

REGULAR MEETING OF THE CITY COUNCIL**April 2, 2024**

The meeting was called to order by President Murphy-Romboletti at 7:05 PM

The Clerk called the roll. Present Members in person 11 (Anderson-Burgos, Bartley, Devine, Givner, Greaney, Jourdain, Magrath-Smith, Murphy-Romboletti, Ocasio, I. Rivera, Sullivan). Present Members on Zoom 2 (J. Rivera, Vacon).

The Pledge of Allegiance was recited.

Motion was made and seconded to take a roll call vote that for the purposes of this meeting would be applicable to all motion to receive, refer items to a committee, remove items from the table, place items on the table, package items together, comply with items, or suspend the rules, unless there is an objection. Motion passed on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

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

Councilor Greaney asked for a moment of silence for Elroy Barber, longtime Holyoke resident and brother of former mayor and city councilor, Elaine Pluta. He added that Mr. Barber had done a lot of service in the city, including volunteering at the Senior Center.

A moment of silence was observed for Elroy Barber.

Councilor Bartley asked for a moment of silence for David Keith, lifelong Holyoker who formerly served on the Board of Alderman.

A moment of silence was observed for David Keith.

Councilor Devine asked for a moment of silence for Timothy Curran, father of Personnel Director, Kelly Curran.

A moment of silence was observed for Timothy Curran.

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

Devine - Ordered, that a proclamation be presented to Don Welch for his 21 years of dedicated service and advocacy as a member of the Commission on Disabilities.

UNDER DISCUSSION:

Councilor Devine stated that Mr. Welch was unable to be in attendance and that he had someone in attendance to speak on his behalf.

President Murphy-Romboletti stated that two proclamations were being presented to Mr. Welch, one from the City Council and one from State Representative Patricia Duffy. She then stated that the Council was grateful for his service.

Lyn Horan, Vice Chair for the Commission on Disabilities, stated that he was unable to attend as he is out of town beginning to enjoy his retirement after many years of commitment. She then thanked the mayor's office and the City Council for the recognition. She also stated that the Commission hoped to keep doing more outreach for disabled residents of the city. She also emphasized that they were the largest marginalized group in the world according to the World Health Organization, as well as being the most diverse, largely due to discriminatory activities. She then stated that the Commission was in need of more members, asking that anyone interested contact the mayor. She also offered a reminder that their Commission was one of many volunteer boards that made the city run. She also asked that the public be given an opportunity to speak during public comment for more than 90 seconds, emphasizing that this was often the first experience of a city resident participating in city government. She added that many city councilors had started as city residents speaking in front of the City Council.

PUBLIC HEARING

Motion was made and seconded to open the public hearing.

President Murphy-Romboletti asked if the date needed to be set for two weeks or held during this meeting.

City Clerk Murphy McGee stated that it would be during this evening's meeting.

President Murphy-Romboletti relayed a comment from Admin Asst Anderson-Burgos that these petitions had typically appeared on an agenda and then the hearing would be set for the next meeting. She added that Holyoke Gas and Electric had notified abutters that it would be this evening.

Petition for Pole and Wire Locations. The Holyoke Gas and Electric Department requests permission to locate a line of wires, cables, poles and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way or ways:

One (1) street lgit hole between property line of 31 O'Connor Ave and 33 O'Connor Ave. Holyoke

UNDER DISCUSSION:

Councilor Devine stated that this petition came out of a request from Councilor Givner.

Councilor Anderson-Burgos asked if anyone was on to address this.

President Murphy-Romboletti stated that nobody from the public sought to speak on this.

Councilor Bartley stated that he was not ready to have it closed, making a motion to continue it to April 2nd at 7 p.m.

---> Public hearing continued to April 16, 2024

PUBLIC COMMENT

(13:10)

No members of the public signed up for public comment.

COMMUNICATIONS

(13:20)

Motion was made and seconded to suspend the necessary rules to take up items 2 and 3 as a package.

From Mayor Joshua Garcia, letter reappointing Preston Macy of 72 Shawmut Ave, to serve as a member of the Registrar of Voters. Mr. Macy will serve a three-year term, expiring on March 31, 2027.

---> Received and appointment confirmed.

From Mayor Joshua Garcia, letter reappointing Liana Pasialis of 1081 Hamden St to serve as a member of the Commission on Disabilities. Ms. Pasialis will serve a three- year term, expiring March 2027.

President Murphy-Romboletti noted that the Council did not need to approve appointments to the Disabilities Commission because it was a state law.

---> Received.

From Mayor Joshua Garcia, letter appointing Marlene Connor of 275 Southampton St. to serve as a member of the Commission on Disabilities. Ms. Connor will serve a three- year term, expiring March 2027.

---> Received.

From City Clerk Brenna McGee and Admin. Assistant Jeffery Anderson-Burgos, minutes from the March 19, 2024 meeting

---> Received and Adopted.

Moton was made and seconded to suspend the necessary rules to take up items 6 and 63 as a package.

From Attorney Kathleen Degnan, legal opinion regarding context of "senior."

Councilor Jourdain noted that this confirmed he was the senior member.

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

Councilor Magrath-Smith- Ordered, that the Legal Department clarify the meaning of "senior member" as related to City Council rules 3B and 8D.

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

From Board of Fire Commissioners, minutes from February 12, 2024 meeting

---> Received.

PRESIDENT'S REPORT

(18:05)

President Murphy-Romboletti thanked the Parks and Recreation Department, Wistariahurst, as well as Enlace de Familias for their Easter events. She then stated that the Holyoke High School musical would be held later that week. She added that they would be performing My Fair Lady on April 4th through 7th. She then stated that the YMCA would be holding their annual Sneaker Peek event on Saturday, April 6th, at 5:30 PM in their gymnasium. She also stated that the Homework House would hold their annual spelling bee fundraiser on April 25th. She then encouraged interested councilors to form a team. She also stated that Providence Ministries would hold their Retro Game Night fundraiser on April 26th. She then stated that the Latino Scholarship Fund dinner would be held on June 6th. She added that the Holyoke Chamber of Commerce would hold a reception for elected officials at Gary Rome Hyundai on April 11th, 4:30 - 7 p.m.

Councilor Anderson-Burgos stated that he was told by employees in a city department that a city councilor disrespected and spoke down to them while a constituent was waiting in the office, making for an uncomfortable situation. He then stated that elected officials should be professional when visiting departments and while out in public, emphasizing that people look up to them and councilors should be held to a higher standard. He added that this brought light to the vacant City Engineer position. He recalled reading an online comment on a post about the position where someone said "do not go to Holyoke. They are very toxic." He then stated the incident and this comment showed how far the city needed to go to get the city on the right track.

Councilor Greaney suggested that video of the My Fair Lady performance be sent the DOE (Department of Education) so that they could see great things happening in Holyoke Public Schools.

COMMITTEE REPORTS

(22:30)

Motion was made and seconded to suspend the necessary rules to take up items 8, 9, and 10 as a package.

The Committee on Ordinance to whom was referred an order that the City Council review and adopt the Mayor's proposal for the city's financial policies by ordinance.

have considered the same and Recommended that the order be adopted, pending creation of the CAFO position.

Committee Members:

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

UNDER DISCUSSION:

Councilor I. Rivera stated that Marcia Bohinc from the DLS (Division of Local Services) presented on the

ideology and research behind the financial position. He added that a flow chart related to the information was provided. He then explained that much of the discussion focused on the CAFO position not yet being created, and the fact that the manual referred to the CAFO instead of the mayor in certain places, and that some councilors had concerns with that. He added that in each of those instances, it also clarified that responsibilities would fall to the mayor if the position wasn't created. He then stated that they recommended adopting the financial policies, pending the creation of the CAFO position. He noted that Councilor Vacon had a different opinion and deferred to her to explain that position. He then suggested that this be sent back to committee for more conversation about the position. He added that the financial policies piece was already done and that the mayor would be following them whether or not they were codified now or later on.

Councilor Vacon stated that she was in favor of adopting the policies, but sought to have the language refer to the mayor where it referred to a CAFO, emphasizing that her concern was that the current head of the financial departments was the mayor. She noted that the creation of the position was still tabled in committee and that there was no requirement to approve the CAFO position to approve the financial policies.

Councilor Jourdain stated that he was looking to see the legal form, noting that the financial policies document was dense and lengthy. He then noted that when he agreed to be a lead sponsor on this order, he only sought to make one amendment which was requiring that department heads report losses of greater than \$500 to the City Council. He then recalled that the Council adopted an order to put that into ordinance, which was then vetoed with assurances that it would be adopted as part of the financial policies. He also suggested that the language state Mayor or CAFO, and that the duties would be taken on by the mayor if the CAFO did not yet exist. He noted that there had not yet been a legal form provided.

Councilor Magrath-Smith stated that the policies were a good step forward in terms of righting the city's financial ship. She then explained that the reason behind recommending approval with it pending the creation of the CAFO position was because the CAFO was a central part of the policies manual and that accepting them without that position would gut a major functionality of the recommendations. She emphasized that the mayor was in support of following the recommendations and there was no rush to amend them without the CAFO. She suggested that the urgency should be on the Council to move the CAFO position forward.

President Murphy-Romboletti asked for clarification that the motion was to refer items 8, 9, and 10 back to committee.

Councilor Bartley clarified that it was just for item 8.

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

The Committee on Ordinance to whom was referred an order From Mayor Joshua A. Garcia, emails providing feedback from various department heads in regards to financial policies manual

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

Committee Members:

Israel Rivera
Linda L. Vacon

Meg Magrath-Smith
David K. Bartley
Jenny Rivera

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

The Committee on Ordinance to whom was referred an order City of Holyoke Financial Policies Manual from Division of Local Services MA Department of Revenue.

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

Committee Members:

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

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

The Committee on Ordinance to whom was referred an order to add the position of City Engineer to the Ordinance under Schedule A, Grade 13.

have considered the same and Recommended that the order be adopted, pending resolution of an open questions with regard to the union.

Committee Members:

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

UNDER DISCUSSION:

Councilor I. Rivera stated that there were some legal issues arose with discrepancies between the charter and the position being in the union. He then explained that the order was pushed forward with the hope that the pending questions would have been solved by this meeting. He then expressed his understanding that the negotiations with the position were still underway and suggested that the order be referred back.

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

(36:25)

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, FOUR THOUSAND SEVENTY AND 10/100 Dollars (\$4,070.10) as

follows:

FROM:

12201-51105 FIREFIGHTER \$4,070.10 TOTAL: \$4,070.10

TO:

12201-51101 FIRE CHIEF \$4,070.10

TOTAL: \$4,070.10

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 transfer was for the contractual raise to the Fire Chief based on the raises to the department of 2.5%.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--
Yeas 12--Nays 1 (Greaney)--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, EIGHTY SEVEN THOUSAND AND 00/100 Dollars (\$87,000) as follows:

FROM:

14101-51101 PAY-ENGINEER \$20,000
14251-51106 PAY-PROP MAIN & DEMO 22,000
14301-51103 PAY-REFUSE LABORER 20,000
14251-51107 PAY- HIGHWAY LABORER 14,000
16501-51106 PAY-HMEO PARKS 10,000
16501-51106 PAY-HMEO PARKS 1,000 TOTAL: \$87,000

TO:

14102-53010 PROFESSIONAL ENGINEERING SERVICES \$20,000
14252-52600 R&M STREETS 22,000
14301-51300 PAY-REFUSE OVERTIME 20,000
14221-51300 PAY-CITY PROPERTY OVERTIME 14,000
16501-51300 PAY-PARKS OVERTIME 10,000
14211-51300 PAY-ADMIN OVERTIME 1,000
TOTAL: \$87,000

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 this was for the DPW for Parks overtime when they had to take care of the field for the Blue Sox. She added that this would also include consulting fees for engineering, addressing streets and potholes, overtime coverage for repairing a water main break at City Hall. She added that two custodians were needed on days when there were City Council meetings, which required one to work overtime if the other was off.

Councilor I. Rivera asked for clarification that overtime was being paid for the fields to be managed for Blue Sox games.

Councilor Devine stated that they worked their regular hours during the day, plus managing the field in the evenings for games. She emphasized that it was divided up between Parks & Rec and the DPW.

Councilor Bartley stated that he usually attended 90% of the games and saw Mr. Twohig there the whole time. He then expressed surprise that City Hall maintenance had two employees on for City Council meetings, noting that he had only seen one at a time. He then expressed an assumption that it was a contractual negotiation.

Councilor Devine clarified that they had to cover each other so that if one was out, the other had to cover both shifts. She added that the boiler at Wistariahurst had a huge problem that required overtime. She also noted that the Council on Aging needed snow removal.

Councilor Bartley asked if any overtime was being put into repairing the wall on Pine Street.

President Murphy-Romboletti suggested filing an order to get those answers.

Councilor Bartley stated that the wall had been fenced off for some time.

Councilor Givner expressed her understanding that they were having trouble finding someone with the qualifications within the budget because it was a historical building, adding that the stones needed to be put back in the exact same way they came out in and fix it in a specific way. She added that they received funds to paint and do roof work, but this matter was a budget issue.

Councilor Sullivan emphasized the issue of transferring money from the full time Engineer position to professional services. He then noted that there was an order to add the position to Schedule A. He then suggested that the Council should go ahead with it even if the union couldn't straighten it out by the next meeting, emphasizing that the city had gone too long without a City Engineer. He added that there would be more issues if it weren't for Board of Public Works chair, Mary Monahan.

Councilor Magrath-Smith suggested tuning into the upcoming Finance Committee meeting if anyone was interested in more information about fixing the Wistariahurst walls, noting that it was among the CPA orders.

---> 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 "EXECUTIVE OFFICE OF LABOR & WORKFORCE DEVELOPMENT WORKPLACE SAFETY GRANT, \$11,000, 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.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

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 this grant was for the safety inspector for the DPW. She added that the grant was intended for creating effective and innovative statewide services to protect workers right, health, safety, wages, working conditions, and ensure against job-related injuries. She added that it would result in reduced costs related to workplace injuries.

---> 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 "MASSACHUSETTS OFFICE ON DISABILITY, \$89,850, 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.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

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 to evaluate all of the sidewalks to ensure they were ADA compliant.

Councilor Greaney suggested looking at the entrance into City Hall as it was in rough shape.
---> 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, THIRTEEN THOUSAND THREE HUNDRED FORTY TWO AND 00/100 Dollars (\$13,342) as follows:

FROM:

11411-51103 PRINCIPAL CLERK - ASSESSOR \$13,342

TOTAL:\$13,342

TO:

16912-52420 REPAIR & MAINTENANCE WISTARIAHURST \$13,342

TOTAL:\$13,342

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 Assessor's office has a surplus due to an employee leaving and there being a delay in hiring someone new. She then explained that the transfer was due to addressing a boiler that had gone into trouble mode, requiring electricians and plumbers to be called in. She emphasized that no damage had been done to historical items.

---> 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 "Friends of City Hall" \$10,000 donation 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 donation.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

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 donation was to be used for stained-glass windows. She then explained that the Auditor would be creating an account specifically for that use.

---> 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 DEPARTMENT OF ENERGY RESOURCES GREEN COMMUNITIES COMPETITIVE GRANT, \$197,404, 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.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

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 this was a construction grant to replace LEDs in the City Hall Annex, War Memorial Building, as well as at Dean and Metcalf schools, and provide for weatherization measures at the City Hall, Annex, Children's Museum, War Memorial Building, and Dean School. She then stated that it would improve energy efficiency, cut energy costs, and help reduce carbon emissions.

---> 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 "FFY2023 MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY EMPG GRANT, \$12,350, 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.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

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 annual grant was primarily used for the Emergency Management Department's training room at 600 High Street. She then explained that this would buy new IT equipment for their emergency management operations center, video conferencing equipment, as well as provide for training of civilian volunteers.

---> 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.

Motion was made and seconded to suspend the necessary rules to take up items 20 and 46 as a package.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY ONE THOUSAND THREE HUNDRED AND 00/100 Dollars

(\$21,300) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$21,300

TOTAL: \$21,300

TO:

15412-52500 R&M BUILDINGS & GROUNDS \$21,300 TOTAL: \$21,300

have considered the same and Recommended that the order be returned to the Auditor.

Committee Members:

Patricia Devine

Kocayne Givner

Michael Sullivan

Kevin A. Jourdain

Linda L. Vacon

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

Councilor Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY ONE THOUSAND THREE HUNDRED AND 00/100 Dollars (\$21,300) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$21,300

TOTAL: \$21,300

TO:

14222-52505 R&M BLDGS - COUNCIL ON AGING \$21,300

TOTAL: \$21,300

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Devine stated that the original order had an incorrect code and that it was being replaced by the new order. She then explained that this was to repair the hot water heater. She noted that there was no loss of service at the Senior Center and that the controls in the kitchen and café had already been looked at.

---> Passed two readings and Adopted on a call of the roll of the yeas and nays-- Yeas 13--Nays 0-- Absent 0.

Approved by the Mayor.

Councilor Devine made a motion to suspend the necessary rules to take up Lae File A out of order.

Devine- Ordered, 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:

14251-51106 PROP MAINTENANCE & DEMO WORKER \$5,000

14301-51103 REFUSE LABORER 10,000

16501-51106 PARKS HMEO 5,000

TOTAL: \$20,000

TO:

14262-52410 R&M VEHICLES \$20,000

TOTAL: \$20,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Devine that the transfer was to allow the DPW to hire someone to begin work on the department's vehicles.

Councilor Bartley stated that late files could not be debated without taking final action. He then suggested that it should go to the Finance Committee for discussion.

Councilor Jourdain emphasized that the rules required two-thirds to approve taking final action, or it would have to go to committee.

Motion was made and seconded to take final action. Motion failed on a call of the roll of the yeas and nays--Yeas 8--Nays 5 (Bartley, Greaney, Jourdain, Ocasio, Vacon)--Absent 0.

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

Councilor Devine stated that the order would likely be taken up at the committee's April 17th meeting.

(1:05:05)

The Committee on Charter and Rules to whom was referred an order That the City of Holyoke, through its Honorable City Council and Honorable Mayor, hereby petitions the Massachusetts General Court to enact legislation "Establishing an Appointed Treasurer for the City of Holyoke" in the form set forth below; provided, however, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

"An Act Establishing an Appointed Treasurer for the City of Holyoke" – This act proposes to change the City Treasurer from an elected position to an appointed one; the appointment will be made by the Mayor, with approval of the City Council, for a term not to exceed five (5) years and qualifications for the position may be established by ordinance. If adopted, the Treasurer elected in the 2023 municipal election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that committee took up the language of this order as well as the following one. She then explained that there was clear consensus in making the position appointed instead of elected in order to ensure a Treasurer that had the necessary qualifications, experience, and expertise to handle complex financial matters and provide sound financial management for the city. She added that there was also consensus on shifting the term from 5 to 3 years in order to align it with the Tax Collector position and reduce longevity in light of a lack of a recall provision. She then explained that there was not consensus on who the appointing authority should be between the Mayor or the City Council given concerns about an appropriate balance of power, especially given other measures being considered in a potential restructuring of the financial departments. She added that there was not consensus on if the authority should be named in the ballot question. She then explained that amendments were voted on but were defeated on a 2-1 vote. She then explained that among the proposed amendments, one would have changed Mayor to City Council as the appointing power, one would have removed reference to an appointing authority with the understanding that the Council would later define it in ordinance. She then stated that doing it through ordinance would have provided more flexibility, but may not have had the mayor's support and it also may have been inadvisable to submit a question to voters without a clear appointing power. She also stated that there was not consensus on if a recall position or removal authority should be named in the home rule petition for inclusion on the ballot question. She also stated that discussion included considering if a residency requirement was advisable, to be set by ordinance. She then stated that there was consensus on coming to an agreement quickly to facilitate the petition going to the state as soon as possible considering the delays that could take place from there. She also emphasized that a home rule petition needed the support of the City Council and the mayor in order to get to the state. She then expressed a hope that the full Council could agree on language to move forward.

Councilor Jourdain emphasized that there was no legal form to vote on, which would be required to take a vote. He also stated that the issue of combining the Tax Collector and Treasurer still needed to be solved. He added that he had not heard any opposition to combining the two departments. He then noted that was ongoing debate over who would be the appointing authority as well as another discussion relative to the CAFO position. He then suggested that the Council would have the appointing authority over the Treasurer, noting that it already have that authority with the Tax Collector as well we when there was a vacancy in the Treasurer's position. He added that once the CAFO position was created, the mayor would then appoint that position. He suggested that the language to combine the positions also needed to be put into the ballot question.

Councilor I. Rivera suggested that there was confusion over how the CAFO could oversee the other positions without being the one to hire them. He then suggested that the CAFO should be able to recruit and hire a position they would be overseeing. He then questioned if the Council would be holding interviews instead. He added that this did not make sense from the point of an organizational structure.

Councilor Bartley stated that it did make sense. He then suggested equating the CAFO with the mayor. He then emphasized that the mayor already oversaw the Treasurer, Assessor, and everyone else. He then stated that this would add another layer in between the mayor and the financial team. He also stated that as the mayor was the chief financial officer of the city, the Auditor, Assessor, and Tax Collector reported to the mayor even though they were a Council appointee. He also reiterated that when there was a vacancy in the Treasurer's office, the Council appoints.

Councilor Magrath-Smith raised a point of order, stating that the charter was replaced by state law reference that said the mayor shall appoint a temporary City Clerk or City Treasurer without confirmation by the City Council and any provision of the city charter to the contrary notwithstanding, found in Chapter 41, Sections 14 and 61A.

Councilor Bartley stated that was not a point of order but an argument that should be filed as an order for an attorney to review. He then emphasized that the historical precedent had been that the Council appointed. He also reiterated that the mayor would be appointing the CAFO, and that the best way forward would be the City Council retaining appointing authority over the Treasurer/Tax Collector.

Councilor Vacon asked if there was an order to merge the Treasurer and Tax Collector in the Charter and Rules jacket that could be taken up at the next meeting.

Councilor Magrath-Smith stated that item 61 on this agenda would have to be moved to the committee to have that wider conversation.

Councilor Vacon suggested filing a late file order to merge the offices. She then expressed her intent to motion to return items 21 and 22 to committee following this discussion. Councilor Bartley seconded the motion.

Councilor Greaney stated that theory was often different from what works in a given situation. He then stated that the City Council had oversight over much of the city's finances even with the mayor being the chief officer. He then emphasized that as the taxpayers were the City Council's bosses, it had the responsibility to spend their money frugally. He then expressed concern with creating new positions and giving all kinds of raises, considering their impact on taxpayers in the community who were struggling.

Councilor Sullivan emphasized that with all of the separate discussions, the order was specifically about petitioning the General Court to change the Treasurer position from elected to appointed.

Councilor Greaney stated that he was opposed to taking anything out of the hands of the voters.

Councilor Jourdain stated that this was about much more than if it was appointed or elected. He then reiterated his objection since there was no legal form. He also pointed out that there needed to be a general framework of understanding on who the appointing authority would be, as well including the combining of the Treasurer and Tax Collector position. He also suggested that councilors refer to Acts of 1936 when the city adopted a special act relative to the City Council appointing to fill vacancies in the Treasurer position. He noted that the City Council appointed the current Treasurer, Rory Casey. He also stated that the law cited earlier was relative to vacancies on a temporary basis of departments for a period of 30 days or up to 60 days in an emergency. He then expressed opposition to the CAFO having the hiring authority over all of the financial positions. He noted that the Council gave day-to-day oversight for the positions to the mayor about 10 years earlier.

Councilor Sullivan stated that the order already had language referencing that the appointment would be made by the City Council.

Councilor Bartley clarified that the order being discussed was item 21, not 22.

Councilor Magrath-Smith stated that a version of item 21 had consensus. She also noted that there was legal form in committee which read "shall an act passed by the General Court in the year 2023 entitled, "An Act Establishing an Appointed Treasurer be accepted" with a summary which read, "This act proposes to change the City Treasurer from an elected position to an appointed position; the appointment will be made by the Mayor with City Council confirmation for a term not to exceed three (3) years and the qualifications may be established by ordinance. If accepted, the Treasurer elected in the 2023 election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated. By voting NO, the position of Treasurer shall remain an elected position."

She then explained that they agreed to change the term from 5 to 3 years and change approval to confirmation, as well as removing all of the language beginning with "if accepted" all the way through "vacated."

Councilor Vacon noted that the committee voted that the ordinance language would be changed to "shall" instead of "may" relative to the qualifications of the position. She then emphasized that the final problem was that after the votes on the amendments, the last vote on the total recommendation to the Council failed on a 2-1 vote, therefore updated legal language was not provided. She then explained that this required the committee to discuss it again and come to an agreement for the Law Department to provide an updated legal form.

---> Report of Committee received and referred to the Charter and Rules Committee on a show of hands vote.

The Committee on Charter and Rules to whom was referred an order That the City of Holyoke, through its Honorable City Council and Honorable Mayor, hereby petitions the Massachusetts General Court to enact legislation "Establishing an Appointed Treasurer for the City of Holyoke" in the form set forth below; provided, however, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition. "An Act Establishing an Appointed Treasurer for the City of Holyoke" – This act proposes to change the City Treasurer from an elected position to an appointed one; the appointment will be made by the City Council, for a term not to exceed five (5) years and qualifications for the position may be established by ordinance. If adopted, the Treasurer elected in the 2023 municipal election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated.

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

Committee Members:

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

---> Report of Committee received and referred to the Charter and Rules Committee.

The Committee on Charter and Rules to whom was referred an order that the position of Chief Administrative and Financial Officer be created and added to Schedule A.

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 as the order was a copy, the committee could not act on it. She then explained that the order was brought up in the context of possible financial restructuring. She then suggested that while several changes at once could be considered, she believed it made more sense to petition on the Treasurer position as a first focus and one component of a larger process. She expressed concern that taking on everything at once could lead to getting bogged down and nothing moving forward. ---> Report of Committee received and recommendation Adopted.

The Committee on Charter and Rules to whom was referred an order RULE 6 DECORUM section E add the words or city employees after the words "another member"

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that this was recommended with the hope of affirming a common value of respecting city employees, many who were often called to present to the Council. She recalled that Jourdin and Councilor Vacon spoke on the need to live that value both inside and outside of chambers, as well as being more aware of what gets said on social media. She also emphasized that this was not about silencing legitimate criticism or to use decorum as a tool for censorship.

Councilor Greaney suggested that depending on the definition of decorum, some could use it for censorship.

Councilor Devine stated that this was a good place to put city employees. She then referenced Councilor Anderson-Burgos's mention of a city councilor having been disrespectful in an office, adding that it had not been the first time she had heard something like that. She then suggested that this was a simple thing, emphasizing that city employees deserved to be treated with respect and were not just members of the general public. She also stated that they did not love coming before the Council because of the way some councilors treated them.

Councilor Bartley expressed his opposition, suggesting that the change was meant to be divisive and was meant to put councilors into silos. He added that he had spoken with department heads to let them know his position and to express how much he respected them. He then stated that the number of times there had been a disagreement with a department head or member of a commission was minimal, adding that they were treated with respect and courtesy the overwhelming majority of the time. He added that he had not heard once that anyone was intimidated to come before Council. He added that the rules already had provisions that meet this need.

Councilor Jourdain stated that while this rule may seem like a no-brainer to adopt, he would normally have no issue adopting something like this. He then explained that he could not ignore the last year of hypocrisy from certain individuals after he had asked the same legitimate questions he had been asking for years. He then expressed frustration with getting lectures about questions being interrogations, and then seeing others throw people under the bus on social media unfairly. He added that others who have served on this body tried to remove members of the Law Department and accuse them of having too many conflicts and having too many questions and were now acting as spokespeople for city employees. He then reiterated that some will engage in finger pointing and name calling on social media and then engage in lectures about decorum and civility. He added that records on what some people had been convicted of needed to be looked into relative to city employees. He then emphasized that he himself had served with integrity during his entire career. He added that he refused to engage in the noise on social media. He then expressed a struggle to support this, expressing an expectation that there would be social media posts about passing the rule and bragging about straightening people out. He then suggested that this created division.

Councilor Vacon stated that the current rule was already sufficient. She also questioned how it was okay to ignore rules in some cases while wanted to make them stronger in other cases. She then suggested that adding a select group of people to a rule would not necessarily make people behave differently. She added that if people committed to following the rule as it already existed, there would be no need to add to it.

Councilor Anderson-Burgos questioned if he was in some alternate universe. He then expressed confusion that this should be so simple. He then emphasized that trying to control people on social media would be like controlling the waves of the ocean or the moon, adding that the Council was not the moon. He then stated that he had heard from former councilors who could not be in the space or watch meetings because certain people made them sick. He added that some employees expressed being nervous coming into meetings. He then stated that this order was just about fixing something that had been broken for a long time.

Councilor Givner stated that as she put the order in, she had no divisive intentions, and it was not political. She then stated that she had witnessed city employees being treated in ways she would not want to be treated in just her short time on the Council. She then explained that this was just about making people more conscious about the way they treat people, adding that this was just about behavior while in the chambers. She added that it should not be that big of a deal to make a commitment to be nicer to city employees.

Councilor I. Rivera recognized that it was easy to get passionate and have councilors direct those passions at each other or at city employees, and this was about being considerate about how that comes out. He also emphasized that what people said on social media couldn't be controlled. He then suggested surveying city employees to get their impressions of what it was like to come before City Council so that it wasn't just hearsay from other councilors.

Councilor Greaney stated that there was control over Facebook in that someone could just shut it off. He then stated that decorum had a definition, and there needed to be clarity over who would be policing when someone violated the decorum order. He then expressed concern that the situation could become Orwellian.

Councilor Devine emphasized that this was not filed to be divisive and did not apply to just department heads but also other city employees. She then stated that she had heard many times over the years that people did not like coming before City Council because they were afraid of being berated.

Councilor Sullivan expressed his intent to support this as a nice gesture to include city employees. He then stated that when department heads were hired, they knew that coming before the City Council to answer questions would be a part of their job. He also suggested that what some may believe was disrespectful or belligerent was just asking hard questions.

Councilor Jourdain stated that if he had been asked to support this a year ago, he would likely have supported this. He then stated that he would not support this as there needed to be more trust built up in the room. He then emphasized that the role of city councilor required doing hard work and research, and by nature would make people uncomfortable as the city's watchdog organization. He emphasized that it did not mean needing to name call people. He then expressed concern with the notion that being a councilor should be a popularity contest, emphasizing that everyone had a different style, and councilors weren't there to give everyone everything they wanted out of concern someone is going to call them mean.

Councilor Anderson-Burgos stated that he will ask hard questions and may sometimes make people uncomfortable, but the order was more about not ripping people down or speaking to them with disrespect.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 8--Nays 5 (Bartley, Greaney, Jourdain, Ocasio, Vacon)--Absent 0.

Motion was made and seconded to suspend the necessary rules to take up items 25 through 43 as a package.

The Committee on Charter and Rules to whom was referred an order that the city charter be amended so that if there is a vacancy in the mayor's office and the president of the city council cannot assume the duties full time, the full council would then select another councilor to assume the role of acting mayor by majority vote of the council. The acting mayor would still continue to represent their constituents as a councilor.

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that the honorable city council add the following committee:
Communications Committee
Senior citizen quality of life Committee

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that the city solicitors office begin drafting a ballot question for next election cycle around marijuana Social consumption sites such as bars and cafes for residents to vote on next election cycle similar to the language below. "The sale of marijuana products, as those terms are defined in G.L. c.94G, 1, for consumption on the premises where sold, is permitted when the sale occurs at Restaurants, Bars, Cafes, or any establishment in which food or beverages are

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

Committee Members:

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

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

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

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that Establish a City Council rule to allow one City Councilor to call for an end to debate on a spending/bonding issue with referral to the auditor to review the matter and report back to the City Council. This rule is in effect when debate continues for more than 30 minutes, each City Councilor who wishes to be recognized has spoken and the matter has not yet been voted to approve or deny the motion.

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that we add to our charter that if a councilor is absent from full council meeting for more than 3 consecutive meetings without written notice, their seat is considered open.

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that the City Council create a rule where any candidate or elected official must disclose with the City Clerk's office any federal or state litigation that may be pending related to the individual seeking or holding office. The candidate or official should have the opportunity to include a written explanation of the offense and any mitigating circumstances. |

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

Committee Members:

Meg Magrath-Smith

Linda L. Vacon
Tessa Murphy-Romboletti

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

The Committee on Charter and Rules to whom was referred an order that a fund be created to implement a series of studies rotating between city departments each year to study best practices and methods of implementation for improvement of processes. Our city should constantly be seeking to improve how the public is served and that requires regularly looking at internal

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order That recall provisions be established for every elected official in the city. These provisions should be fair and equitable to allow citizens a path to recall but also protect the system from nuisances.

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that we create a ballot question asking if there should be a recall process for all elected officials. The question should include a recall process and the decision should be binding.

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

Committee Members:

Meg Magrath-Smith

Linda L. Vacon
Tessa Murphy-Romboletti

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

The Committee on Charter and Rules to whom was referred an order From Mayor Joshua A. Garcia letter of VETO regarding the following order: that the City Council retain independent legal counsel to work with the City Council and legal department to review its rules and powers under the Charter, state law, city ordinances and its rules.

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that city council rule 7b be amended to add to the end : that 10 minutes of response time will be allowed for councilors to address and answer questions or comments, no councilor shall have more than 2 minutes of response time.

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order With community support, order that a 30min public comment period be added to City Council meetings, in an effort to give the public a true platform in person, written, and/or remote as long as a remote option for council meetings exists. Consideration should be given to having meetings begin earlier in an effort to accommodate Holyoke residents and inspire participation.

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order That we consider a ballot question to determine if the term of office for mayor should be reduced to 2 years, amid historically low voter turnout and pending administrative changes under consideration.

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order Communication providing article on Juan Montano arrest

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that the city council takes necessary steps towards imposing term limits for all elected officials. Maximum 5 terms per elected official.

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

Committee Members:

Meg Magrath-Smith

Linda L. Vacon
Tessa Murphy-Romboletti

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

The Committee on Charter and Rules to whom was referred an order That a new rule regarding proclamations be established: When a proclamation is issued by the City Council recognizing good citizenship of a person, it shall be withdrawn upon discovery & documentation of repeated criminal convictions (such as illegal guns and drugs).

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order that RULE 8 DECORUM/SPEAKING section C “ During debate, if objection is made thereto, no member shall speak more than twice to the same question without leave if the City Council, no more than once until all other members choosing to speak have spoken. CHANGE: Delete the words “without leave of the Council”

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

Committee Members:

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

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

The Committee on Charter and Rules to whom was referred an order RULE 7 AGENDA section ii Delete all the words after “The Pledge of Allegiance”

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

Committee Members:

Meg Magrath-Smith

Linda L. Vacon
Tessa Murphy-Romboletti

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

ORDERS AND TRANSFERS

(2:12:45)

Councilor Greaney made a motion to take up any items needing immediate adoption out of order.

Councilor Bartley suggested moving forward as there weren't many.

Moton failed for lack of a second.

Motion was made and seconded to suspend the necessary rules to take up item 51 out of order.

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY FIVE THOUSAND FOUR HUNDRED EIGHTY ONE AND 34/100 Dollars (\$25,481.34) as follows:

FROM:

12101-51105 SERGEANTS \$10,493.16

12101-51107 PATROLMEN 14,988.18

TOTAL: \$25,481.34

TO:

12101-51180 INJURED ON DUTY \$25,481.34

TOTAL: \$25,481.34

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Devine stated that this was in the normal course when someone needed to get paid while out due to being injured on duty.

President Murphy-Romboletti stated that this was for 9 officers.

---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0-- Absent 0.

Devine- ORDERED: that the Law Department render an opinion stating applicable law(s) or ordinances regarding obtaining petition signatures in public buildings or buildings maintained by the City of Holyoke.

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

Devine- ORDERED that the attached letter from Chief David Pratt be added to the next agenda so that it may become part of the official record and be sent to the Finance Committee

Councilor Devine stated that this was just putting on record an item the Chief provided at a recent committee meeting.

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

Devine- ORDER:

WHEREAS:: Mass. General Law, Chapter 440, Section 5B authorizes a municipality to create a stabilization fund for a specified purpose and to appropriate amounts thereto, provided that such action is effective for at least three years and;

WHEREAS: Chapter 77 of the General Acts of 2023 eliminated the minimum three year provision and authorizes a municipality to terminate a specialized stabilization fund at any time and;

WHEREAS: the City of Holyoke, through its City Council, had voted in June, 2023 to create such a fund to accumulate revenue received from the Massachusetts Statewide Opioid Settlement and;

WHEREAS; The City of Holyoke now wishes to terminate the Opioid Settlement Stabilization Fund and the dedication of revenues received from the settlement as authorized under Chapter 77 of the Acts of 2023. and to create a special revenue fund for ongoing opioid settlement revenues as authorized by the Department of Revenue (as per attached DOR Bulletin-2023-7).

NOW THEREFORE BE IT ORDERED;

The stabilization fund created in June, 2023 to receive opioid settlement funds and the dedication of any revenues thereto is hereby terminated as authorized by Chapter 77 of the Acts of 2023 and under MGL Chapter 40, Section 5B.

Councilor Bartley stated that this was an accounting change to the way opioid settlement funds were accounted for. He then explained that the city would be getting money over the next 20 years, and it needed to be laid out in a clear manner. He also questioned how much had come in to date and how much was expected going forward.

Councilor Greaney expressed his understanding that the fund had \$74,000 last time he checked.

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

Motion was made and seconded to suspend the necessary rules to take up items 48 through 50.

Devine-Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, ONE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$150,000) as follows:

FROM:

12101-51103 CAPTAINS \$40,000

12101-51117 DISPATCHERS 80,000

12101-51920 QUINN BILL 30,000

TOTAL: \$150,000

TO:

19412-57630 CLAIMS & DAMAGES \$150,000 TOTAL: \$150,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 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, ONE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$150,000) as follows:

FROM:
12101-51103 CAPTAINS \$40,000
12101-51117 DISPATCHERS 80,000
12101-51920 QUINN BILL 30,000
TOTAL: \$150,000
TO:
19412-57630 CLAIMS & DAMAGES \$150,000
TOTAL: \$150,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 2024.

Joshua A Garcia, Mayor

Councilor Jourdain noted that this was a duplicate of the previous order.
---> Received and returned to the Auditor.

Devine- Ordered, 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:
8815-10400 CANNABIS STABILIZATION \$20,000
TOTAL: \$20,000
TO:
19442-53005 CANNABIS - OPEL LEGAL SERVICES \$20,000
TOTAL: \$20,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 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, SEVEN THOUSAND ONE HUNDRED FORTY FIVE AND 96/100 Dollars (\$7,145.96) as follows:

FROM:
8811-10400 CAPITAL STABILIZATION \$7,145.96
TOTAL: \$7,145.96
TO:

14222-52502 R&M CITY HALL \$7,145.96
TOTAL: \$7,145.96

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 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, EIGHT THOUSAND AND 00/100 Dollars (\$8,000) as follows:

FROM:
16101-51103 REFERENCE LIBRARIAN \$8,000
TOTAL: \$8,000
TO:
16101-51112 FINANCIAL MANAGER \$8,000
TOTAL: \$8,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 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, EIGHT THOUSAND AND 00/100 Dollars (\$8,000) as follows:

FROM:
16101-51103 REFERENCE LIBRARIAN \$8,000
TOTAL: \$8,000
TO:
16101-51112 FINANCIAL MANAGER \$8,000
TOTAL: \$8,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 2024.

Joshua A Garcia, Mayor

Councilor Devine stated that this was a duplicate of the previous order.
---> Received and returned to the Auditor.

Motion was made and seconded to suspend the necessary rules to take up items 55 and 56 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 "PLYMOUTH PAPER DONATION, 12 PALLETS - ASSORTED PAPER GOODS, ESTIMATED VALUE \$23,882, " 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 donation.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 2024.

Joshua A Garcia, Mayor

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

Devine- Ordered, that the amount of ONE THOUSAND ONE HUNDRED TWENTY SIX AND 29/100 Dollars (\$1,126.29) be authorized from the TREASURER Department's R&M OFFICE EQUIPMENT (11452-52400) appropriation in fiscal year 2024 for services rendered in fiscal year 2023 which were unencumbered at the 2023 fiscal year end.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 2, 2024.

Joshua A Garcia, Mayor

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

Givner- With community support, order that the law department provide stat of pothole claims over last 10 years along with percentage of claims approved and denied.

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

Givner- With community support, that the chief of police supply a written or in person update on what steps have been taken to address traffic concerns in Holyoke, especially in wards 1,2,3,4, & 6, as REQUIRED by to our city's Ordinance:

Sec. 50-42. - Traffic squad—Designation and training of members."

The chief of police shall designate six members and such additional members as may from time to time be required to act as traffic officers. Such members shall receive and be given thorough and adequate training in the regulation and direction of traffic, in accordance with a uniform and recognized standard.

Councilor Vacon asked that wards 5 and 7 be added to the order.

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

Givner- With community support, order that \$15 pothole claims fee be reduced to \$0 to reflect practices of neighboring cities and towns. Charging a fee to residents for a service paid for by taxes seems redundant. Introduced by ordinance in 2018, this nominal fee generates +/- \$400 annually.
---> Received and referred to the Ordinance Committee.

Motion was made and seconded to suspend the necessary rules to take up items 60 through 62 and 64 through 66 as a package.

Magrath-Smith- Ordered, that City Council rule 10.C be revisited in discussion.

C. City Council shall appoint a Youth Ambassador to the City Council. The term shall last one year starting July 1 to June 30. Appointees shall only be Eligible to serve one term. Individuals eligible for this position must be a Holyoke Resident, enrolled in a local high school or equivalent program and be in the range of 15 to 17 years of age. The Youth ambassador shall be required to attend all full City Council meetings and may attend any subcommittee meetings. As well as:

Be allowed to speak during public comment period

Attend all regular meetings of the City Council and whichever subcommittee Meetings they would like
Give a "Youth Ambassador Report" at the beginning of the first meeting of every month updating the Council about the Youth Community, Positive Or Negative (Similar to the Presidents Report)

Request that a City Councilor file an order to give a proclamation to a young Person or someone who works with City youth

Sit in Council Chambers and assist the Administrative Assistant during Full Council Meetings and any Subcommittee Meetings

Attend Youth related events on behalf of the City Council Meet with Youth in other Municipalities

Sit at the committee table during regular meetings

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

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

Magrath-Smith- Ordered, that a Home Rule Petition be filed with amendments to the City Charter as required for consistency with state law, pertaining to our city's restructuring of municipal finance.

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

Magrath-Smith- Ordered, that City Council rule 10.D be revisited in discussion. D. Every month the City Council invite in a Holyoke School Student to lead in the Pledge of Allegiance.

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

Magrath-Smith-Ordered, that City Council Rule 7B be amended to allow speakers during Public Comment to speak for up to 3 minutes. The current rule allows for up to ten speakers to each speak for 1.5 minutes.

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

Magrath-Smith- Ordered, that all Charter references to an Assistant Superintendent of Public Works be updated to Assistant Director of Public Works.

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

Magrath-Smith- Ordered, that the City Council adopt the provisions of MGL Chapter 43C for the purpose of changing the position of Treasurer from elected to appointed.

Councilor Magrath-Smith questioned if this order should go to Charter and Rules or Ordinance first, noting it couldn't go to two places at once.

Councilor Bartley suggested Charter and Rules first.
---> Received and referred to the Charter and Rules Committee.

LATE FILED ORDERS AND COMMUNICATIONS

(2:27:45)

Bartley, Jourdain- Order, with the pedestrian signal on South St. still flashing "yellow" after 2 months, and having an estimated repair cost of \$11,000 and DPW uses capital stabilization funds to fix the light and to communicate updates to seniors residing in Elmwood Towers.
---> Received and referred to the Finance Committee.

Bartley, Jourdain, Vacon- The City of Holyoke amends any charter, ordinance and any other regulations relative to its Tax Collector and combines the office with its City Treasurer so long as a charter change to appoint rather than elect Holyoke's City Treasurer is approved by the legislature and Holyoke voters.
---> Received and referred to the Charter and Rules Committee.


Adjourned at 9:35 PM