

REGULAR MEETING OF THE CITY COUNCIL**May 21, 2024**

The meeting was called to order by President Murphy-Romboletti at 7:06 PM

The Clerk called the roll. Present Members 12 (Bartley, Devine, Givner, Greaney, Jourdain, Magrath-Smith, Murphy-Romboletti, Ocasio, I. Rivera, J. Rivera, Sullivan, Vacon). Members absent: 1 (Anderson-Burgos)

The Pledge of Allegiance was recited.

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

PUBLIC HEARING**PUBLIC COMMENT**

Jamie Clark, 35B O'Connor Avenue, asked for the city to do something about rent control, emphasizing that rents were ridiculous. She noted that her son wanted to move out and he could not find anything, and was living with two others in a dump paying \$1,500 a month. She added that her building was recently bought, and that the new owner raised rents at least \$300 for renters. She added that Section 8's maximum was lower than their rents.

Nancy Capron, 72 Congress Avenue, Apt 1L, expressed support for the proposed real estate transfer fee to generate income for an expansion of affordable housing. She added that she did not view it as overly burdensome to homeowners, adding that it was usually attached to the buyer and would not be a burden to the seller. She noted that one friend recently sold their home for over \$100,000 of profit after six years of owning it. She suggested that the potential of an extra \$5,000 would not deter the upper middle class from buying in Holyoke. She then expressed agreement with earlier points by the Council's fiscal watchdog that the state was not equitably funding the city. She encouraged others to join her in petitioning the state for more just funding.

Jose Maldonado Velez, 75 Linden Street, Apt 3, stated that he was the Holyoke organizer for Neighbor2Neighbor. He then stated that they had received multiple calls from residents asking if it was legal to raise rents by \$400-\$500. He then stated that it was unfortunate that it was completely legal to raise rents as high as landlords want. He then stated that while he understood landlords had expenses, raises on that level were gouging people. He then asked that the Council support the creation of an Office of Tenant Protection. He then stated that tenants were being intimidated and some were afraid to speak out about it. He further asked that the Council support a resolution asking the state to address this.

Jaime Cotto, 49 N Bridge Street, asked for help with the rent control situation, and for help with finding the resources to help people stay in their homes.

LAI D ON THE TABLE

(10:05)

Motion was made and seconded to suspend the necessary rules to remove items 1 through 37 from the table.

The Committee on Development and Governmental Relations to whom was referred an order that the Honorable City Council accept the revised proposal for 689 Main Street (Assessors Map 055, Block 00, Parcel 009) as described in the letter (attached) previously submitted as a communication to the City Council.

have considered the same and Recommended that the revised proposal be adopted.

Committee Members:

Kocayne Givner
Michael Sullivan
Carmen Ocasio
Juan Anderson-Burgos
Patricia Devine

UNDER DISCUSSION:

Councilor Bartley stated that he would recuse himself due to a conflict.

Councilor Givner stated that the representative for the property asked that the reverter be released so that they could either not have one or negotiate a new one. She added that their recommendation was to accept a new proposal.

Councilor Jourdain commended them for asking for permission to remove the reverter. He then asked why the Council should approve this.

Councilor Givner stated that it was a new owner of the building who could not accept a new reverter until the old one was released.

Councilor Jourdain asked if the committee felt comfortable doing this instead of swapping it out with a new one.

Councilor Givner clarified that they came in with a new one.

Councilor Jourdain asked for explanation of the changes.

Councilor Givner stated that it was a different business. She noted that the previous one was a five year reverter.

President Murphy-Romboletti noted that a representative was in attendance.

Motion was made and seconded to suspend the necessary rules to allow the representative for the applicant to address the Council.

Councilor Vacon asked how long the new one was and how long they usually were. She expressed her understanding that they were usually two years.

Jennifer Sharrow of Bacon/Wilson Law stated that she represented the applicant looking to buy the property at 689 Main Street, adding that he was also planning to purchase the abutting property at 679 Main Street. She then explained that the project would encompass both parcels for a self-storage facility. She further explained that the property was under a two year reverter, was previously owned by the city, and the proposal had been for a construction project. She added that they were now looking for a three reverter subordinate to a construction lender, noting that it was a larger project than the previous one.

Councilor Jourdain made a motion that the final vote should be clear that the previous reverter was being swapped out for a new three year reverter subordinate to the construction loan. Councilor Vacon seconded the motion. Motion passed.

Councilor Givner noted that they were asking to be released from the previous reverter.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 1 (Anderson-Burgos)--Abstain 1 (Bartley).

The Committee on Development and Governmental Relations to whom was referred an order that the City Council approve an Amendment to a Home Rule Petition for the purpose of expanding the Center City Liquor License Area.

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

Committee Members:

Kocayne Givner
Michael Sullivan
Carmen Ocasio
Juan Anderson-Burgos
Patricia Devine

UNDER DISCUSSION:

Councilor Givner stated that Aaron Vega from OPED explained the desire to expand the liquor license area for downtown because the original map stopped right before the end of High Street, adding that it would expand it all the way to Lyman Street. She then explained that if someone was looking to open a business in this area, it would allow them to apply for a license at a discounted rate, but it would not go with the business. She added that this was one of the tools the city had to attract new businesses.

Councilor Greaney asked if this would infringe on any residents.

Councilor Givner stated that it shouldn't, noting it was in the retail area of downtown. She added that the downtown buildings had first floor businesses with apartments or offices on the upper floors.

Councilor Magrath-Smith asked why the proposed boundaries were going in that direction and not in other directions.

Councilor Givner suggested that new restaurants and development on that end of the street likely had been part of it. She then explained that the existing map went from Appleton to one block before Lyman and would now expand all the way to Lyman. She emphasized that it was not a particularly large district.

Councilor Bartley expressed strong favor of this. He then explained that the purpose was both for economic development as well as to entice more entrepreneurs to open more restaurants. He emphasized that they were not transferable and could not be sold. He added that this was a correction of what should have happened ten years earlier. He noted that there were additional orders to expand to other sections of the city. He then suggested that the program had been a disappointment so far and there was a hope more licenses would be used with the expansion.

Councilor I. Rivera expressed support for this order. He then expressed this was also a part of the TDI District, allowing businesses to apply for grants. He added that there were property owners looking to fill the spaces.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

Motion was made and seconded to suspend the necessary rules to take up items 3 and 4 as a package.

The Committee on Charter and Rules to whom was referred an order that the Legal Department clarify the meaning of "senior member" as related to City Council rules 3B and 8D.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that this was to have an interpretation in writing to clarify what senior member meant, noting that it had different roles in the City Council rules. She then explained that it referred to the most years of service and there was no need for the years to be consecutive.

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

The Committee on Charter and Rules to whom was referred an order From Attorney Kathleen Degnan, legal opinion regarding context of "senior"

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith

---> 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 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.

have considered the same and Recommended that the order be adopted, amending the rule to 2 minutes.

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that members of the public had been asking for an expansion of the time. She added that it was often uncomfortable for the Council President to cut people off. She added that people speaking during public comment were not professional speakers, may get nervous, and take a little time to get comfortable. She then stated that expanding the time was a matter of respect. She then explained that the discussion included questioning if there should be consideration for allowing more people to speak, and allowing anyone to speak. She then noted that Councilor Bartley made the point that the rules could be suspended at any point to allow more people to speak and for more time. She then stated that raising it to 2 was a compromise, noting that there was concern that expanding it to 3 minutes would go against efforts to make meeting more efficient, especially if there was 10 or more people looking to speak.

Councilor Greaney stated that the 2 minutes was reasonable. He then called the question.

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

The Committee on Charter and Rules to whom was referred an order that the City Council establish a rule that requires any resident running to fill a vacant city council seat will need to obtain 50 signatures from eligible residents in order to be considered by the full City Council for appointment.

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 committee voted 2-1 to withdraw, noting she was the sole vote against. She then stated that she believed that if they were filling a seat on City Council, people should do a little legwork to illustrate support. She then stated that others believed that it was often not easy to fill the roles and it might be a disservice to the process to slow it down by requiring 50 signatures.

Councilor Vacon noted that nothing would stop a person from gathering signatures. She added that in a regular election, councilors had a lot of time to gather signatures while filling a vacant seat was a much shorter time.

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

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 given a leave to withdraw.

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith suggested taking up 7 and 8 as a package, noting that they were addressing the same matter. She also noted that language was not yet provided for item 8, so it would likely need to be tabled anyway.

Councilor Jourdain suggested disposing of 7 first and then taking up 8.

Councilor Magrath-Smith suggested that the body may want to discuss them together.

President Murphy-Romboletti suggested handling 7 first since it was just being given a leave to withdraw.

Councilor Magrath-Smith stated that this was being withdrawn in the spirit of compromise to allow the body to move with item 8, which would make the Treasurer appointed by the City Council instead of by the mayor.

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

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 be adopted, amending "five (5) years" to "three (3) years," amending "may be established" to "shall be established," and removing the clause, "elected in the 2023 municipal election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer"

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that this would make the City Council the appointing power. She added that it would make the appointment three years, changing the clause on qualifications that they "shall be established by ordinance" instead of "may," and then removing the clause naming a specific term, noting that it was now beyond that scope of time.

President Murphy-Romboletti asked Atty Bissonnette if the language would be ready by the next meeting, emphasizing that it needed to go to the state delegation soon.

Atty Bissonnette stated that it could as long as the Council voted to put it before the voters.

President Murphy-Romboletti stated that the full Council had not seen the language.

Atty Bissonnette stated that as it was being redrafted, Atty Mantolesky stated to him that there was no requirement for a ballot question. He added that there needed to be a request by the city that there be a ballot questions. He then stated that the Council would need to vote to authorize that provision.

Councilor Magrath-Smith stated that the Council could move forward if they had the language, but the issue was that the draft circulated to the committee to get feedback was not circulated back to the full Council.

Atty Bissonnette stated that would be remedied along with the enactment section.

Councilor Vacon raised a point of order, noting that the initial draft sent to committee stated that the act shall take effect upon approval of the voters. She then expressed her understanding that the charter required approval of the voters in order to change an elected position to an appointed position.

Councilor Jourdain made a motion to amend the recommendation to request that it be made effective upon adoption of the voters of Holyoke. Councilor Vacon seconded the motion.

Councilor Devine noted that item 8 stated that the Council would submit a home rule petition to pass this change. She then suggested that putting it on the ballot was a different thing.

Atty Bissonnette stated that Councilor Devine was correct, which was the reason he held off on submitting a final draft in order to make it contingent on approval of the voters.

Councilor Devine asked if the city would be back to square one if it wasn't approved by the voters.

Atty Bissonnette stated that was correct. He then explained that there were other ways of being able to change elected to appointed since the passage of an act for optional forms of municipal government. He then expressed his understanding that the Council made clear it wanted a vote of the city.

Councilor Devine asked what would happen if the legislature was on its summer recess.

Atty Bissonnette stated that the legislature had a process of handling such local matters internally while on recess as long as there was no objection by the governor.

Councilor Givner asked why this would need to be held up, noting that the Council would still need to vote on ballot language anyway.

Atty Bissonnette stated that was correct that the Council could vote to authorize that night.

Councilor Givner clarified that what she meant was once the Council had the language, would it still need to approve if it already approved language it had not seen.

Councilor Jourdain stated that the Council was not voting that night.

Atty Bissonnette stated that they were voting to amend the committee report to refer it to the Law Department.

Councilor Vacon clarified that the document reviewed in Charter and Rules that made the amendments referred to the appointed treasurer, modifying section 1 and section 2 with the amended language. She added that the update needed were the 3 items on the agenda.

Atty Bissonnette stated that both items resulted in the same conclusion in that there was no authorization for the voters to vote on this.

Councilor Vacon clarified that her intent was to point out that section 3 stated that it shall take effect upon approval of the voters.

Motion to amend the committee report, requesting that the Law Department included language stating that it would be subject to the approval of the voters of Holyoke, passed.
---> Report of Committee received and laid on the table.

ANDERSON-BURGOS -- Ordered that temporary speed humps be placed on Columbus Ave to see if they will help reduce speeding. Constituent request.
---> Received and Adopted. Copy to DPW.

Bartley- DPW PLEASE stripe the "no parking" area on Russell Terrace (east side) asap. This is already designated in Ordinance but the striping has been pending for a few years. Receive, Adopt, Refer to DPW and please follow-up with the admin. Assistant in 45 days to advise if/when installed.
---> Received and Adopted. Copy to DPW.

Bartley, I. Rivera, J. Rivera, Sullivan - DPW, Emergency Management, HPD and Mayor's office determine a safety plan to better warn truckers traveling on Main St. of the iron R/R bridge at Lyman St. Yet another collision occurred last week. Consider checking out the flashing beacons and warning signs on East Mountain Rd, Westfield.

Councilor I. Rivera, Councilor J. Rivera, and Councilor Sullivan asked to be added to the order.
---> Received and referred to the Public Safety Committee.

Bartley- DPW install raised X-walk on South St. at Elmwood Towers. Similar to either the ones on Westfield Rd. at Mayer Field and on Main St. at Dean Tech. Receive, Adopt & Refer to DPW and Mayor. Refer to Finance and Public Safety for follow-up.

Councilor Devine suggested that it not be copied to Finance as it would need to be discussed in Public Safety as a traffic matter.

Councilor I. Rivera suggested that if there was financing necessary, the Finance Committee would need to approve that.

Councilor Devine emphasized that financing would need to be proposed by the mayor first.

Councilor Vacon stated that when orders go to two committees, one gets a copy, and they can't act on a copy anyway.

Councilor Bartley agreed with sending it to Public Safety and deal with the financing later.
---> Received and Adopted. Copy to DPW, Mayor, Public Safety Committee.

Bartley- The Veterans Services department head look to expanding the number of signs on Holyoke's Purple Heart Trail. Refer to Veterans Services Dept, War Memorial Commission and refer to Public Service for a follow-up.

Councilor Bartley recalled being a part of establishing the Purple Heart Trail. He then stated that it was worthy of expansion. He then suggested that it had not been promoted well enough and would work with the next department head to address that.

---> Received and referred to the Public Service Committee. Copy to Veterans Services, War Memorial Commission.

Bartley- City Council present a Proclamation to Barbara Bernard on the occasion of her well-deserved induction into the Massachusetts Broadcasters Hall of Fame. (See attachment for a list of the honorees – event to take place June 13, 2024 at the Boston Marriott Quincy Hotel)

President Murphy-Romboletti stated that Ms. Bernard would be unable to attend a meeting but would send a message to the Council.

---> Received and Adopted.

Bartley- DPW install TEMPORARY NO PARKING signs on the South side of the South St. X-walk from Elmwood Towers. Please do so immediately so that seniors have a clearer pathway to see vehicles prior to crossing. Leave them installed until the Pedestrian Traffic light is repaired. Receive, Adopt and Refer to DPW. Send order to Public Safety for a follow-up to ensure compliance.

Councilor Bartley noted that a late file from the last meeting was a letter from the police chief expressing support for this that wasn't taken up.

Councilor Jourdain stated that it was in this meeting's packet.

Motion was made and seconded to suspend the necessary rules to take up item 37 out of order.

From Chief David Pratt, Holyoke Police Department, communication in support of installing a temporary "no parking" sign on South St near Elmwood Towers.

---> Received.

*This item was later reconsidered in order to amend it by adding Main St at Vernon St.

Councilor Sullivan read from the letter:

"This letter is a written notification of this department's support of the installation of temporary "No Parking" signs on either side of the crosswalk on South Street, across from Elmwood Towers. It will provide more visibility and safety for our senior pedestrians."

Councilor Bartley stated that they were still waiting for parts for the signals. He added that everyone was in support of this. He then explained that this would provide temporary space for seniors to walk across

the street until the signal got fixed.

---> Received and Adopted. Copy to DPW, Public Safety Committee, HPD.

Bartley- DPW work with MA DOT to remove the dead trees by the US Route 91 overpass at Westfield Rd. This area is in need of some attention. Receive, Adopt and Refer to DPW. Refer to Public Safety for a follow-up.

---> Received and Adopted. Copy to DPW, Public Safety Committee.

Bartley- The City Council present a Proclamation to The Support Network, champions of emotional health for children, in recognition of the work it does for youth in the community and to honor Mental Health Week (May 5-11) in Massachusetts.

Councilor Devine stated that the proclamation was complete.

---> Received and Adopted.

Devine- ORDERED that a proclamation be given to Police Chief David Pratt for his over 31 years of dedicated service to the City of Holyoke.

---> Received and Adopted.

Devine- ORDERED: That a digital time clock be provided to the President of the City Council, in the City Council budget for the purposes of keeping time for Public Speak and City Council rule addition to Rule #6C.

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

Devine- ORDERED that the City Council consider a rule addition to to RULE 6C (DECORUM/SPEAKING) adding the following words as a second paragraph:

"No Councilor shall speak more than 4 minutes during debate. The President/and or the City Council Administrative Assistant shall keep track of the minutes. A (1) one minute reminder shall be given at the 3 minute mark during debate."

Councilor Jourdain stated that another order with similar language was taken up earlier in the year, which resulted in the compromise of limiting meetings to 10pm. He suggested giving this leave to withdraw unless there was a compelling reason to have the discussion.

Councilor Magrath-Smith stated that the previous order didn't explain how the clock could be used so this could get at one way the clock could be used.

Councilor Devine asked when the 10pm rule was created.

President Murphy-Romboletti stated that it was earlier in the year.

Councilor Jourdain stated that it was around February.

Councilor Devine stated that this didn't have anything to do with the 10pm rule.

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

Devine- ORDERED that the DPW place a ONE WAY sign facing Pine Street across from the Pine Street exit of the Holyoke YMCA

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

Givner- By constituent requests, order that crosswalks be installed from the parking lot on canal serving businesses in the block between Water and Appleton streets.

-Public Safety copy to DPW

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

Givner- In an effort to improve efficiency, order that the last sentence of voting rule K, from our City Council Rules, be changed to reflect "Motion that the Legal Form be Ordained, by a majority of the full Council voting in a recorded roll-call vote."-Charter & Rules

Councilor Vacon suggested giving this leave to withdraw, noting that Ordinance was working on this process. She suggested refiling if it was still needed.

Councilor Givner stated that she was fine with withdrawing and refiling if needed.

---> Received and given a leave to withdraw.

Jourdain, Greaney, Devine - Ordered, that the Joint Committee on City Council and School Committee review the process for the naming of the new middle school replacing Peck Middle School at the same location; including, the apparent desire by some to possibly change the name from Superintendent William R. Peck who was Superintendent of our Schools from 1920-1963 and a World War 1 Naval Veteran and had this middle school named for him by the city in 1970. That the Joint Committee and Law Department also review our ordinances and rules on naming Holyoke owned facilities and buildings specifically Chapter 12 of our Ordinances so that we ensure we are following the proper procedure for the naming of the new school which is a city owned municipal building.

Councilor Jourdain stated that there were positive developments on this and everyone appeared to be in agreement that if there were a name change, the final say would be with the City Council. He then stated that he would be against a name change, noting the amazing things Mr. Peck had done for the city.

Councilor Greaney asked to be added to the order.

Councilor Devine asked to be added to the order. She emphasized that Mr. Peck was an unbelievable person, was only 24 when he was appointed as superintendent, and had done much for women teachers to get their pay addressed.

Councilor Jourdain stated that the Joint Committee would meet on June 13th.

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

Jourdain, Vacon, Devine, Sullivan, Bartley, Greaney - Ordered, that the Holyoke City Council go on record as opposed to the legislation pending in Boston to create a new 2% local surcharge tax on real estate transactions. This new surtax would create crippling costs on our residents and businesses, robbing residents of preciously needed funds, make home ownership even more unattainable and unaffordable (appx \$5,000 tax surcharge on the average Holyoke home and appx \$8,800 on average

Holyoke business), and further reduce economic development in our city. Holyoke has been deeply committed to affordable housing for many decades while many other communities do little to help. Instead of taxing Holyokers more, the state should be providing resources to cities like Holyoke who are already doing their fair share. This new surtax is unaffordable to Holyokers and allows the state to pass the buck onto cities and towns instead of meeting its own commitments. That this resolution be adopted and sent to our state delegation, Registrar of Deeds Cheryl Coakley-Rivera and the Governor's office.

Councilor Jourdain stated that the proposal had a number of local legislators coming out in favor this, emphasizing that he had not seen many from this area on that list. He then explained that with the proposal, someone selling their house would get an extra 2% tax. He added that the average home sale in Holyoke would be hit with another \$5,000. He then expressed frustration that the legislature was coming up with several new taxes that local communities would put on their residents. He expressed further frustration that the state's antiquated formulas meant that cities like Holyoke were not getting their fair share of aid from the state.

Councilor Greaney asked to be added to the order.

Councilor Vacon stated that when these local options get added, it all adds together to additional costs to the local residents.

Councilor Givner asked what the act was called in order to be able to read about it. She then asked if this was referring to the Affordable Homes Act.

Councilor Jourdain stated that they were calling it the local surtax on real estate transactions. He noted The Republican newspaper had an article about it a few weeks earlier.

Councilor I. Rivera stated that he would like more time to look at it before taking a vote. He then expressed his understanding that if he sold his house, this would mean he would pay an extra 2% tax on the sale. He then stated that he would like to know more because he believed there was more to it.

Councilor Greaney agreed that the state had been underfunding the city for many years. He emphasized that special education specifically had been drastically underfunded for many years.

A voice vote was held with an unclear result.

Councilor Magrath-Smith noted that there appeared to be a desire among some to table this in order to get more information.

Councilor Jourdain stated that the issue with that was that this was time sensitive as it had already been tabled once.

Councilor I. Rivera stated that this was the first time he was hearing of it.

Councilor Givner expressed concern that may be talking about the Affordable Homes Act, which said nothing about putting a tax on real estate sales. She noted that the purpose of that act was to create a tax on \$1 million plus homes and transfer that funding to more affordable housing in communities.

Councilor Jourdain stated that one of the problems with this was that there was discussion of not having a \$1 million limit. He then explained that he was looking to have the Council on record against it. He noted that there were many amendments being proposed, but what was on the table was a proposal to create the real estate transaction tax.

---> Received and Adopted on a call of the roll of the yeas and nays--Yeas 7--Nays 5 (Givner, Magrath-Smith, Murphy-Romboletti, I. Rivera, J. Rivera)--Absent 1 (Anderson-Burgos).

Magrath-Smith- Ordered, that the language from sections 74-32, 74-33, 74-34, and 74-35 be updated based on guidance from the Board of Public Works and the Recycling Advisory Committee.

Councilor Vacon asked for an explanation of the sections.

Councilor Magrath-Smith stated that this was from conversation with the Recycling Advisory Committee and the Board of Public Works about what the steps were to revise the recycling ordinances.

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

Ocasio- Ordered that Pettiah and Main St. going up or down have, that needs paved

---> Received and Adopted Copy to DPW.

Ocasio- Ordered that James and Temples from the corner to the center needs to be fixed.

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

Ocasio- Ordered that Meadow St be fixed, residents said that it was filed and send to DPW

Councilor Ocasio stated that residents told her they were fixing it.

---> Received and complied with.

Ocasio- Ordered that a Speed Hump be put on, Main and Temples st . They using the road as a speedway, tire mark on road.

Councilor Vacon stated that if people wanted speed humps, they needed to file a petition with 2/3 of renters or owners in the impacted area.

Councilor Jourdain made a motion to amend the order to say temporary speed humps.

Councilor Bartley made a motion to reconsider the previous action on item 12 to add "on Main Street at Vernon Street."

Councilor Jourdain expressed concern that the Council voted to approve a traffic light at Main and Vernon only to have someone crash into it and then the Council was told it was too expensive to replace it. He

then emphasized that this was a classic example of Wards 1 and 2 not being treated as well as other areas. He then stated that he would support this, but believed they should get their traffic light back.
---> Received and Adopted.

Ocasio- Ordered that " No Parking on Grass " Sign be put up at Springdale Park.
---> Received and Adopted. Copy to DPW, Parks and Rec.

Ocasio- Ordered that they put, another "POOP" stand on the other side. And refill the one that is already there.

Councilor Ocasio stated that there was one near the baseball diamond and believed there should be another one on the other side.

Councilor Jourdain made a motion to amend the order to add "Springdale Park" to the order.
---> Received and Adopted.

Ocasio- Ordered that they go look at the " Picnic Tables " at Springdale Park and replace with new ones, the cracked and missing screws.
---> Received and Adopted. Copy to Parks and Rec.

Ocasio- Ordered that someone comes to the City Councilor meeting and explained why the " Traffic Light " that was removed and replaced with " STOP SIGNS " what's the plan.
---> Received and given a leave to withdraw.

Ocasio- Ordered that the "Black Fencing Light Poles" around Clemente St and South Bridge St, be turned on for residents safety. never on.

Councilor Ocasio stated that 16 lights were missing.

Councilor Jourdain asked if all 16 were on Clemente.

Councilor Ocasio stated that some were on Sargeant, East Street, and Hamilton.

Councilor Jourdain made a motion to amend to add those streets. He noted that they installed the lights but then were never turned on.
---> Received and Adopted. Copy to HG&E.

Rivera, J.-Order for the removal of the handicap parking sign currently installed at 36 Northeast Street. The tenant, Lori Bresnahan, has relocated to Easthampton, making the presence of the handicap sign unnecessary at the specified location.
---> Received and referred to the Ordinance Committee.

COMMUNICATIONS

(1:42:00)

Councilor Vacon stated that item 38 had been handled at the last meeting.

From Mayor Joshua Garcia, letter reappointing Mr. Anthony Luciano, of 24 O'Connor Ave, to serve as a Commissioner on the Licensing Board. Mr. Luciano will serve six year term expiring August 30, 2030.
---> Not on the agenda.

From Mayor Joshua Garcia, letter reappointing Mr. James Sutter of 30 Fairfield Ave. to serve as a Commissioner on the Gas and Electric. Mr. Sutter will serve a six year term expiring July 1, 2030.

Councilor Bartley noted that while this was a reappointment, it was a six year term and he would like to speak with Mr. Sutter in committee.
---> Received and referred to the Public Service Committee.

From Mayor Joshua Garcia, letter appointing Ms. Astrid deSoete of 13 O'Connor Ave. to serve as a member on the Recycling Advisory Committee. Ms. deSoete will replace Meg Magrath-Smith and will serve the remainder of her term expiring August 1, 2026.
---> Received and referred to the Public Service Committee.

Motion was made and seconded to suspend the necessary rules to take up items 41 and 92 as a package.

From School Committee Member Erin Brunelle, letter of resignation

Councilor Bartley expressed his understanding that another resignation may be coming and suggested that they be handled together.

President Murphy-Romboletti stated that nothing had been received yet from another member.

Councilor Vacon suggested laying this on the table to allow for time to plan a date.

President Murphy-Romboletti stated that they were looking at holding the meeting before the June 18th Council meeting.
---> Received.

Murphy-Romboletti- ordered that the City Council receive the letter of resignation from School Committee Member Erin Brunelle and works to schedule a joint meeting with the School Committee to fill the position.
---> Received and Adopted.

Motion was made and seconded to suspend the necessary rules to take up items 42 and 43 as a package.

From City Auditor Tanya Wdowiak, 04-30-2024 GF YTD BUDGET VS ACTUAL

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

From City Auditor Tanya Wdowiak, 04-30-2024 SEWER ENTERPRISE BUDGET VS ACTUAL

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

From Board of Fire Commissioners, meeting minutes from March 18, 2024 meeting

---> Received.

PETITIONS

PRESIDENT'S REPORT

(1:47:40)

President Murphy-Romboletti offered congratulations to Admin Asst Jeffery Anderson-Burgos and Councilor Juan Anderson-Burgos on celebrating their ten year anniversary. She noted that they renewed their vows the previous weekend and were on a break this week. She then asked councilors to keep that in mind and avoid emailing Jeffery as he was not great at ignoring emails.

She then stated that the PVTA would hold a public meeting about changed to the bus routes the following day at City Hall. She added that there was a survey in both English and Spanish that constituents should be encouraged to fill out.

She then stated that the Memorial Day ceremony would take place at the War Memorial Building the following Monday at 10am.

She then reiterated that following the resignation of School Committee member, Erin Brunelle, there would be interviews on Tuesday, June 18th at 6pm. She then stated that residents were invited to submit letters of interest and resumes to Personnel, and that it was an at large position. She added that while applicants could send their information up to that day, they were encouraged to submit sooner than that deadline. She then stated that it would be a joint meeting between both the School Committee and the City Council.

Councilor Vacon asked how the vote would work and what the numbers would be for appointment.

City Clerk Murphy McGee stated that the meeting would be called with all members of both bodies voting, including the mayor. She added that it would be done as other roll call votes, with a majority of the entire two bodies needed for appointment.

Councilor Devine asked if letters of interest should be sent to Personnel if interested residents send those items to councilors.

President Murphy-Romboletti stated that they should. She then stated that the Council was invited to attend the Mt. Tom B-17 Memorial event in the morning of Saturday, July 13th.

COMMITTEE REPORTS

(1:52:50)

The Committee on Ordinance to whom was referred an order Who responsibility to get names to remove Handicap sign when individuals no longer live there

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

UNDER DISCUSSION:

Councilor I. Rivera stated that the Disabilities Commission researched spots for the request to add signs but there was no recording of who was given a space. He noted that an order filed Councilor Bartley and Councilor Ocasio on this agenda to address that issue.

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

The Committee on Ordinance to whom was referred an order that the DPW install a handicap sign at 624 South East St. #202 for Syliva Reyes. Handicap Placard PL780517

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 recommended approval for the space.

Councilor Bartley asked to confirm that the legal form with measurements was provided.

President Murphy-Romboletti stated that it was.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

The Committee has considered the same and find that it is truly and properly enrolled.

Report of Enrollment received.

The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--
Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

The Committee on Ordinance to whom was referred an order that a handicap sign be installed at 34
Maple Crest Circle Apt F, for Victor Acoasta. Handicap Placard number PL6370776.

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

UNDER DISCUSSION:

Councilor I. Rivera stated that this was private property.

Councilor Vacon stated that the applicant was instructed to go to management.
--> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order Zone change application from IG to DR for
Holyoke Housing Authority at 662, 666, 674, 680, 702, and 710 South East Street (029-09-009 through
019) to build rental and homeownership units.

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 Holyoke Housing Authority asked for this as part of continuing South
Holyoke Homes project. He added that the Planning Board 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 12--Nays 0--Absent 1 (Anderson-Burgos).

(2:01:20)

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 "USDA URBAN & COMMUNITY FORESTRY IRA GRANT, \$1,000,000, 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
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that this would allow for improvements to Holyoke's urban tree inventory, using it for prioritizing tree removals and pruning. She added that it would provide for equipment purchase and supplies to complete the work, and would have a deadline of 2028 to complete the work.

Councilor Greaney expressed support, noting that the parameters of the grant were terrific for the city. He emphasized that there were a lot of issues with trees.

Councilor Sullivan stated this was great, but learned that a tree climber recently hired left for better pay.

Councilor Bartley expressed hope that some of the funds could be used to supplement the personnel line. He then expressed appreciation that there would be a report as a result of an ordinance.

Councilor I. Rivera stated that he appreciated that as well. He then expressed a hope that administrative costs could be incorporated into it.

Councilor Devine stated that they would need to report on a biannual report.

Councilor Ocasio stated that the tree climber that quit was very nice when he was doing work on a tree at her property.

Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

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

FROM:

11751-51223 DEVELOPMENTAL SPECIALIST \$1,000

TOTAL: \$1,000

TO:

11751-51300 OVERTIME \$1,000

TOTAL: \$1,000

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that the specialist position was not filled, leading to the extra funding. She then stated that as the OPED office dealt with multiple commissions, and they needed someone attending night meetings to take minutes.

Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

The Committee on Finance to whom was referred an order From Retirement Board, communication regarding COLA

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that they asked for a 3% raise the previous year but it wasn't fiscally responsible at the time, and they were now asking for a 2% increase that was supported by the mayor. She added that the liability was increased to \$2.7 million over 10 to 11 years. She then explained that most of the people getting this were from the Police Department and the Library.

President Murphy-Romboletti stated that the mayor asked Mr. Dulude to attend one of the budget hearings.

Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY THOUSAND AND 00/100 Dollars (\$30,000) as follows:

FROM:

12201-51105 FIREFIGHTERS \$30,000

TOTAL: \$30,000

TO:

12201-51300 OVERTIME \$30,000

TOTAL: \$30,000

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that the Fire Chief explained that this would be for summer months to cover vacations and time off.

Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

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 ONE HUNDRED THIRTY SIX AND 00/100 Dollars (\$4,136) as follows:

FROM:

12101-51204 POLICE PT PRINCIPAL CLERK \$4,136

TOTAL: \$4,136

TO:

12101-51110 POLICE PRINCIPAL CLERK \$2,336

12101-51201 MATRON 1,800

TOTAL: \$4,136

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan

Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that the transfer was due to the department having a lot more female arrests, requiring them to call the matron in more often when there wasn't a female officer on duty. Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

The Committee on Finance to whom was referred an order From Community Preservation Act Committee, FY25 CPA Budget Proposal

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that there was an overview of the CPA budget. She noted that the state lowered the required amount for housing due to shortages in housing stock. Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

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 SEVEN HUNDRED FIFTY AND 00/100 Dollars (\$4,750) as follows:

FROM:

11451-51103 DEPUTY TREASURER \$4,750

TOTAL: \$4,750

TO:

11451-51300 OVERTIME \$4,750

TOTAL: \$4,750

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that the Deputy Treasurer position wasn't filled until halfway through the year, allowing a surplus. She then stated that the assistant was staying late and working extra hours to get the year-end report one.

Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

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 AND 00/100 Dollars (\$13,000) as follows:

FROM:

14211-51306 ADMIN OVERTIME-SUPERVISORS - DPW \$13,000

TOTAL: \$13,000

TO:

14301-51400 REFUSE PAY-LONGEVITY \$750

12941-51300 FORESTRY PAY- OVERTIME 1,600

14101-51400 PARKS PAY-LONGEVITY 1,000

14211-51300 ADMIN PAY-OVERTIME 2,000

14212-53190 ADMIN EDUCATION EXPENSE 2,000

14222-52505 PROPERTY R&M SENIOR CENTER 4,000

14222-52514 PROPERTY R&M N HOLYOKE FIRE STATION 1,000

14261-51400 AUTO PAY-LONGEVITY 650

TOTAL: \$13,000

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

Committee Members:

Patricia Devine

Kocayne Givner

Michael Sullivan

Kevin A. Jourdain

Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that this was to cover balances for the rest of the year.

Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, FORTY FIVE THOUSAND AND 00/100 Dollars (\$45,000) as follows:

FROM:

14101-51105 PAY-SR CIVIL ENGINEER \$20,000

14101-51101 PAY-ENGINEER 25,000

TOTAL: \$45,000

TO:

14102-53010 PROFESSIONAL ENGINEERING SERVICES \$45,000

TOTAL: \$45,000

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated this was for engineering services since the city had not yet hired an Engineer. She noted they worked around 120 hours a month.

Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

The Committee on Finance to whom was referred an 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.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that the state forced the city to close the account and open a new one. She added that the new one would be used in a better way than the other one could be used.

Councilor Greaney asked to confirm there was \$76,000 in the account.

Councilor Devine stated that there was \$475,000.

Councilor Greaney stated that he did not believe that was in the opioid settlement account.

Councilor Devine asked Atty Bissonnette if he could clarify.

Atty Bissonnette stated that the city had received \$475,000 but the fund itself had around \$74-\$76,000, which would be added to the new account for the 17 remaining years of expected funds still to come in form opioid settlements.

Councilor Jourdain expressed his understanding that there was a rule change about how the funds were handled. He added that if a stabilization account was created and funded, it did not have to be disbanded. He also stated that by the city taking funds out of the stabilization funds and moving it into another fund for the future, the other fund would not require a City Council vote for expending from it and would only require the mayor's approval. He then expressed doubt that the mayor would choose to put future funds into the stabilization fund and subject them to the rules of that fund. He then questioned why the Council would vote to remove the current funds and eliminate its authority to approve use of those funds, which was by a 2/3 majority of the body.

Councilor Vacon asked how the funds would be tracked if the city changed to the other type of fund. She also asked how it would be reflected in the budget.

Councilor Devine stated that the stabilization fund was to create a revolving fund.

Atty Bissonnette stated that the Council could choose not to dissolve the stabilization fund and control the approval of the \$76,000 but the remainder of the \$2.2 million would go directly into the other fund by state law. He added that the state created this change because the use of stabilization funds has delayed use of the money to deal with the opioid issues and this was a way to use them more quickly. He added that another rule change meant that it only required a simple majority to expend the funds.

Councilor Greaney expressed his understanding that there was no requirement to transfer the funds.

Councilor Sullivan asked for clarification that \$475,000 was already in the special revenue fund.

Atty Bissonnette stated that \$400,000 was in there and another \$75,000 previously received was in the stabilization account.

Councilor Sullivan asked to confirm that if the total remaining of the \$2.2 million went into the special revenue fund, the Council only had control over the \$74,000.

Atty Bissonnette stated that was his understanding.

Councilor Givner stated that there were reporting requirements for cities, and questions could be answered from looking at the settlements and the rules from the state. She also emphasized that the mayor would not have unfettered power to do whatever he wanted with the funds due to requirements on how to use them. She added that it would be nice if the Council got to vote on projects, but she understood how it was being held up when it needed to be spent in communities.

Councilor I. Rivera stated that while he shared the sentiment about losing control, he saw a difference between micro and macro management, adding that he believed the Council's role was more macro. He then suggested that there were other mechanisms that would require Council approval, such as creating new positions or new departments. He also emphasized that these were not taxpayer dollars but funds from a lawsuit. He also noted that the city had an auditor that would be tracking the funds. He also suggested that it was petty to keep \$76,000 from being combined with the other \$2 million.

Councilor Jourdain stated that he was okay being petty with every penny. He also recalled that the mayor proposed the stabilization account and that he would strategically with the Council to use the funds. He also suggested that with mayors all over the state doing whatever they want with these funds, it would be like another ARPS slush fund. He then stated that while the funds would be used for legal and legitimate purposes, he believed that government worked best when there was accountability and checks and balances. He then suggested that some of the other arguments amounted to not having a budget and just giving the mayor millions of dollars to do what he thinks is best. He also suggested that when these kinds of funds come in, they were often used to offset other expenses.

Councilor Vacon stated that she would be more comfortable turning over the stabilization fund if free cash was already certified.

Councilor I. Rivera suggested that if some feel there are better ways to do things, people should run for mayor.

Councilor Devine suggested referring this back to Finance for further discussion.
---> Report of Committee received and referred to the Finance Committee.

Councilor Magrath-Smith suggested being strategic about what items get taken up to ensure things get moved to committee if time was going to run out.

Motion was made and seconded to suspend the necessary rules to take up item 89 out of order.

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, SEVEN THOUSAND SEVEN HUNDRED TWELVE AND 00/100 Dollars (\$7,712.00) as follows:

FROM:

2602-10400 TNC RIDESHARE \$7,712.00

TOTAL: \$7,712.00

TO:

11752-53010 OPED-OTHER CONTRACTED SERVICES \$7,712.00

TOTAL: \$7,712.00

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, May 21, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Devine stated that she spoke with the rest of the Finance Committee individually about this order with the hope of adopting it that night. She then explained that it was for the bike share program that would be returning in June 2024, and that the funds would cover the administrative costs from April 2024 to April 2025 to align with a new contract with Drop Mobility who would be maintaining the bikes. She added that when it was clear the previous company was going bankrupt or no longer maintaining the bikes, OPED worked with others to secure the bikes and begin to pursue another way to bring them back. ---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 1 (Greaney)--Absent 1 (Anderson-Burgos).

Motion was made and seconded to suspend the necessary rules to take up item 90 out of order.

GIVNER - Ordered that the City Council approve a license agreement between the City of Holyoke and Verizon for relocation of cables at the Anniversary Hill Park project located at Scott Tower Road in Holyoke, MA.

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

Motion was made and seconded to suspend the necessary rules to take up item 83 out of order.

Vacon- ORDER: Request HG&E to add a street light on pole #32-12 on Whiting Farms Rd. This is a request from a resident at Tokeneke.

---> Received and Adopted. Copy to HG&E.

Motion was made and seconded to suspend the necessary rules to take up item 88 out of order.

Devine- ORDERED: that the City Council do a Proclamation declaring May - "Lupis Awareness Month" and present it to Pioneer Valley Lupis Awareness Support Group

---> Received and Adopted.

Motion was made and seconded to suspend the necessary rules to take up items 60 through 62, 65 through 71, 73, 75, and 79 out of order.

Councilor Bartley objected to taking up the orders on this list that were filed by him, tabled in Public Service, but not taken up for discussion. He then expressed his expectation that those tabled items would not be taken up for discussion and therefore he did not attend the meeting. He then questioned playing Russian Roulette with the agenda by bouncing around to different orders. He suggested trying to find a better way to handle meetings when the time begins to run up against the clock.

President Murphy-Romboletti implored that councilors try to keep things briefer. She then stated that the purpose of passing the 10pm rule was to make meetings shorter. She recognized that while doing it this

way was not ideal, people had a right to motion to take up certain items and she did not have the authority to limit how long people spoke.

Councilor Magrath-Smith withdrew her motion to take up the stated list of orders.

Councilor Vacon made a motion that if there are objections to taking up any of the orders on the stated list, they could be laid on the table and the committee chair could work with makers before the next meeting to determine what could go back to committee. Councilor I. Rivera seconded the motion.

The Committee on Finance to whom was referred an order That the City Council conduct a comprehensive study of employee safety for the benefit of our Holyoke municipal employees and our taxpayers. The City Council should invite in the Personnel Director, our Workers' Comp representatives, Mayor, law department, department heads, union leadership, and others as needed to gather all of the information we need to study the root causes of employee injuries, how they are handled, how are they mitigated, how are we handling risk management to avoid future losses. Our goal should be to keep employees safe, reduce lost hours, productivity and overall cost to the city. We need to collect all relevant data including a prior 3 year report tracking injury claims, workers' comp claims, injured on duty claims, and related. Ideally, the City Council will produce a report within 6 months on its findings in conjunction with all key stakeholders.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

---> Report of Committee and laid on the table.

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

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

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

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order that the Cannabis Commission create a regulation that retail marijuana products be required to have a health safety warning. This is needed in light of studies showing significant medical emergencies among children and adolescents as well as adults, due to marijuana use.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order The DPW and Mayor locate public spaces where trash and recycling receptacles can be placed and maintained. This should start off as a pilot program and it will require funding and management to ensure the debris/recycling bins are maintained but hopefully it will be a success and Holyoke can expand its scope.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order that the public safety committee invite in the water dept to discuss and address the water issues on Michelle lane.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order that the Board of Health, Community Development, and Mayor do a survey of City Hall and the annex building in order to prioritize the top needs for improvements of the two buildings (I.e. elevators, mold removal, carpets, etc).

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order City Engineer review options to improve road safety at Queen and Cherry St. Issue: trucks exiting Queen St. are seen driving over the median strip and making an illegal left-hand turn onto Cherry St. (Rt. 202-South)

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order that the city council invite the Mayor, Community Development, Parks & Recreation Department as well as Public health to a Public Safety committee meeting to discuss developing so form of community coalition around addressing homelessness, substance abuse, and youth programming.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order That the City/DPW/Public Safety Committee review and determine how to close Wyckoff Ave from Northampton Street, similar to that on 202.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order that a camera be placed on Homestead Avenue to be used to enforce “no truck traffic after 8PM.”

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Public Safety to whom was referred an order The city engineer review the signaling at the Maple St / South St. / Parenteau Dr intersection. Multiple accidents and near-accidents have occurred there over the years as motorists from Maple St turn Left against oncoming traffic on South St (heading downtown). The intersection is proximate to the former Whole Donut and the Fitzpatrick Ice Rink. Refer to Public Safety with copy to City Engineer.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

---> Report of Committee and laid on the table.

The Committee on Charter and Rules to whom was referred an order That City Council rule 9 (Committees) Section (P) be amended to change 45 days to 60 days. New language: All orders sent to any subcommittee be acted upon (taken up, not disposed of) within 60 days shall be deemed tabled.

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

---> Report of Committee and laid on the table.

Motion was made and seconded to suspend the necessary rules to extend the meeting to 10:15 pm.

The Committee on Finance to whom was referred an order that the city engineer provide a list/layout of non-accepted roads and come in to discuss options to fixing the roads.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that this had already been done in the past.

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

The Committee on Public Safety to whom was referred an order that the city's law department along with public health come in and elaborate on the status of the property in the corner of Lyman and No. Summer.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera clarified the items discussed earlier that were all to be given leave to withdraw and had been tabled. She then explained that they could be given leave to withdraw because they were two years old, adding that Atty Bissonnette stated during the meeting because they were on the agenda, they could be taken up.

Councilor Bartley raised a point of order. He then suggested that there was no right for Atty Bissonnette to give that advice because no rule referred to two years for orders.

Councilor J. Rivera clarified that Atty Bissonnette did not authorize the point of two years, but that was the reason they were brought up.

Councilor I. Rivera stated that regarding this item, the property owner passed away and therefore the property was not being maintained. He added that the Board of Health Director explained the city was looking to take the parcel.

Councilor Devine suggested that Councilor J. Rivera's question to Atty Bissonnette had been legitimate, reiterating that the orders were over two years old. She questioned why councilors don't check on their orders. She added that councilors could refile their orders.

Councilor J. Rivera stated that a waiver for a tax lien was filed on the property, clearing the title and allowing the city to proceed with acquiring the land.

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

The Committee on Public Safety to whom was referred an order Mayor and Building Dept/Board of Health/Law Dept please provide the City Council with a status report on the demolition and resolution of the dangerous abandoned building at 27-29 Cabot Street and 510 South Bridge Street (Parcel ID 031-01-014 owned by Next Realty Inc. with Corporate President of Shakeel Ahmed Butt of 10 Patriot Parkway in Weymouth, MA). Fencing is no longer safely enclosing the property and it has a dangerous debris field and is an attractive nuisance for children.

According to my records, there was a fire there in September 2021 and another fire in April 2022. It has been vacant from even before these fires. Please report if the owner is paying the vacant building fee and when this building is going to be demolished since it seems inconceivable that it will be restored. This has gone on for too long and is a danger to residents.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that Board of Health Director, Timothy Rivers, noted that the structure had unsafe portions had been demolished using ARPA funds and a lien was placed on the property. She added that the property had been transferred to a new owner who had expressed interest in rehabilitating the property. She then explained that the city planned to pursue enforcement and legal actions for unpaid fees. She added that the city was planning to install cameras in the area to deter illegal dumping. She noted that the new property owner did not live in Holyoke.

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

President Murphy-Romboletti asked that side conversations not continue.

The Committee on Public Safety to whom was referred an order The City Council and Mayor in conjunction with our department heads develop a comprehensive "Clean Holyoke Initiative" that develops a strategy to clean and beautify Holyoke by providing the plan and resources to get it done. Our future success as a city will in part count on being a beautiful, clean city.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that the mayor had the Flex Squad in place.

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

The Committee on Public Safety to whom was referred an order the City Engineer present a plan to the City council public safety committee to improve lower Whiting Farms Rd for the following conditions: motorists regularly ignore the "no left turn" into the former K-Mart Plaza thus cutting across traffic and motorists do so by angling around the cement barrier which causes potential hazardous driving conditions. Moreover, if motorists do abide by the "no left turn" they often make an illegal U-turn in front of the bay doors at HFD Station 5 that may further negatively impact public safety. Please advise on a best course of action bearing in mind that K-Mart is no longer an ongoing concern today but will be once again.

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

Committee Members:

Jenny Rivera
Israel Rivera
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that an order was filed by Councilor Bartley to make the left hand turn legitimate.

Councilor Bartley asked when this was taken up.

Councilor J. Rivera stated that it was taken up on May 14th.

Councilor Bartley stated that he believed this had been taken up a year ago.

Councilor I. Rivera stated that it was taken up and approved, but the structure never got changed to make the left turn safe.

Councilor Bartley stated that this would need to be addressed when the city hired a new City Engineer.
---> Report of Committee received and recommendation Adopted.

(3:01:25)

The Committee on Charter and Rules to whom was referred an order that the Joint City Council and School Committee have a standing order to report to the City Council on meeting topics originating from the School Committee.

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 a no brainer that made sense.
---> Report of Committee received and recommendation Adopted.

The Committee on Charter and Rules to whom was referred an order amend Rule 6E by adding the following: that no member of the City Council shall make references to or about another member but in respectful terms whether inside or outside the City Council Chambers including on social media.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that while it was understood that this would be best practice, it wasn't something that could be put into City Council rules as it referred to actions outside of chambers.

Councilor Vacon stated that as councilors all voted for the rules, everyone was responsible for government their own behavior and the rules could carry outside. She emphasized that in other professions, codes of conduct did not just apply to work hours but all the time. She then asked that the rule be adopted, recognizing that while it might not be able to be enforced, rules could ne created for the good of the body.

Councilor Jourdain stated that while the Council could not control what everyone does, the members could control each other. He then suggested that some councilors were hypocritical when they ridicule their colleagues on social media and then act offended while in chambers if someone says something they don't like. He then expressed concern that it could get to the point where people would not want to serve on City Council.

Councilor Devine stated that in America, everyone has freedom of speech, including on social media. She then questioned what the penalty be if someone says something another councilor doesn't like.

Councilor I. Rivera stated that he believed this was a little bit of an overreach. He also questioned how it would be enforced. He added that things can be interpreted in different ways. He suggested that it was also hypocritical, noting that he had campaign signs stolen and defaced with racial slurs and nobody said anything about that.

---> Report of Committee received laid on the table.

President Murphy-Romboletti noted that it was now 10:16 pm.

The Committee on Charter and Rules to whom was referred an order add a new Rule 6G that no member shall make any external statements, social media posts, or texts regarding City Council business during any meeting of the City Council or its committees in the spirit of the open meeting law.

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

Committee Members:

Meg Magrath-Smith

Linda L. Vacon
Tessa Murphy-Romboletti

---> Report of Committee received laid on the table.

The Committee on Charter and Rules to whom was referred an order that City Council Rule 9P be modified to add: Only those items that are reasonably expected to be taken up at the meeting (per open meeting law) will be published on the meeting agenda. Items "deemed tabled" by virtue of their existence in the committee jacket for 45 days will not be published on the active agenda. Listing every item in the entire committee jacket on every agenda will create confusing agendas for Councilors and the general public when the vast majority of items will never be considered at that meeting and create the false impression that they will be. This will create an absurd result that appears to be a violation of the Open Meeting Law.

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 laid on the table.

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

have considered the same and Recommended that the order be referred to the Joint City Council and School Committee

Committee Members:

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

---> Report of Committee received laid on the table.

ORDERS AND TRANSFERS

Vacon- ORDER: trim the low branches on two city trees across from #88 Meadowbrook Rd. The low branches are hitting vehicles and causing drivers to move into the wrong lane.

---> Laid on the table.

Bartley- That certain city departments review two matters proximate to 61 Lawler St: (a) City Forester inspect the tree to see if it needs to be trimmed or removed; (b) the DPW take corrective action to fix the raised sidewalk. Receive, Adopt and Refer. Send to Public Safety for a follow-up.
---> Laid on the table.

Bartley- City Forester and Conservation Commissioner please review the tree belts in Elmwood to suggest places for new plantings. Several constituents are requesting them throughout the Ward. Refer to these departments and DCR (Sarah) for a follow-up at a future Public Safety meeting. Our goal is to have many new trees planted in the Fall of this year.
---> Laid on the table.

Bartley, Ocasio- The City determine a more efficient manner to remove Handicap/Disability signs. Perhaps a database should be maintained by the Clerk. City addresses with Handicap/Disability signs in front of a parcel's address should be maintained and made public. Further, for example, on an annual basis, each addressee with such a sign should be notified and must affirm whether or not the sign should remain. Refer to Ordinance for a follow-up.
---> Laid on the table.

Bartley- The conservation commissioner be invited to attend a future DGR meeting to provide an update on the construction in and around Scott's Tower. Please be prepared to address the issue of water runoff to the pond owned by the abutter at 5 Lindor Heights. Refer to DGR and Conservation Commission.
---> Laid on the table.

Givner- Order that upon constituent request, that a stop sign be placed at the corner of where Larkin and Willow St. meet.
---> Laid on the table.

Rivera I.-Order that representatives of the Water Department come in to DGR and elaborate on processing fee attached to payment when using a credit/debit card when processing payment. Constituents have raised concerns on how much they are being charged on top of their water bill.
---> Laid on the table.

Rivera I- Order that representatives of the Holyoke Public Schools and STCC (specifically Dean tech) come into DGR and elaborate on the "After Dark" programming that will be soon launching at the Dean Tech school site.
---> Laid on the table.

Rivera I.- Order that the city put out an RFP to do a study on our finances, specifically focusing on tax revenue brought in and how it is spent throughout the community. This analysis is important in order for the city to have a better understanding of how much tax money is allocated in different parts of communities vs the subsidization of state and federal funding.
---> Laid on the table.

Rivera I.- Order that Parks and Rec, along with the school department come into Public Safety to discuss the management and maintenance of parks that are on school property. There has been much confusion as to who is responsible for what and it is important for the city get a formal understanding so

that we are able to better fund things are needed.

---> Laid on the table.

Rivera I.- Order that Health Commissioners representing the board of health come into DGR and discuss the Tobacco license issuance policy and how it may or may not align with the city's economic development plans around supporting small business growth and tourism.

---> Laid on the table.

Rivera I.- Order that DPW and Sewer put together a study and present on the potential benefits of adopting a sewer maintenance program similar to the one run at the Water Department.

---> Laid on the table.

Rivera I.- Order that Members of the parks & Rec Commission be invited in to Public safety to discuss plans around Springdale park as well as what the plans or if any support is needed in potential park improvement throughout the city.

---> Laid on the table.

Adjourned at 10:16 PM