of those things happened.

Councilor Bartley stated that was accurate.

Councilor Givner suggested that it would not need to be tabled since it had nothing to do with City Council.

Councilor Bartley stated that the petition still had to come from the Council.

---> Laid on the table.

Jourdain, Bartley -That Charter Sections 19 and 34 be amended and elsewhere as appropriate to allow for all appointments to the Fire Commission and DPW Commission to be appointed by the Mayor subject to confirmation by the City Council.

Councilor Bartley asked to be added to the order. He then asked if the mayor had been spoken to about this.

Councilor Jourdain stated that he had not, and expected there would be a lot of horse-trading about different city reorganizations. He noted that this had been passed by the Council 4 times in the past and hoped it could go through this time.

---> Received and referred to the Charter and Rules Committee.

Jourdain- Pursuant to Ordinance Sec 12, subject to the approval of the Parks and Recreation Commission, the City Council gives its final approval to name the Fountain at Laurel Park, the "Helen F. Norris Fountain at Laurel Park" in honor of 16 year Ward 3 City Councilor Helen F. Norris and her very meaningful and accomplished service to the city. I also thank Mayors Garcia and Pluta for strongly supporting this naming.

Councilor Jourdain stated that Ms. Norris served on the Council with extreme distinction. He noted that they had not been political allies when he first started off but became good friends with her over the years even while coming from two different political perspectives. He added that he admired her intelligence, research, and her heart for the city. He also stated that she did not get enough credit for things she did for the city, including pushing for the acquisition of the Holyoke Dam. He further observed that the license for ownership of the dam also led to ownership of the canals, settlements in several cases the city was dealing with, and the acquisition of various other land around the city. He then explained that the fountain had been special to her, having been part of working to restore it several years back.

---> Received and Adopted. Copy to Parks and Rec Commission, Mayor.

Jourdain- That the DPW please continue making cold patching potholes in the city as a priority until weather warms and more permanent solutions can be used.

---> Received and Adopted. Copy to DPW.

Magrath-Smith- Ordered that members of the Fire Commission come into Public Safety to discuss the recent issue concerning firefighters obtaining their EMT certifications.

Councilor Vacon asked for clarification of what this was about.

Magrath-Smith noted that there was an issue highlighted in recent Fire Commission minutes where firefighters were getting to two years to get their EMT license and then having to resign. She added that this was a loss to the city to pay for the training and then not being able to complete the course. She then stated that she was looking for an explanation on how they would address this to keep people on the Fire Department.

Councilor Vacon emphasized that this would be critical to running the ambulance service.

---> Received and referred to the Public Safety Committee.

Ocasio- That a handicap sign be placed in front of 799 High St. for Francisco Rivera Chevere, Placard # PL1770918, Exp: 04/16/24.

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

Rivera. I.- 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.

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

Vacon- that our legal department sends and provides a copy of the letter notifying Republic Commercial Disposal of our noise ordinance and giving notice to cease emptying dumpsters outside of the allowed time frame. Please provide copy of the letter for the next City Council meeting.

---> Received and Adopted. Copy to Law Department.

Vacon, Bartley- that in accordance with City Council Rule 9 A, (All Committees shall be appointed and announced by the President, unless otherwise provided for, or especially directed by the City Council), adopted unanimously by the City Council, the City Council direct that the Ward 3 City Councilor be appointed to replace the Ward 5 City Councilor on the DGR Committee. Currently, the Ward 5 City Councilor has been assigned to three committees, most other city councilors have been assigned to two, and the Ward 3 City Councilor has been assigned to one committee. This is an unbalanced and unfair assignment where one councilor has been singled out for a heavier workload than any other councilor. This assignment will restore a fair workload of two committees for each councilor. Motion to receive and adopt

Councilor Vacon made a motion to give the order a leave to withdraw. She then thanked President Murphy-Romboletti for a discussion on this topic the previous week, and that the request would be taken under advisement. She then thanked Councilor Bartley for signing on and being willing to take on the workload, but that he wished to take his name off of the order. She added that President Murphy-Romboletti agreed to take her off of the DGR Committee.

---> Given a leave to withdraw.

Anderson-Burgos- Ordered that the handicap sign located in front of 184 Sargeant St be removed.

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

Motion was made and seconded to suspend the necessary rules to take up items 55 through 57 as a package.

Bartley- DPW paint hash-marks indicating no parking at west side of HARRISON AVE where it meet MYRTLE ST. This is a constituent request.

---> Received and Adopted.

Bartley- DPW, as practical as possible, paint stop lines and other necessary markings at the intersection of PARENTEAU DR/HIGH ST./SOUTH ST. as this intersection is not getting any safer.

---> Received and Adopted.

Bartley- The Holyoke City Council issue a proclamation to the family of MERLE HILLMAN, WWII Pearl Harbor hero from the USS California, who was finally laid to rest at St. Jerome's in a memorial service January 27, 2024.

---> Received and Adopted.

Devine, I. Rivera - Under City Council rules, please add the following: New Rule: Every 2 years after being sworn in, the City Council President shall set the seating arrangements of the City Council. Consideration shall be taken for any legitimate handicap preference.

Councilor Vacon raised her point of order from the previous meeting regarding the President's lack of authority to change the seating, adding that this order would not be necessary if the authority existed. She also noted that this would not take effect until the next term.

---> Received and referred to the Charter and Rules Committee.

Motion was made and seconded to suspend the necessary rules to take up items 59 and 60 as a package.

Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "2024 MASSDEP RECYCLING DIVIDENDS/SUSTAINABLE MATERIALS RECOVERY PROGRAM , \$9,100, 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 Monday, February 6, 2024.

Joshua A Garcia, Mayor

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

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, NINETY THOUSAND EIGHT HUNDRED SIXTY ONE AND 00/100 Dollars (\$90,861) as follows:

FROM:

12201-51105 FIREFIGHTER \$90,861

TOTAL: \$90,861

TO:

12201-51102 DEPUTY FIRE CHIEF \$65,588

12201-51300 OVERTIME 8,307
12201-51500 VACATION/PERSONAL DAY BUYBACK 4,506
12201-51510 SICK LEAVE/INCENTIVE BUYBACK 12,460
TOTAL: \$90,861

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Monday, February 6, 2024.

Joshua A Garcia, Mayor

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

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY SEVEN THOUSAND TWO HUNDRED EIGHTY THREE AND 71/100 Dollars (\$37,283.71) as follows:

FROM:

12101-51105 SERGEANTS \$10,493.16
12101-51107 PATROLMEN 26,790.55

TOTAL: \$37,283.71

TO:

12101-51180 INJURED ON DUTY \$37,283.71

TOTAL: \$37,283.71

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Monday, February 6, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Devine stated that this was a bookkeeping matter.

Councilor Jourdain observed that the numbers kept getting bigger on injured on duty transfer requests. He also emphasized that that this was the biggest driver of overtime.

President Murphy-Romboletti noted that this covered 14 officers.

Councilor Devine suggested that the number be provided going forward in future meetings.

President Murphy-Romboletti noted that Admin Asst Anderson-Burgos showed her an attached page which listed the names.

---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Bartley).

LATE FILED ORDERS AND COMMUNICATIONS

(2:54:05)

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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Monday, February 6, 2024.

Joshua A Garcia, Mayor

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

Councilor Jourdain asked the administrative assistant to provide a copy of the injured on duty transfers going forward so that councilors can see the information prior to the meetings.

Sullivan- That the DPW Director and Board Members be invited to a Dev & Gov Relations Committee meeting to update the council on the status of operations, projects, and initiatives.

---> Received and referred to the Development and Governmental Relations Committee.

Jourdain- Ordered, that the School dept provide the City Council with a report on their plan to use the remaining \$13 million in ESSER funds by September 30, 2024. Also provide us a report on how the \$44 million thus far spent was used.

---> Received and referred to the Joint Committee of the City Council and School Committee.

Jourdain- That the Joint Committee on City Council and School Committee review and respond to the Receivership response from Commissioner Riley & the Holyoke High & District 23-24 District Report Card that was released by Mass DESE. Documents attached.

---> Received and referred to the Joint Committee of the City Council and School Committee.

From Mayor Joshua A. Garcia, response to Commissioner Riley's letter on receivership

---> Received and referred to the Joint Committee of the City Council and School Committee.

Devine - Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2024 SHANNON COMMUNITY SAFETY INITIATIVE (CSI), \$576,814.28, 25% MATCH PAID BY SUBRECIPIENTS" 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 Monday, February 6, 2024.

Joshua A Garcia, Mayor

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

Brenna Murphy McLee

Adjourned at 10:06 PM