

**REGULAR MEETING OF THE CITY COUNCIL****June 18, 2024**

President Murphy-Romboletti noted that there had been some technical difficulties with Holyoke Media. She then asked Atty Bissonnette if the meeting could continue in compliance with the Open Meeting Law if it was not livestreamed or on Zoom.

Atty Bissonnette asked if any members were participating remotely.

President Murphy-Romboletti stated that Councilor Jourdain was on Zoom earlier but now was not.

Atty Bissonnette stated that it would be more difficult if there was a remote member. He then stated that Council chambers were open, the meeting was publicized as a public meeting, and had also been publicized as providing public access via Zoom. He then explained that technical difficulties were not regarded as Open Meeting Law violations generally, and this meeting would be okay to go forward. He added that one option would be using the Zoom recoding to retransmit later.

The meeting was called to order by President Murphy-Romboletti at 7:44 PM

The Clerk called the roll. Absent Members: 0 Present Members 13 (Anderson-Burgos, Bartley, Devine, Givner, Greaney, Jourdain, Magrath-Smith, Murphy-Romboletti, Ocasio, I. Rivera, J. Rivera, Sullivan, Vacon).

The Pledge of Allegiance was recited.

President Murphy-Romboletti noted that the meeting was starting late due to a joint meeting of the School Committee and the City Council to vote on filling an at-large vacancy on the School Committee.

Councilor Magrath-Smith noted that as the meeting was starting late and the Council would be going to summer recess following this meeting, she made a motion to extend the meeting beyond the 10pm deadline until all items on the agenda are completed. Councilor Sullivan seconded the motion. Motion adopted.

President Murphy-Romboletti invited Councilor Devine to the podium for a presentation.

Councilor Devine presented a resolution on behalf of the City Council to extend congratulations to the Pioneer Valley Lupus Support Group in recognition of their commitment to and engagement on behalf of the over 5 million people affected by Lupus.

Lynn Gagnon, representing the Pioneer Valley Lupus Support Group, thanked the City Council for the proclamation. She emphasized the importance of educating the public as Lupus was not as well known of a disease so that people knew the symptoms and could catch it in time to be diagnosed and get the proper treatment. She then stated that the proclamation was a big step in spreading Lupus awareness.

Councilor Jourdain asked for a moment of silence to recognize the loss of Jose Garcia, former longtime DPW Commissioner. He then stated that Mr. Garcia has been a tremendous guy, had volunteered at the Senior Center for many years, and had done unbelievable work for multiple civic organizations.

A moment of silence was observed for Jose Garcia.

Councilor Jourdain asked for a moment of silence to recognize the loss of George Beauregard. He then stated that Mr. Beauregard had served as an attorney in the community, including as a founding member of one of the esteemed practices in the city. He added that Mr. Beauregard had also served as a judge in the Holyoke District Court. He noted that Mr. Beauregard had a lot of knowledge, was civically minded, and had deep conviction and deep faith.

A moment of silence was observed for George Beauregard.

### **PUBLIC COMMENT**

Deborah Albury, 104 Beech Street, stated that as part of commuting, she regularly passed by the Victory Theater. She then stated that she had learned startling information about the theater being a historic site worthy of preservation designation. She then suggested that a reasonable review needed to be done of the documentation for the tax credits. She then expressed support for David Weinberg who could speak more thoroughly on the topic.

Spencer Fox Peterson, 51 Portland Street, stated that big news had been released regarding corporate landlords colluding to raise rents. He emphasized the importance of having rental protections in Holyoke, noting the city had over 60% renters. He added that stable housing was paramount for public safety and public health. He then expressed concern that people could be forced out of the city due to greedy landlords, emphasizing that this was not every landlord in the city. He noted that Neighbor2Neighbor and other groups were pushing for an Office of Tenant Protections in the city, adding that Mayor Garcia agreed with it.

David Weinberg, 3 Hillcrest Avenue, expressed concern about the Victory Theater. He then stated that the Victory Theater was not on the Historic Registry, referencing an email from Jennifer Keitt, adding that it would be necessary in order to receive federal historic tax credits. He then stated that they had no federal historic tax credits while reporting they were receiving \$6,915,000. He then stated that the Victory Theater was on the Mass Historic Registry and had \$4,100,000 in historic tax credits. He then explained that those amounts came from the Secretary of State's website. He then stated that MiFA's past artistic programs to be greatly expanded once Victory was completed had no prior successful record in Holyoke. He added that between 2015 and 2019, MiFA had a combined budget of \$2,401,000 and performance presentation income of \$32,202. He questioned if their income could credibly pay the expenses of the restoration.

Councilor Greaney made a motion to extend Mr. Weinberg's time for another minute. Councilor Vacon seconded the motion. Motion adopted.

D. Wienberg stated that 2021 990's from the IRS listed travel for Don Sanders \$49,029 with \$950 revenue from programs. He questioned the need for travel with so little financial return. He added that the fundraising figures had included funds to restore Victory Theater as well as funds to put on MiFA, and that

it wasn't known how that money was being spent. He also questioned a recent statement that there would be \$19 million in historic tax credits.

## COMMUNICATIONS

(18:10)

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

Motion was made and seconded to suspend the necessary rules to take up items 1 through 3 as a package.

From Mayor Joshua Garcia, letter reappointing Hayley Dunn of 199 Northampton St. to serve on the Board of Registrar of Voters. Ms. Dunn will serve a three year term that will expire on March 31, 2027.  
---> Received and appointment approved.

From Mayor Joshua Garcia, letter reappointing Kenneth Harstine of 56 Nonotuck St to serve as a Commissioner of the Solider's Memorial. Mr. Harstine will serve a three-year term expiring on June 30, 2027.  
---> Received and appointment approved.

From Mayor Joshua Garcia, letter reappointing Beth Gosslein of 1070 Northampton St. to serve on the Local Historic District Commission for Fairfield Ave. Ms. Gosselin will serve a three-year term expiring on July 1, 2027.  
---> Received and appointment approved.

Motion was made and seconded to suspend the necessary rules to take up items 4 and 35 as a package.

From Florin Muradian, Request to withdraw special permit application for Home Occupation at 42 Arnodale Ave  
---> Received.

The Committee on Development and Governmental Relations to whom was referred an order Special permit application for a home occupation at 42 Arnodale Ave (124-00- 077) for a driveway sealcoating business (Homeowner: Dylan Bradford, business owner: Florin Muradian)

have considered the same and Recommended that the special permit be denied.

Committee Members:

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

UNDER DISCUSSION:

Councilor Givner stated that the recommendation from the Law Department during the hearing was that this was nothing the correct permit for this type of business because the permit would allow for a business that primarily would take place at the home and there was disagreement whether or not that was the case. She noted that he was not seeking to withdraw it.

Councilor Bartley commended Councilor Givner for running a good meeting. He then stated that he did not necessarily agree with the Law Department and made a motion to request an explanation in writing from the Law Department on what a home occupancy special permit allows. He added that there were too many open questions. Councilor Vacon seconded the motion.

Councilor Devine expressed a desire to see an order filed making that request instead.

Motion adopted.

---> Report of Committee received and application given a leave to withdraw without prejudice at the request of the applicant on a call of the roll of the yeas and nays--Yeas 12--Nays 1 (Bartley)--Absent 0.

From David Weinberg, information regarding MiFA/Victory Theater

Councilor Bartley noted that Mr. Weinberg had just summarized his communication during public comment. He then questioned where else this should go, noting there was still an open question. He added that the whole situation with the Victory Theater had been going on for 35+ years. He added that he had heard about 'shovels in the ground' from the director multiple times. He questioned at what point does the city say "this is it" and actually mean it. He emphasized that Mr. Weinberg was just a volunteer looking for answers.

Councilor Givner stated that the presentation from Mr. Sanders in the DGR Committee was helpful. She then stated that it was unfortunate that Mr. Weinberg did not attend. She then suggested that it would be more helpful if a community meeting was held with all parties present so that questions could be answered. She noted that MiFA talked about holding something at Holyoke Media, which could be publicized so that community members could be present and ask questions directly to the people at MiFA.

Councilor Greaney stated that he was one of the skeptics. He then questioned if the communication should be reviewed by the Law Department, noting that some of it was accusatory. He then expressed concern with the city being involved if there was something that was illegal or not right.

Motion was made and seconded to suspend the necessary rules to allow the Law Department to address the Council.

Atty Bissonnette stated that they should wait until another hearing that included MiFA as well as the interested citizens. He then stated that the allegations being made in the letter were significant and there may be some people's interests and rights at stake. He then advised that the city should not get too much further into this as there were other investigatory avenues, including the State Ethics Commission, that may play a proper role. He added that this kind of investigation was not something the Solicitor's office could do, but they could make a referral if there was sufficient information that made it rise to that level.

Councilor Bartley suggested that the Holyoke Historical Commission could gather facts and proceed accordingly.

---> Received. Copy to Historical Commission.

From City Clerk Brenna Murphy McGee and Admin. Assistant Jeffery Anderson-Burgos, minutes from the May 21, 2024 meeting.

---> Received and Adopted.

## **PETITIONS**

(31:55)

From residents of Woodland St, petition for installation of new storm drain.

Councilor Bartley stated that this should be referred to the Board of Public Works for a follow up, and they could give some direction.

Councilor I. Rivera asked if this kind of petition required a public hearing, similar to what would be required for speed humps.

President Murphy-Romboletti stated that she did not think so but asked Atty Bissonnette to confirm.

Atty Bissonnette stated that the Board of Public Works would have to look at this and make the necessary calculations.

President Murphy-Romboletti asked to confirm that would not be hosted by the Council.

Atty Bissonnette confirmed that was correct.

Councilor Devine suggested sending it to the Board of Public Works Commission so they could take it up at their next meeting.

---> Received and referred to Board of Public Works.

## **PRESIDENT'S REPORT**

(34:25)

President Murphy-Romboletti noted a calendar invite was sent out to hold a date open for a special meeting the Mayor may be looking to hold regarding free cash. She noted that she attended a monthly meeting for finance department heads, and it appeared they would be looking to set the tax rate at either the November 19th meeting or the December 3rd meeting. She added that the state required it to be set by December 3rd.

She then stated that a late file was on the agenda regarding the September meetings, noting that the first Tuesday meeting date would need to be changed due to the state primary and the third Tuesday meeting date would conflict with Holyoke Day at the Big E. She then emphasized that she did not want to hold a

meeting that month so was recommending holding the meetings on the Wednesday dates immediately following those Tuesdays.

She then congratulated the Tax Collector, Laura Shaw, for being named as one of the 40 Under 40 awardees for the year.

She then congratulated Councilor Anderson-Burgos for winning 3rd overall and 1st in his division at the Pride 5K.

She then offered a reminder that the fireworks would be held on June 28th and a rain date of June 30th. She then stated that PrideFest would take place at Veterans Park on June 22nd.

## **REPORTS OF COMMITTEES**

(37:15)

President Murphy-Romboletti invited Councilor Jourdain to stand in for her for this item as she would be abstaining from discussion of the item.

The Committee on Ordinance to whom was referred an order Petition of Blue Fox Brands, Inc. for a special permit for a Marijuana Manufacturing Establishment at 1 Cabot St.

have considered the same and Recommended that the special permit be granted with the following conditions:

1. That the owner of the building always pay the commercial property tax rate to the extent allowed by federal, state, and local laws for the duration of the Special Permit.
2. That the business retains a minimum 30% Holyoke residents for non-security jobs.
3. That the hiring preference be given to security personnel that are retired Holyoke police or are a retired member of another police department that now lives in the city of Holyoke.
4. There shall be no marijuana consumption allowed on site.
5. That the hours of operation be Monday - Friday, 6am-12am, Saturday and Sunday, 7am-2pm.
6. That the applicant must abide by Massachusetts General Laws and guidances from the Cannabis Control Commission.
7. That the petitioner/applicant shall conform with city and state health laws, rules, and regulations, including odor nuisance controls, for the duration of the permit.
8. That if substantial progress has not occurred within 2 years of issuance of the Special Permit, an extension shall be required.
9. That items 2a and 2b on the Planning Board letter, dated May 31, 2024, be adhered to.

Committee Members:

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

### UNDER DISCUSSION:

Councilor I. Rivera stated that the facility would be located on Cabot and Canal. He noted several businesses were at the coalition. He stated that questions about traffic and parking were discussed. He added that they were also asked about impact in the community. He added that they were only focused on manufacturing and not retail, and there would only be a certain number of people throughout the day.

He added that they would begin with 2 shifts, and later plan for a third shift. He also stated that they planned to start as soon as all permissions were granted.

Councilor Sullivan noted the owner of the building was not the applicant, and the applicant should not be held to paying the taxes. He added that there was no mechanism for enforcing the conditions on the number of people working for the business from Holyoke.

Councilor I. Rivera stated that he agreed, adding that it was something most other businesses had agreed to, and they were on to maintain consistency. He also stated that while there was no mechanism to police the 30% residency conditions, the company did have a Michigan business with 70% of their workforce from the community.

Acting President Jourdain noted that the owner was required to sign the application, had an interest in the property, and was consenting to go along with the conditions, specifically item 1.

Councilor Bartley stated that the conditions were regularly applied, and the Building Department and the Board of Health could check on those. He added that with noncompliance, the permit could be revoked. He noted the current Building Commissioner had just sent out letters to several property owners with 3 or more family homes in compliance with state law.

Councilor Greaney stated that he would vote no as he had on every marijuana issue except for one, which had been a testing laboratory.

Councilor Ocasio stated that she would vote against it due to traffic issues. She noted there was congestion and there were concerns about accidents. She expressed frustration that nobody was listening to concerns. She then stated that there was no proof things would be safe.

Councilor J. Rivera stated that she would oppose it due to concerns with traffic, particularly with truck traffic as well as a PVTA route.

Councilor Magrath-Smith thanked councilors for attending the rich discussion. She recalled that a lot of concerns about traffic came up. She added that this project gave her pause in context to a recent discussion about host community agreements. She noted that while the city likely would not be pursuing those fees going forward, there appeared to be a real impact being named here. She suggested making a case for impact fees when there were tangible impacts to be shown.

Councilor Vacon offered a reminder that the applicant was asked if the host community agreement included money for mitigation, and they said the agreement modeled by the CCC included up to 5% mitigation fees, which required documentation as to what the charge would be for. She suggested there was a mechanism in place to address the concerns.

Councilor Devine emphasized the need to defer to ward councilors, and that she would vote no for that reason.

Councilor Sullivan stated that the owner of the building had spent considerable time and money developing the building and keeping in on the tax rolls. He expressed concern about denying that owner the opportunity to bring in more tenants.

Councilor Bartley asked others to consider the fact that nobody indicated during the hearing that they would vote against it because of traffic mitigation. He emphasized that they could have asked the applicant that night about mitigation. He also stated that another condition could be added to ask for a traffic mitigation study. He also stated that they would have to come back annually for a renewal of the special permit. He then made a motion to add a 10th condition that the owner of the building and the applicant come back to the City Council with a recommendation within 6 months with a traffic and parking mitigation plan. Councilor Vacon seconded the motion.

Acting President Jourdain clarified that special permits do not come back every year for renewal.

Councilor Bartley stated that they could still add the 6 month condition.

Acting President Jourdain stated that it could be added, assuming the applicant was agreeable to it.

Councilor Bartley stated that would give a little breathing room for 6 months. He then referenced Ordinance 9.3.3 as allowing the City Council to apply reasonable conditions to a special permit. He suggested that a traffic and parking plan was reasonable, it would give them 6 months to comply, and the permit would go away if they did not comply with the condition.

Acting President Jourdain noted that the motion was to add a 10th condition that, within 6 months of the granting of the special permit, the applicant would be required to provide a traffic and parking and mitigation plan.

Councilor Anderson-Burgos stated that during discussion of many of the previous special permits for marijuana industry businesses, the bulk of the conversations had been about traffic impacts and safety. He expressed concern that putting this specific one under a microscope would not be consistent with every other applicant.

Councilor Givner agreed that there was a concern about consistency, adding that this was a little late to add another stipulation to the special permit when it should have happened during the Ordinance Committee meeting. She noted that there were other cannabis companies in the same building without this condition, potentially making this company alone responsible for addressing traffic mitigation outside the building.

Councilor Devine stated that she was now unsure what to do, noting that she initially wanted to defer to the ward councilors but was now hearing other points that made sense. She then asked Councilor J. Rivera and Councilor Ocasio how they were feeling about this discussion.

Acting President Jourdain stated that he would recognize them after others with their hands up had a chance to speak.

Councilor Sullivan asked to confirm that there would be no retail sales at this business.

Councilor I. Rivera stated there would be no retail sales.



Councilor Sullivan suggested that if some people were going into their shift as others were leaving, he did not see any need to be concerned with traffic mitigation.

Councilor I. Rivera stated that there may be one retail store at the location, but they would have limited hours and it was smaller.

Councilor Sullivan clarified that this applicant would not be retail.

Councilor I. Rivera confirmed that this applicant would not be retail.

Councilor Sullivan emphasized that that would be a boutique manufacturer, not a company as large as GTI.

Councilor I. Rivera agreed that it would come across as singling them out if only one company had the extra condition and could bring legal issues if this did not pass. He agreed that cannabis companies had been saturating the neighborhoods and had not been as involved in the community as they promised they would, but that was not necessarily this business's fault, and really fell on the owner of the building to take the lead on figuring out parking and traffic.

Councilor Vacon stated that she seconded the motion out of a desire to not see the discussion end but did not support adding the 10th condition. She recalled that in the early days when the owner came in with some of the early applicants, they had discussion relative to traffic and parking, and there was agreement the owner would come up with a plan. She then noted that in discussion of this permit, she asked about parking and was assured there were adequate spaces for the businesses in the building. She suggested an order could be filed to discuss a plan with the building owner.

Councilor J. Rivera expressed appreciation for the respectful nature of the discussion. She agreed that it appeared they were targeting the business but noted that there was discussion and concern brought up in the meeting. She added that they spoke of a desire to see traffic redirected. She then stated that she would support the special permit in order to avoid looking like this business was being targeted, and was open to joining on an order to bring the building owner in.

Councilor Vacon withdrew her second.

Councilor Bartley withdrew his motion. He emphasized that the condition was intended to be applied to the building owner.

Acting President Jourdain noted that an order may not be binding, while a condition would be.

--->Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--  
-Yeas 10--Nays 2 (Greaney, Ocasio)--Abstain 1 (Murphy-Romboletti)

Councilor Devine offered congratulations to President Murphy-Romboletti for an award she would be receiving the following week.

Councilor J. Rivera stated that President Murphy-Romboletti was chosen by Emerge Massachusetts to receive a Woman of the Year Award.

President Murphy-Romboletti stated that Emerge was a program that helped women run for office, one that she participated in in 2021. She added that 3 other awesome women were also getting the award.

The Committee on Ordinance to whom was referred an order 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.

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 a fee was being charged to people to file a claim if their vehicle was damaged by potholes. He noted the policy was that the city had to know about a pothole ahead of time for people to be reimbursed. He stated that it did not make sense to charge a fee when taxes cover that expense.

Councilor Givner suggested that it created more work and likely cost the city more than the fee was generating. She noted that it was the practice of neighboring communities to not charge the fee.

Councilor Jourdain commended the committee for putting this through. He agreed that it was poor practice from a customer service perspective for people already dealing with damages to be asked to pay to file, adding that people may not even win their appeal.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--  
Yeas 13--Nays 0--Absent 0.

The Committee on Ordinance to whom was referred an order that the Ordinance relative to the payment of city lifeguards be revised so as to make sure we are being competitive to other communities in the highly competitive employment of Summer lifeguards. Moreover, that the Aquatics Director and/or other reps from the Recreation dept be invited to the Ordinance Committee to help us review and change as appropriate.

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 order was an attempt to keep up with the rising costs of lifeguards. He noted that the Parks and Rec Director had been negotiating with lifeguards to remain competitive with neighboring communities. He then explained that as the ranges were set by ordinance, they wanted to make sure that the Director was able to negotiate. He added that they learned the increase fit within the range already set by ordinance, but would likely have to be increased in the future.

Councilor Greaney called the question.

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

The Committee on Ordinance to whom was referred an 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.

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 order was straightforward.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--  
Yeas 13--Nays 0--Absent 0.

The Committee on Ordinance to whom was referred an order that an ordinance be established to address the 2/3 majority vote of the body for votes. Legal please provide the language necessary for review.

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 there had been different forms of legal language discussed and the final form stipulated that passage would be by two-thirds of those present. He noted that he had some confusion in that he had understood it was about votes for everything versus just ordinances, but discussions focused on ordinances specifically.

Councilor Vacon stated that there were many robust discussions that resulted in compromise after a meeting of the minds of people coming from different places.

Councilor Givner asked for confirmation that the legal language was what would be adopted.

Councilor Vacon confirmed that was accurate.

Councilor Bartley commended Atty Mantolesky for putting the language together, emphasizing that it was less simple than it may have seemed it would be.

---> 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 11--Nays 2 (Magrath-Smith, Murphy-Romboletti)--Absent 0.

(1:23:40)

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, FIVE HUNDRED AND 00/100 Dollars (\$500) as follows:

FROM:

15101-51203                      PAY-BOH SUBSTITUTE NURSE                      \$500

TOTAL: \$500

TO:

15101-51300                      PAY-BOH OVERTIME                      \$500

TOTAL: \$500

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 Board of Health did a tobacco sting, with 4 business having had their second violation within 36 months for selling tobacco to persons under the legal age, each received a \$2,000 fine. She added that 3 other businesses were fined for selling tobacco to those under the legal age were fined \$1,000 each.

---> 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 (I. Rivera).

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, FIVE HUNDRED AND 00/100 Dollars (\$500) as follows:

FROM:

12201-51105                 FIREFIGHTERS                 \$500

TOTAL: \$500

TO:

12201-51301                 ARSON OVERTIME                 \$500

TOTAL: \$500

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 overtime was to cover vacations as well as for the fireworks.

---> 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 (I. Rivera).

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, SEVEN THOUSAND SIX HUNDRED FIFTEEN AND 42/100 Dollars (\$7,615.42) as follows:

FROM:

11521-51104                 PERSONNEL-HEAD ADMIN CLERK         \$7,615.42

TOTAL: \$7,615.42

TO:

11522-53009                 PERSONNEL-CONTRACTED PROF SERV         \$7,615.42

TOTAL:                         \$7,615.42

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 someone had left in the department and they were hiring someone to cover for them.

---> 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 (I. Rivera).

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, NINE THOUSAND AND 00/100 Dollars (\$9,000) as follows:

FROM:

11751-51223                    OPED-DEVELOPMENT SPECIALIST    \$9,000

TOTAL: \$9,000

TO:

11751-53010                    OPED-OTHER CONTRACTED SERVICES    \$9,000

TOTAL: \$9,000

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 a development specialist had left and they were now putting the money back in. She added that it was staff support for the Tourism Advisory Committee.

---> 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 (Givner).

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 FOUR THOUSAND FIVE HUNDRED SEVENTY AND 00/100 Dollars (\$24,570) as follows:

FROM:

1376-10400    SMART GROWTH ZONING    \$24,570

TOTAL:            \$24,570

TO:

GRANT -VOTE FY 2023 SAFE STREETS    \$24,570

TOTAL: \$24,570

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 transfer was for a safe streets grant being funded for the implementation of planning and demonstration grants, safety performances, equity for all grants, as well as associated costs.

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

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 "FY2023 SAFE STREETS AND ROADS FOR ALL, \$197,850, LOCAL FUNDS \$24,570/IN KIND MATCH \$15,000" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Devine stated that there was an in kind match through employees working late meetings and similar work.

---> 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.

The Committee on Finance to whom was referred an 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.

have considered the same and Recommended that the order be referred to the Board of Public Works.

Committee Members:

Patricia Devine

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

UNDER DISCUSSION:

Councilor Devine stated that Water Department had this already, and then deferred to Councilor Jourdain to talk more about it as a former member of the Water Commission. She then suggested that the Board of Public Works could take this up at their next meeting.

Councilor Jourdain commended Councilor I. Rivera for also supporting the idea of looking into the sewer maintenance program, noting there was already one in place for the Water Department which was added to the quarterly bill. He then explained that it would cover costs such as if a water line were to burst from the street to someone's meter. He added that this would examine the sewer line. He noted that residents had spoken with him about the massive expenses related to having a sewer line collapse. He noted that it would add \$60-\$70 a year to those bills, adding that it would require everyone in the program to keep costs down. He also emphasized that it would need to be mandatory to avoid having someone who said no being one who would end up having an incident.

Councilor I. Rivera stated that the expense could be a significant cost to some homeowners that would throw their budget out of whack. He recalled that while working with One Holyoke CDC, he had seen people go through this, try to get help through CDBG funding, and not know how to repair it if they were not approved. He noted that while homeowners insurance had been suggested as a way to cover this, those companies often pick and choose what they were willing to cover. He emphasized that Holyoke had a lot of old piping that would eventually fail.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, SIXTEEN THOUSAND THREE HUNDRED AND 00/100 Dollars (\$16,300) as follows:

FROM:

12101-51312	HPD-SNOW REMOVAL OVERTIME	\$6,300
12101-51915	HPD-EDUCATION PLAN	10,000

TOTAL: \$16,300

TO:

12101-51321	HPD-SPECIAL EVENTS OVERTIME	\$16,300
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TOTAL: \$16,300

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 special events such as PrideFest and the city's fireworks.  
---> 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.

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 AND 00/100 Dollars (\$21,000) as follows:

FROM:

12101-51107            PATROLMEN    \$21,000

TOTAL:\$21,000

TO:

12102-52100            ENERGY        \$21,000

TOTAL:\$21,000

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 to finish a payment to Holyoke Gas & Electric for electrical lights.  
---> 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 (I. Rivera).

Motion was made and seconded to suspend the necessary rules to take up item 54 out of order.

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWELVE THOUSAND ONE HUNDRED TWENTY FIVE AND 00/100 Dollars (\$12,125) as follows:

FROM:

14102-53010    ENGINEERING SERVICES    \$12,125

TOTAL:\$12,125

TO:

14101-51101    ENGINEER        \$12,125

TOTAL:\$12,125

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 18, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Sullivan stated that the Council has seen the problems with not having a full time Engineer, and funds needed to be available. He added that as the city went through the hiring process, there was not enough in the budget to cover what was being advertised. He suggested that anyone interested in the position would not come based on a promise that they could count on a bunch of politicians to get them the rest of the money.

Councilor Devine agreed that the city could not keep going on without an Engineer, noting that the last transfer for a contractor was for \$48,000. She emphasized that a lot of projects were not being done because the engineering services were only part time.

Councilor Anderson-Burgos stated that this position had created a lot of anxiety, reiterating the number of projects that had been backed up. He added that he had been getting a lot of calls on the need of an Engineer.

Councilor Jourdain agreed with the comments, but asked for clarification that this was funding to hire an Engineer, not taking away from engineering services being used in the meantime. He added that he wanted to be sure the city didn't go to having nobody in the interim. He then noted that he spoken with the Mayor as well as the DPW Director, and they were happy with the work of the contracted interim engineer.

Councilor Sullivan stated that he was assured there were enough funds to keep them in place.

Councilor Greaney called the question.

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

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 denied.

Committee Members:

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

UNDER DISCUSSION:

Councilor Devine observed that this had been a productive meeting with everyone being kind and talking things out. She then stated that she would be voting against the recommendation to deny. She suggested that this was not being good legislators and the Council was not the executive branch. She suggested that it was wrong to not allow the Mayor to do what he wanted with this settlement fund.

Councilor Vacon asked that the committee report be provided along with that personal opinion being offered.

Councilor Devine stated that the motion was to keep \$74,000 in this account to maintain two-step protection that would require the Mayor to get Council approval to do anything with the funds.

Councilor Jourdain shared the sentiments about good decorum during the meeting. He then explained that the city would be receiving opioid settlement funds and a stabilization fund had been created for that process. He then stated that the remaining funds in that fund would require a Council vote to be expended. He then expressed his opinion that requiring the Mayor to convince two-thirds of the Council was good government in action. He then stated that by dissolving this account, the remaining funds would be transferred to a reserve fund and essentially become just like ARPA or CDBG funding where the Council had no vote. He added that he believed those should also have Council approval, noting that the Council currently only had the ability to offer recommendations. He asked that other councilors deny the request to dissolve the stabilization fund. He emphasized that he expected the Mayor would do honorable things with the funds, but he preferred to have dialogue about it and maintain checks and balances.

Councilor I. Rivera stated that he would normally agree with the sentiment about checks and balances, he understood there was a plan to establish a committee to determine the best ways to use these funds to address the opioid crisis, which would still maintain a level of checks and balances. He added that while he understood having the Council keep some power, he had seen many times where the Council could not agree on how to proceed on certain issues, and it could lead to not spending any of these funds. He further suggested that having to go through the Council could handcuff a lot of the work that needed to be done.

Councilor Vacon expressed her support for the recommendation. She added that the city would be getting a lot of money and the process of going through the Council created transparency for the citizens. She acknowledged the frustration about getting things done, but often many of the things that have had the most debate end up leading to better results. She suggested that if a committee was going to be formed to use the money, why not just use the Council for that purpose.

Councilor Anderson-Burgos stated that this topic hit home for him. He noted that he was about to celebrate his 23rd sobriety anniversary. He then emphasized that addiction was a crisis and was not political. He then emphasized that every minute these issues get discussed was a minute lost in saving

lives. He added that people had lost friends and family, and holding up these funds was a disservice to the community.

Councilor Greaney expressed his support for the recommendation that the order be denied because robust debate was always good, especially when finances were involved. He added that the Council had an obligation to discuss financial matters like this.

Councilor Sullivan suggested that putting the power in the hands of one person did not guarantee that the funds would go to the proper place to handle the emergency. He noted that during the CDBG process, the Citizens Advisory Committee, the Office of Community Development, the DGR Committee, and the full Council voted to zero a proposal, but funding went to it anyway. He added that the opposite had also happened where something recommended by all four groups was not funded by the Mayor.

Councilor I. Rivera stated that while he understood the sentiments of having Council fill the need for checks and balances, professionals in the field were already working to build out the committee. He then suggested that the expertise on the Council was limited in this field versus those who had their boots on the ground, even if the Council had a grasp on the numbers. He added that policies can be created, but that would not necessarily mean they work the same in practice if those doing the job were not incorporated. He also suggested that orders could be filed to bring in the people involved. He then expressed concern with putting more barriers in front of the work that needed to be done.

Councilor Devine expressed appreciation for everyone Councilor I. Rivera had just said.

Councilor Vacon stated that while she trusted the Mayor to take into account the recommendations of experts in the field - and she was not trying to portray herself as an expert on this matter - there didn't tend to be unanimous agreement among those experts on how to address the crisis. She suggested that the public should be allowed to be kept in the loop on the programs being discussed. She added that the money coming in was going to be in the millions of dollars but was also time limited. She then suggested that with so much money coming in on an issue affecting the whole community, the elected leaders representing the people should be involved.

President Murphy-Romboletti noted that Atty Bissonnette had been seeking to weigh in.

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

Atty Bissonnette stated that he had points he was not aware of during the discussion in the Finance Committee meeting. He then stated that section 5 of the stabilization fund state law was changed when they created the new reserve accounts, and now it read that there were two types of stabilization funds, one being the general purpose stabilization fund and the other being the special purpose stabilization fund. He then explained that while the general purpose stabilization fund would continue to require a two-thirds vote to fund as well as withdraw from, the special purpose fund would only require a majority vote going forward from January 1st for withdrawals. He added that under the scope of the agreement with the Attorney General as part of the settlement, there was a tight limit on the use of the funds for their programs against opioid abuse and recovery. He added that there was a requirement to produce an annual report of expenditures and contracts made with the use of the funds.

Councilor Jourdain asked for an email to be provided outlining that additional information.

Atty Bissonnette stated that he would be happy to provide that.

Councilor Jourdain noted that it would require a two-thirds vote to abolish the fund.

President Murphy-Romboletti asked Atty Bissonnette to clarify the vote required to abolish it.

Atty Bissonnette stated that it would be a majority in this case.

Councilor Jourdain expressed his understanding that there would be changed in January relative to the two-thirds majority. He emphasized that this was created with a two-thirds vote.

Atty Bissonnette stated that was correct.

Councilor Jourdain asked Atty Bissonnette if he was saying it could be abolished with a simple majority.

Atty Bissonnette clarified that the state passed a law in December changing section 5, stating that all special purpose stabilization funds could be withdrawn as of January 1, 2024.

Councilor Jourdain made a motion to lay this item on the table until the next meeting in order to get a review of that. He then expressed his understanding that the Council could do this, but that it was optional, and there would not be any changing of the voting number for the funds already in it. Councilor Vacon seconded the motion.

Motion to lay on the table failed on a call of the roll of the yeas and nays--Yeas 6 (Bartley, Greaney, Jourdain, Ocasio, Sullivan, Vacon)---Nays 7--Absent 0.

Councilor Greaney asked Atty Bissonnette to clarify if the legislature gave a decision on whether it was a majority vote or a two-thirds majority vote to deal with closing the opioid account.

Atty Bissonnette stated that it was a withdrawal requiring a majority vote.

Councilor Greaney stated that he would like to see the language in writing before taking a vote.

Councilor Jourdain stated that while someone may be in favor of doing away with this account, it was not okay to drop this type of information right before voting on something. He suggested that there was ample opportunity to send this information in advance of this meeting. He expressed frustration with changing the rules as the Council was going along. He stated that he hadn't had a chance to review if this information was true.

Atty Bissonnette asked Councilor Jourdain if he was accusing the Law Department of intentionally misleading the Council.

Councilor Jourdain stated that it was not okay to use those type of incendiary words. He then explained that his frustration was that new information that was not known during the Finance Committee meeting

was now being put into the debate right before a vote. He then emphasized that he would have liked to vet that information and review it with the Law Department prior to taking a vote.

Atty Bissonnette asked if the request was to be provided with two memos that were attached to the original order.

Councilor Jourdain expressed his understanding, based on the prior reading, that it would require a two-thirds vote to dissolve this.

Atty Bissonnette stated that no numbers were discussed in the Finance meeting.

Councilor Jourdain stated that the issue never came up.

Councilor Anderson-Burgos called the question. Councilor Givner seconded the motion.

President Murphy-Romboletti clarified that voting yes would support the committee report to deny terminating the fund and voting no would reject the committee report and approve the termination of the fund.

---> Report of Committee received and recommendation to deny failed on a call of the roll of the yeas and nays--Yeas 6 (Bartley, Greaney, Jourdain, Ocasio, Sullivan, Vacon)--Nays 7--Absent 0.

\*Item was reconsidered later in the meeting and laid on the table.

The Committee on Finance to whom was referred an order That the City Treasurer please provide the City Council with a review and analysis of the Pacific Legal foundation report (<https://homeequitytheft.org/massachusetts>) that states that \$83,000 in home equity from 13 Holyoke homes was inappropriately taken from our residents pursuing Holyoke property tax liens. Please provide us the details on these 13 properties and how this could happen to Holyoke residents; including the names of any entity pursuing our liens. Please advise the City Council if Holyoke has done business with Tallage Davis LLC. Please notify the City Council if proper safeguards are in place so we only collect back taxes and not allow the city or anyone purporting to be acting on our behalf to take residents' home equity.

have considered the same and Recommended that the order be referred to the Treasurer.

Committee Members:

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

UNDER DISCUSSION:

Councilor Devine stated that this was being sent to the Treasurer with a request for him to follow up when he was done looking into it so that the committee could discuss it.

Councilor Jourdain thanked the Treasurer for his assistance with this.  
---> Report of Committee received and recommendation Adopted.

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 THREE THOUSAND AND 00/100 Dollars (\$33,000) as follows:

FROM:

12941-51104	PAY-TREE CLIMBER	\$15,000
14101-51105	PAY-SR CIVIL ENGINEER	12,000
14251-51105	PAY-POWER SHOVEL OPERATOR	6,000
TOTAL:		\$33,000

TO:

16942-52500	R&M EXHIBIT HALL	\$1,000
14222-52504	R&M PELLISSIER BUILDING	5,000
14222-52505	R&M SENIOR CENTER	10,000
14222-52509	R&M POLICE STATION	12,000
14222-52510	R&M CENTRAL FIRE STATION	1,000
14222-52512	R&M HIGHLAND FIRE STATION	2,000
14222-52514	R&M W HOLYOKE FIRE STATION	2,000
TOTAL:		\$33,000

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 repair and maintenance of the buildings in the order.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 11--Nays 0--Absent 2 (Bartley, Greaney).

Councilor Magrath-Smith asked if the earlier ordinance change regarding votes being of those voting and present went into effect immediately.

Councilor Jourdain stated that it was only for ordinances.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, SIXTEEN THOUSAND AND 00/100 Dollars (\$16,000) as follows:

FROM:

14251-51105	PAY-HIGHWAYS POWER SHOVEL OPERATOR	\$16,000
TOTAL:		\$16,000

TO:

14301-51102	PAY-REFUSE HMEO	\$16,000
TOTAL:		\$16,000

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Devine stated that the DPW was trying to hire someone for the heavy motor equipment operator position.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 11--Nays 0--Absent 2 (Bartley, Greaney).

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, ONE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$150,000) as follows:

FROM:

12101-51103	CAPTAINS	\$40,000
12101-51117	DISPATCHER	80,000
12101-51920	QUINN BILL	30,000
TOTAL:		\$150,000

TO:

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Devine stated that there was not much discussion on this other than the vote to move it to full Council without recommendation, with a vote 4-1 vote.

Councilor Jourdain stated that this was discussed and people understood why he was voting against this.

---> Report of Committee passed two readings and denied on a call of the roll of the yeas and nays--  
Yeas 8--Nays 3 (Jourdain, Ocasio, Vacon)--Absent 2 (Bartley, Greaney).



The Committee on Finance to whom was referred an order Acting DPW Superintendent please provide the City Council & Parking committee the following report: for the prior 5 years (need to consider pre/post pandemic usage changes), amount of meter revenue and amount of parking garage revenue. Please provide total usage % (used spaces divided total spaces) at both parking garages annually. Please also provide any analysis of cost to get all meters fully operational. Please provide the expected life cycle of the new meters if purchased. Please also provide us the current amortization schedule for the Mayor Taupier Suffolk Street Parking Garage

have considered the same and Recommended that the order be referred to the DPW for a report back in 90 days.

Committee Members:

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

UNDER DISCUSSION:

Councilor Devine stated that the DPW Director was being asked to provide information to the Council in 90 days. She added that a parking study was being received with a lot of the information already provided in that.

Councilor Jourdain stated that the study was helpful but did not go into the type of financial information being asked for, including revenue from meters and parking garages, as well as a historical analysis.  
---> Report of Committee received and recommendation Adopted.

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Devine stated that the original order went through the Ordinance Committee last December and was complied with. She then emphasized that she would not take up copies in Finance.  
---> Report of Committee received and recommendation Adopted.

The Committee on Finance to whom was referred an order That the ~~City Council~~ Personnel Director conduct a comprehensive study of employee safety for the benefit of our Holyoke municipal employees

and our taxpayers. ~~The City Council~~ The Personnel Director 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~~ she needs 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~~ Personnel Director 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 referred to the Personnel Director.

Committee Members:

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

UNDER DISCUSSION:

Councilor Devine stated that this had initially been more extensive and Councilor Jourdain was able to reduce to something simpler through the Personnel office.

Councilor Jourdain emphasized that the Personnel Director was already doing great work in this area, adding that 6 months should be plenty of time to compile the information for the Council.

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

Councilor Anderson-Burgos made a motion to reconsider the previous action on item 26. Councilor Devine seconded the motion. Motion adopted.

--->Laid on the table

(2:33:55)

The Committee on Public Service to whom was referred an order From Mayor Joshua Garcia, letter appointing Catherine Pratt of 11 Lexington St. to serve on HEDIC. Ms. Pratt will replace Rosa Pantoja and will serve a three-year term, expiring June 30, 2027.

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

Committee Members:

Juan Anderson-Burgos  
Carmen Ocasio  
Howard Greaney, Jr

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that Ms. Pratt was a great applicant, ran and operated a business with

her husband in the city, and had over 15 years of experience in the aerospace and fuel cell power industry.

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

The Committee on Public Service to whom was referred an order From Mayor Joshua Garcia, letter appointing Lauren Niles of 40 Lexington, to serve as a Commissioner of the Planning Board. Ms. Niles will replace Mr. Nathan Chung and will serve the remainder of his term expiring on June 30, 2027.

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

Committee Members:

Juan Anderson-Burgos  
Carmen Ocasio  
Howard Greaney, Jr

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that Ms. Niles has experience as a realtor of sales, property management and marketing - qualities that would be a benefit to this committee.

Councilor Magrath-Smith commended Ms. Niles as part of the Local Historic District, adding that she had already been a great volunteer for the city.

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

The Committee on Public Service to whom was referred an order 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.

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

Committee Members:

Juan Anderson-Burgos  
Carmen Ocasio  
Howard Greaney, Jr

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that Ms. deSoete was retired and had plenty of time to devote to the committee.

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

The Committee on Public Service to whom was referred an order From Mayor Joshua Garcia, letter appointing Mr. James P. O'Connell of 25 Brookline Ave. to serve on the Recycling Advisory Committee. Mr. O'Connell will replace Ms. Markeysha Dawn Davis and will serve the remainder of her term expiring August 1, 2026.

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

Committee Members:

Juan Anderson-Burgos  
Carmen Ocasio  
Howard Greaney, Jr

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that Mr. O'Connell was very impressive and was very well versed in recycling.

Councilor Devine stated that she had known Mr. O'Connell for many years, came from a great family, and had great work ethic.

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

The Committee on Public Service to whom was referred an order 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.

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

Committee Members:

Juan Anderson-Burgos  
Carmen Ocasio  
Howard Greaney, Jr

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that Mr. Sutter provided an education. He added that Mr. Sutter provided insight and understood the business inside and out.

Councilor Devine noted that Mr. Sutter was brought in even though he was a reappointment was due to a councilor asking him to be there, but that councilor was not there to ask any questions.

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

(2:42:35)

The Committee on Development and Governmental Relations to whom was referred an order Petition of Felix Rivera Soto Jr, application for a Street Vendor License

have considered the same and Recommended that the license be granted.

Committee Members:

Kocayne Givner

Michael Sullivan  
Carmen Ocasio  
Juan Anderson-Burgos  
Patricia Devine

UNDER DISCUSSION:

Councilor Givner stated that the request was to sell hot dogs and sodas at 645 Hampden Street. She noted there were questions as to whether or not the place he would be parked would be okay and they decided that if the vendor license had been approved, it must have been vetted.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Bartley, Greaney).

Motion was made and seconded to suspend the necessary rules to take up items 37 and 38 as a package.

The Committee on Development and Governmental Relations to whom was referred an order Petition of William F. Councilor Sullivan & Co Inc, of 107 Appleton St. for a Junk Dealer's License

have considered the same and Recommended that the license be granted.

Committee Members:

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

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 1 (Murphy-Romboletti)--Absent 3 (Bartley, Greaney, J. Rivera).

The Committee on Development and Governmental Relations to whom was referred an order Petition of William F. Councilor Sullivan & Co Inc, of 1-3 Jed Days Landing. for a Junk Dealer's License

have considered the same and Recommended that the license be granted.

Committee Members:

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

UNDER DISCUSSION:

Councilor Givner stated that this was a renewal that had been around since 1953. She noted there were questions about the hours of operation due to noise but it appeared they were falling within the noise

ordinance. She added that additional questions came up about fires on site and smoke coming from the area, but they were assured there was no active burning being done on site. She added that they were doing all mechanical cutting. She also stated that they decided any concerns should be directed to the Board of Health to investigate. She noted that they were in the industrial zone operating within regular hours.

Councilor I. Rivera stated that one concern for him was around air quality, but it could not be measured at the moment. He noted that he grew up in the neighborhood where the wind regularly blew awkward smells from that space. He stated that he would be voting in favor but this should be on the radar to try and mitigate impacts if there were any.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 1 (Murphy-Romboletti)--Absent 3 (Bartley, Greaney, J. Rivera).

The Committee on Development and Governmental Relations to whom was referred an order From, David Weinberg, communication regarding Victory Theater

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Givner stated that the communication came in. She noted that Mr. Weinberg's statement earlier was basically a summary of what was stated. She added that with regard to the next order, the MiFA team addressed each point. She reiterated that it was unfortunate Mr. Weinberg was not able to attend.

Councilor Vacon suggested that in sending the letter to the Council, Mr. Weinberg likely felt he had already communicated to the Council. She added that anyone could send a letter to the Council in the same way. She then asked if the committee was able to determine if the Victory Theater was on the national historic registry.

Councilor Givner stated that they were not. She stated that it appeared there was some confusion between the national registry and a local registry. She agreed that having any communication lead to discussion in a subcommittee would be a little outrageous and unnecessary. She then suggested that they could have a public meeting to have the public ask questions.

Councilor Vacon suggested that as the earlier communication was sent to the Historic Commission, this order could be referred to them as well to seek a report back.

Councilor Givner expressed her understanding that it was already sent to them.

President Murphy-Romboletti clarified that item 5 earlier in the agenda was sent.

Councilor Vacon clarified that she was talking about sending this item from the committee.

Councilor Givner asked if the intent was to have a report come back.

Councilor Vacon stated that she was looking for it to be sent over and to request a summary back from them.

---> Report of Committee received and referred to the Historic Commission.

The Committee on Development and Governmental Relations to whom was referred an order MiFA response to Mr. Weinberg letter and addendums.

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

Committee Members:

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

---> Report of Committee received and referred to the Historic Commission.

The Committee on Development and Governmental Relations to whom was referred an order 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.

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 this was a license agreement relative to Scott Tower so that electrical wires could be installed underground for the accessible park area being created. She added that funds for the project were being expended up front and those would be reimbursed once the project was complete.

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

(2:55:15)

The Committee on Charter and Rules to whom was referred an order that the City Council amend its rules to create a Vice President position in the City Council.

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 the discussion went on over several months, which included if any ordinances or the charter needed to be amended, and that it came down to understanding that it came down to a rules change. She then explained that the change would be that following the election of the City Council President, the City Council would elect a Vice President by majority vote who would serve in the absence of the President due to a leave of absence or unforeseen circumstances exceeding one meeting and would represent the City Council in all of the administrative duties of the position. She added that the Vice President would not be in the line of succession for the Mayor. She then explained that this was an attempt to be proactive in case the President could not attend due to illness, medical condition, etc., while wanting to keep the senior member role as is. She emphasized that the senior member role was to jump in as a facilitator of a single meeting, but there were many other duties that went beyond facilitating a meeting. She noted that it would go into effect in January of 2026.

Councilor Jourdain made a motion to amend, spelling out that this would go into effect in January 2026, just to avoid the theoretical possibility that a vote for President came up before the beginning of the next term. Councilor Vacon seconded the motion.

Councilor Magrath-Smith stated that she would be okay with it kicking in at any point. She then asked why it wouldn't be okay.

Councilor Jourdain stated that he was still in the middle on having a Vice President. He added that he understood there was nothing wrong with trying to do new things, but he found it to be a little fuzzy because the charter specifically created a President of the Council role. He noted that the rule was an adaptation of the charter. He suggested that it could all be figured out before January of 2026, and if it happened before then, it may be too soon to get into who would be serving as Vice President.

Councilor Vacon suggested putting it in writing since it was already verbally stated that it would be effective in January of 2026.

Councilor Greaney questioned the motivation of things happening on the Council, and believed that if it isn't broken, don't fix it. He then stated that while he understood the logic, he did not understand the reasoning and would be voting against it.

Councilor Givner asked how quickly new rules take effect.



Councilor Magrath-Smith stated that it would be the next meeting, unless otherwise stated.  
---> Report of Committee received and recommendation Adopted as amended.

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

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 for clarity that the language of the rule ended at "keeping time" and all language after that was redacted, noting that the additional language was connected to another proposed rule to track how long people speak on an issue. She then emphasized that rules won't do anything if Council didn't work to be more efficient. She added that they decided against that other rule proposal as it would be hard to track how long people were speaking during a meeting with a lot of other things going on. She suggested that the digital clock could help show how long was being spent on certain items or keep time for public comment.

Councilor Ocasio suggested that a time clock was not needed, and that people could keep track of how long they were speaking.

Councilor Greaney noted that the 10pm rule had been violated that night and nobody had paid attention to it.

President Murphy-Romboletti clarified that it had been voted on at the beginning of the meeting.

Councilor Greaney stated that while he understood that, the rule was 10pm and the Council could vote on extending whether there was a time clock or not.

Councilor Vacon noted that with a time clock, the President would no longer have to tell speakers in public comment that they had 30 seconds left. She stated that it often interrupted their train of thought and was one of the main reasons she was supporting this.

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

Councilor Jourdain noted that with some members on Zoom, votes should all be by a roll call vote.

President Murphy-Romboletti acknowledged that the motion on exempting some votes had been taken during the previous joint meeting with the School Committee.

Motion was made and seconded to take a roll call vote that for the purposes of this meeting would be applicable to all motions to 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.

The Committee on Charter and Rules to whom was referred an order that Section 34 of the Holyoke City Charter be amended to establish a Police Commission by virtue of a Special Act in Accordance with the provisions of Articles of Amendment, Article II, Section 8 of the Massachusetts Constitution.

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 this order was a copy so the committee could not be done with it. She added that there was a miscommunication in that Public Safety had the original order but gave it leave to withdraw on the basis that they thought Charter and Rules was handling it. She noted that an order was filed on this agenda to do this work.

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

The Committee on Charter and Rules to whom was referred an order From City Solicitor letter re: Provisions of charter impacted by implementation of a Police Commission

have considered the same and Recommended that the order be referred to the Public Safety Committee.

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that the reason to send this was because the committee thought the order was in Public Safety.

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

(3:15:45)

The Committee on Joint Committee of City Council and School to whom was referred an order that the School dept provide the City Council with a report on their plan to use the remaining \$13 million in ESSER funds by September 30, 2024. Also provide us a report on how the \$44 million thus far spent was used.

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

Committee Members:

Kevin A. Jourdain  
Howard Greaney, Jr  
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Jourdain stated that a nice report was provided, and there were two sessions where they discussed how ESSER funds were going to be used. He stated that they had a good plan to spend it by September 30th.

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

The Committee on Joint Committee of City Council and School to whom was referred an order that the 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.

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

Committee Members:

Kevin A. Jourdain  
Howard Greaney, Jr  
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Jourdain stated that the process was reviewed and everyone was on the same page following a review of the 2018 ordinance regarding the naming procedure for public buildings. He added that the process would take place between now and November where the School Committee would get public input. He added that the Council would have the final say relative to the naming of the school. He also noted that there was discussion of the history of Superintendent Peck and all of his amazing work, as well as his being a World War I veteran. He suggested there was consensus on leaving the school named for him. He added that there would be other opportunities to name facilities, including a gym, auditorium, and cafeteria.

Councilor Vacon made a motion to suspend the necessary rules package item 48 with item 47. Councilor Jourdain seconded the motion. Motion adopted.

The Committee on Joint Committee of City Council and School to whom was referred an order From the School Committee - Draft Plan for Renaming PECK

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

Committee Members:

Kevin A. Jourdain  
Howard Greaney, Jr  
Tessa Murphy-Romboletti

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

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

The Committee on Joint Committee of City Council and School 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 adopted and be referred to the School Committee.

Committee Members:

Kevin A. Jourdain  
Howard Greaney, Jr  
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Jourdain stated that the order was referred from Charter and Rules and was now being referred to the School Committee following a lot of good input. He added that they would be coming up with solutions to get more student participation for leading the Pledge of Allegiance, and would report back in the future.

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

Councilor Greaney emphasized that he saw his role not as a representative of the Mayor or the City Council, but as a representative of the voters of Holyoke.

## **ORDERS AND TRANSFERS**

(3:22:00)

Anderson-Burgos- Ordered that the City Council issue proclamations to the headliners at this year's PrideFest on June 22nd: Grammy nominated artist and MTV VMA Winner, Mary Lambert, as well as contestant from season 10 of RuPaul's Drag Race, Yuhua Hamasaki.

---> Received and Adopted.

Devine- ORDERED that a sign be put up designating BARBARA BERNARD WAY at the Pine Street entrance of the Holyoke Senior Center.  
---> Received and Adopted. Copy to DPW.

Devine - ORDERED that the Building Department separate their "inspection lists" into several categories including but not limited to 3 family residences.  
---> Received and Adopted. Copy to Building Department for a report back to the Council.

Devine - Order that the Law Dept look into the legality of the City altering the divider preventing a left hand turn off Whiting Farms Rd into Kmart property.  
1) Is there an existing ordinance preventing the left hand turn?  
2) Is this on Kmart property?

Councilor Devine stated that she understood the ordinance was taken out that prevented the left hand turn. She then explained that she filed the order because an order had been filed by former Councilor McGiverin to have the owners of the plaza put an island in the middle with trees. She then questioned if the city had to remove the island or did the owners.  
---> Received and Adopted. Copy to Law Department.

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY ONE THOUSAND FOUR HUNDRED NINETY TWO AND 48/100 Dollars (\$21,492.48) as follows:

FROM:

12101-51107 PATROLMEN \$10,999.32

12101-51105 SARGEANT 10,493.16

TOTAL: \$21,492.48

TO:

12101-51180 INJURED ON DUTY (PAYROLL 6/8/2024) \$21,492.48

TOTAL: \$21,492.48

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 18, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President Murphy-Romboletti stated that this was for 8 officers.

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

Devine - Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2025 MUNICIPAL COMMUNITY MITIGATION FUND, \$219,500, 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 18, 2024.

Joshua A Garcia, Mayor

**UNDER DISCUSSION:**

Councilor Devine asked that this be adopted right away as Finance would not be holding another meeting until August. She then explained that this was the third time the city had been awarded this grant. She added that it would benefit many things.

Councilor Vacon asked if the grant was time limited.

Councilor Devine stated that the Director of the Office of Planning and Economic Development, Aaron Vega, asked for it to be adopted that night.

Councilor Jourdain expressed his understanding that it had to be adopted right away or it would die that night as they had to renew it every fiscal year. He suggested that while it was likely great and noncontroversial, an email should have been sent around from the department explaining it.

Councilor Devine stated that in fairness to Mr. Vega, he had been out the previous week and was just catching up with a lot of stuff.

Councilor Jourdain asked what they would be doing with the money.

President Murphy-Romboletti clarified that the department was notified about the grant while Mr. Vega was on vacation, resulting in the need for a quick turnaround.

Councilor Jourdain stated that it explained why it was last minute but was looking to know what it was for.

President Murphy-Romboletti noted that it had been put into everyone's packet.

Councilor Vacon read the summary from the documents, explaining that the requested amounts were \$130,000 for community planning, \$84,000 for public safety, \$65,000 for transportation, and \$15,000 for gambling harm reduction, for a total of \$294,000. She added that the award was \$219,5000.

President Murphy-Romboletti noted that the public safety part was not funded.

Councilor Jourdain noted that there was a list showing where they would spend the money.

Councilor Vacon clarified that they did not \$60,000 for public safety.

Councilor Jourdain stated that there were all noble purposes, and he did not object.

Councilor Magrath-Smith stated that part of the use would be to activate vacant and blighted lots in high tourism areas, continued maintenance of ExploreHolyoke.com, shuttle service between MGM and Holyoke for special events, support for local events and initiatives, lighting for poorly lit high tourism areas, fees and costs associated with membership and infrastructure for the BikeShare program, and citywide harm reduction service.

---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Bartley, J. Rivera).

Givner - Per constituent request, Order that handicapped parking sign be removed from in front of 1205 Dwight St by the new owner, Anthony Case.

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

Magrath-Smith, I. Rivera, Givner, Murphy-Romboletti, J. Rivera, Sullivan - Ordered, that Section 34 of the Holyoke City Charter be amended to establish a Police Commission by virtue of a Special Act in Accordance with the provisions of Articles of Amendment, Article II, Section 8 of the Massachusetts Constitution.

Councilor Magrath-Smith stated that it made sense to go to Public Safety so they could discuss the specific roles they would want the Police Commission to have, and then they could send it to other committees.

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

Murphy-Romboletti- Ordered, that Rule 1 of the City Council be suspended for the purpose of the City Council going on Summer Recess and that the July 2, July 16 and August 20, 2024 meetings be canceled.

President Murphy-Romboletti noted that the administrative assistant clarified that it was no longer Rule 1 but now 2A.

Councilor Magrath-Smith made a motion to amend the order, changing rule 1 to 2A. Motion adopted.

Councilor Greaney made a motion for a roll call.

---> Received and Adopted on a call of the roll of the yeas and nays--Yeas 10--Nays 1 (Greaney)--Absent 2 (Bartley, Givner).

I. Rivera, J. Rivera - Order for installation of a Perimeter Fence and Implementation of a Pay-to-Park System at the Main Street Parking Lot Across from 299 Main Street as well as the Canal St lot across from GTI. Additionally, to provide paid parking permits to businesses located on Main Street and Canal St.

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

Vacon- ORDER: that the sunken manhole cover near 292 Westfield Rd be repaired. Refer to Veolia & DPW

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

Vacon- ORDER: that a temporary speed hump also be placed at the top of Apremont on the hill going toward Rock Valley Rd.

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

Vacon - ORDER: That the City Solicitor issues the annual report of the law department in accordance with section 2-154 of our ordinances.

Sec. 2-154. - Annual report.

The department shall, annually, in the month of January, transmit to the mayor and city council a report of the business done by the law department concerning any claims or suits against the city during the preceding year, describing the suits pending at the time of such report.

Councilor Devine emphasized that the ordinance stated the Law Department "shall" provide the report annually in January. She then suggested that they did not need to take it up until January.

Councilor Vacon clarified that they were now 6 months late, which meant that they had not followed the ordinance and she was asking them to come into compliance.

Councilor Magrath-Smith asked for clarification that the order was asking for the previous year's report,

Councilor Vacon clarified that she was asking for the report that was due in January of 2024.

Councilor Jourdain stated that it could be attached to the reports that should have come in every January going back to 2019.

Councilor Vacon recalled that reports had come from the Law Department in the past.

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

Vacon, Sullivan - ORDER: That city council executive session minutes be provided to the city council as required by the open meeting law.

The Open Meeting Law requires public bodies to create and approve meeting minutes, whether for open or executive session, in a timely manner. G.L. c. 30A, § 22(c). The Attorney General's Open Meeting Law regulations provide that "timely manner" means "within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay." 940 CMR 29.11; see OML 2018-48. Whenever possible, we recommend that minutes of a meeting be approved at the next meeting. See OML 2018-67; OML 2017-133

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

### **LATE FILED ORDERS AND COMMUNICATIONS**

(3:38:10)



Bartley, Murphy-Romboletti - THAT the City Council suspend its rules, specifically Rule 2A and any other rule, for its two regularly scheduled meetings in September 2024 and meet instead on the 1st and 3rd Wednesday of that month at 7 PM. The meeting dates would be: Sept. 4 and Sept. 18.

Reasons: on the first Tuesday of September the Commonwealth scheduled its state primary; on the third Tuesday of September the Eastern States Exhibition (The Big E) scheduled its Salute to Holyoke day.

Motion was made and seconded to take final action.

---> Received and Adopted.

Bartley - 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. Refer to public safety. (This order was given leave to withdraw 5/14/24 but I'm refiling it.)

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

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, ONE HUNDRED EIGHT THOUSAND SIX HUNDRED NINETY FIVE AND 56/100 Dollars (\$108,695.56) as follows:

FROM:

8815-10400 CANNABIS STABILIZATION \$108,695.56

TOTAL: \$108,695.56

TO:

19412-57630 CLAIMS & DAMAGES \$108,695.56

TOTAL: \$108,695.56

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 18, 2024.

Joshua A Garcia, Mayor

Councilor Jourdain stated that it should go to Finance.

Councilor Devine made a motion to take final action, noting the Council would not be meeting again in regular session until August.

President Murphy-Romboletti stated that it was also because it was the end of the fiscal year.

Councilor Vacon asked what this was paying for.

Councilor Devine stated that she did not know.

Councilor Vacon agreed that it should go to Finance.

Councilor Devine stated that it might be a couple months before it could be taken up.

Councilor Jourdain stated that as it was coming from the stabilization fund and was sitting there anytime, this did not have to pass by June 30th.

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

From Mayor Joshua A. Garcia, letter in support of \$12,125 transfer for Engineer.

---> Received.

Adjourned at 11:25 PM

A handwritten signature in cursive script that reads "Brenna Murphy Leary". The signature is written in black ink and is positioned below the text "Adjourned at 11:25 PM".