

**REGULAR MEETING OF THE CITY COUNCIL****June 4, 2024**

The meeting was called to order by President Murphy-Romboletti at 7:03 PM

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

The Pledge of Allegiance was recited.

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

President Murphy-Romboletti welcomed Councilor Bartley to the podium to present a proclamation in honor of Barbara Bernard.

Councilor Bartley stated that the proclamation was to celebrate Ms. Bernard being inducted in the Massachusetts Broadcasters Hall of Fame. He added that she had been involved in many things, including the Holyoke Merry-go-Round, Holyoke Medical Center, the Senior Center, and was a lifelong writer. He added that she was the kind of person a lot of people could rely on and had a tremendous amount of wisdom. He noted that the official ceremony would be later that month. He then offered congratulations to her on behalf of the City Council President, the City Council, the City Clerk, and the City of Holyoke.

Councilor Devine stated that Ms. Bernard asked her to read something for her:  
"Dear Patti, I am honored and touched by the proclamation concerning my induction into the Massachusetts Broadcasters Hall of Fame. It dos stroke ones ego a little and adds to the joy of receiving this proclamation from the Holyoke City Council. I regret I am unable to be there in person but thank you to each and every one of you but I am watching you on television this evening. I do want to thank you sincerely for the wonderful work you do for our city. Sincerely, Barbara Bernard."

Councilor Greaney offered thanks to Ms. Bernard for her years of service.

**PUBLIC COMMENT**

President Murphy-Romboletti stated that nobody had signed up to speak during public comment. She noted that the time for each person to speak had increased from 90 seconds to 2 minutes. She commended Givner for providing a bell to ring when people were at time.

**LAI D ON THE TABLE**

(5:50)

Councilor Bartley noted that there were several items left over from the previous meeting and suggested removing them from the table as a blanket motion.

Motion was made and seconded to suspend the necessary rules to remove items 1 through 34 as a package.

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

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

Committee Members:

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

#### UNDER DISCUSSION:

Councilor Devine stated that one reason for the recommendation to give this a leave to withdraw was due to it being a fairly old item. She added that it was unclear where else it went or who it went to. She noted that the order asked for the City Council to conduct a study and produce a report, but no information was available on if that was ever done.

Councilor Jourdain stated that he filed this in conjunction with Andeson-Burgos and Councilor I. Rivera. He then explained that the city decided to create a workplace safety committee to conduct a study either through bringing in a consultant or using in house services. He added that nobody called him to ask for background of this order. He suggested that the order remain in committee and allow the city to do its work. He added that it had transitioned away from being led by the City Council to being led by Personnel, and they should be allowed to do their work.

Councilor Devine stated that this was on the committee agenda, could be taken up again, but was not sure how much further the committee could go with it. She suggested that Personnel could be invited to discuss it.

President Murphy-Romboletti noted that sometimes things take time.

Councilor Jourdain stated that was especially true on weighty items like this.  
---> Report of Committee received and referred to the Finance Committee.

The Committee on Public Safety to whom was referred an order that the city creates a Certificate of Occupancy program that works to inspect rental units in order to acquire the certificate. Certification is

based on passing State Safety and Sanitation Codes on a regular basis (not more than 3 year cycles, less for continuously problematic properties) for properties with 3 or more units. Send to Public Safety.

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that the Building Department was sending out letters to owners of 2, 3, and 4 family homes, urging compliance with safety laws after 30 years of neglect. She added that Councilor I. Rivera suggested creating a system of checks and balances to prevent future lapses. She also stated that Timothy Rivers from the Board of Health was supportive of the idea, suggesting exploring alternative solutions.

--> Report of Committee received and recommendation Adopted.

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that they recommended a leave to withdraw as the filer, former councilor Will Puello, was no longer available to discuss. She added that Councilor I. Rivera was planning to refile an order.

Councilor Bartley suggested returning items 3, 5, 8, and 12 back to the Public Safety Committee. He noted that they were taken up under a section that suggested they would not be discussed but were discussed and given leave to withdraw. He then stated that he would like to discuss this order.

Councilor I. Rivera clarified that there were a lot of orders that needed to be cleaned out and anyone could speak up if they wanted items to be kept. He added that he believed it made sense to have someone refile the order that was available to take the lead on it.

---> Report of Committee received and referred to the Public Safety Committee.

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

**UNDER DISCUSSION:**

Councilor Bartley stated that this and the next order were taken up once, and the City Engineer was not in attendance, and the order was never taken up again.

---> Report of Committee received and referred to the Public Safety Committee.

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

---> Report of Committee received and referred to the Public Safety Committee.

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor Bartley stated that this was a serious aera requiring serious thought. He then expressed a desire to discuss this with someone from DPW in committee.

---> Report of Committee received and referred to the Public Safety Committee.

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that the reason for withdrawing was that the Cannabis Commission would be creating their own regulations.

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

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that the order was being withdrawn to clear out the jacket and could be refiled if someone wanted to take it on.

Councilor Bartley stated that Michelle Lane was a new cul-de-sac near the college, but he was not sure what the issue was. He deferred to the ward councilor for that area to address it if the issue persisted.

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

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that this was being withdrawn to clear it out and could be refiled if someone wanted more discussion.

Councilor Sullivan stated that he could take the lead on this order rather than having it be refiled.

Councilor I. Rivera stated that he was aware that the Mayor had begun the process and it made sense to keep up on it to make sure the process continued to happen.

Councilor Magrath-Smith recalled that a similar order came through to look at which municipal buildings could be supported by CPA (Community Preservation Act) funds. She then explained that they looked at a report specifically related to City Hall, adding that Sean Sheedy, formerly from the DPW, had begun an exhaustive list of the needs, including costs, sources of funding, but he then took a different position. She then emphasized the need to keep the lines of communication open once his position was filled.

---> Report of Committee received and referred to the Public Safety Committee.

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated they gave it leave to withdraw and deferred to Councilor I. Rivera to provide more explanation.

Councilor I. Rivera stated that the work on already happening with Holyoke HUB, adding that Ed Caisse was working with several agencies and service providers coming together on a weekly basis to discuss cases to move to the next level.

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

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera stated that the order was filed by former councilor, Todd McGee in 2022, and it was not clear why they would want to close that street.

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

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

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

Committee Members:

Jenny Rivera  
Israel Rivera  
Patricia Devine

UNDER DISCUSSION:

Councilor J. Rivera deferred to other councilors as she had lost her notes.

Councilor I. Rivera recalled that when he was chair of the committee, they took it up and understood the Law Department was exploring if it was legal. He added that it was suggested the order be refiled if it was still a concern.

Councilor Vacon stated that she would refile and reword it, noting the concern was relative to automatic enforcement through use of the camera. She noted that cameras had been used effectively throughout the city to discourage illegal activities.

Councilor Greaney emphasized the problem still existed.

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

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

years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith asked to ensure that councilors received the legal language.

President Murphy-Romboletti stated they had.

Councilor Magrath-Smith stated that the committee debated if this position should be appointed by the Mayor or the City Council, and decided on the City Council believing that would secure the votes to move forward. She suggested there was a desire to change it from elected to appointed, and this is what would make it possible. She added that some did not particulate love the idea, preferring a system where the Mayor had this appointment because other financial appointments were already made by Council. She emphasized that the goal was to come up with a way to have an appointed position.

Councilor Bartley asked if the legal language was on the agenda.

Councilor Vacon stated that it came as a communication.

City Clerk Murphy McGee stated that it was attached to the order.

Councilor Bartley made a motion to approve the legal language. Councilor Vacon seconded the motion. He then stated that after going through it, he believed Atty Bissonnette did a great job covering everything the Council wanted to do. He then expressed his understanding that the voters would get a summary ahead of the election and they would then decide.

Councilor Magrath-Smith stated that some information had come in around ballot and timing, which would effectively make it hard to put on the ballot unless the city found the funding for it to put it on the ballot in November. She then explained that the ballot in November would already be two pages due to Spanish translation and the CPA ballot question.

City Clerk Murphy McGee stated that it was not just about the CPA ballot question but the other questions that had been petitioned across the entire commonwealth, in addition to the presidential election. She anticipated this question would create the need for a third ballot. She then explained that she reached out to the Secretary of State's office that day with questions, including an inquiry about postage, noting her confidence that the two ballots that included the federal elections would have to be in a separate



envelope from this special election question, doubling the cost of postage. She further explained that her office only got reimbursed for the federal election and they were anticipating sending out 5,000 ballots. She stated that she had not yet heard back from their office.

Councilor Magrath-Smith stated that if it were not funded, it would have to wait until the next municipal election to be funded.

Councilor Greaney asked what the cost would be. He suggested it shouldn't be too expensive.

City Clerk Murphy McGee stated that while she was unsure of the postage, each ballot itself was between \$1 and \$1.50 because of all of the envelopes that had to go with them, which would then be multiplied by 5,000. She added that there was also the cost of poll workers who had to process the ballots.

Councilor Greaney stated that he was alright with the language as long as it went before the people.

Councilor Jourdain, noting the CPA question was already on the ballot, asked if the city already had to do an extra ballot.

City Clerk Murphy McGee stated that the only municipal questions that could go on state ballot were CPA questions or tax overrides. She added that any other local questions had to be deemed special elections and run alongside the state elections.

Councilor Jourdain suggested that in fairness to the Treasurer, he would rather see it done this year rather than waiting until the following year because that would put the city in limbo considering the plan was to make the transition in January 2026, but the result would not be known until November of 2025. He added that it also created a precarious position if it were voted down. He also stated that City Treasurer, Rory Casey, or anyone else that may be interested, would have to run a campaign and be on the same ballot as the question. He stated that while it was unfortunate to have to pay \$5,000-\$7,500, the alternative was having an election for the Treasurer. He then commended the Law Department for their work on the language.

Councilor Vacon noted that the Mayor was giving his budget presentation, he made clear he was in favor of this and urged passage.

Councilor Greaney called the question. Councilor Vacon seconded the question.

City Clerk Murphy McGee noted that if this question passed, a special election would have to be called. ---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Givner).

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that this was an easy move forward to have this standing order.

Councilor Jourdain commended Admin Asst Anderson-Burgos for coming up with this idea. He added the School Committee appreciated that when they file topics to be discussed in the Joint Committee, there was now a vehicle for those to be heard at City Council.

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

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that the vote for no recommendation was 2-1 in committee. She then stated that while everyone believed it was best practice to be respectful inside and outside Council chambers, there were concerns about censorship as well as no way to control what people do outside Council chambers.

Councilor Greaney asked if there was an intent clause in this, where if someone intended to do something or if there was an inadvertent comment, sometimes there could be language problems. He noted that sometimes things get said off the cuff that get out to people without intent, while things that are intentional were a whole different matter. He suggested that could be problematic.

Councilor Magrath-Smith stated that was why it was brought to full Council without recommendation to put it in the rules because there were enough sticky points that they did not feel could be resolved or be workable as a practical rule.

Councilor Vacon made a motion to amend the order, adding "intentional" after "make" in the sentence that said "no member of the City Council shall make references to or about another member but in respectful terms.," and then adopt the rule change. She added that all of the rules were only as effective as each councilor's willingness to hold themselves accountable to them. She added that all councilors operated under the rules that were agreed to and under Roberts Rules. She added that everyone did have freedom

of speech but that should not be an excuse for failing to hold to certain standards of conduct. Councilor Jourdain seconded the motion.

Councilor Devine asked for clarification of the vote in committee.

Councilor Magrath-Smith stated that she and President Murphy-Romboletti voted to not recommended and Councilor Vacon voted in support of it.

Councilor Vacon raised a point of order. She noted that the chair's report stated that the committee reported it out without recommendation.

Councilor Magrath-Smith expressed her understanding that without recommendation meant that it was recommending against passage and was not meant to be neutral.

Councilor Jourdain stated that was not what it means.

President Murphy-Romboletti suggested hearing from the Law Department.

Councilor Magrath-Smith expressed a willingness to send it back to committee to talk about it again.

President Murphy-Romboletti asked Atty Bissonnette to clarify what "without recommendation" meant.

Atty Bissonnette stated that the committee did not offer a recommendation to the full Council, and then there was a question from one councilor as to who voted which way. He then advised that the point of order should not be well taken. He then noted that the current matter was the amendment offered by Councilor Vacon to adopt as amended.

Councilor Anderson-Burgos stated that he had many jobs in the past telling him that writing certain things on social media could lead to him being fired. He then stated that following that, he told himself he would never have a job that would hold those things against him. He then emphasized the importance of freedom of speech. He added that as elected officials, they were all targets. He then stated that he could follow the rules while in chambers but nobody was going to tell him what he could or could not say on social media. He questioned if this was a dictatorship. He then noted that he was told he would need to grow a thick skin while serving. He added that people should not be silenced because sometimes things needed to be heard.

Councilor Jourdain expressed support for the rule change on the spirit of discussion of decorum. He emphasized that they were councilors 24/7. He then noted that while the public could say anything they want, the question was about councilors not keeping criticisms to the issues and not being nasty and name-calling colleagues on social media. He suggested that this would be setting a leadership tone to the public. He added that the basics of decorum can't mean blasting each other on social media and then expecting it to be a good work environment at meetings. He reiterated that he encouraged debate on the issues as fair game, but people were crossing the line on things that were not about issues but were making character statements. He added that this order was meant to be aspirational. He also emphasized that he never speaks about other councilors on social media and encouraged others to follow the same idea.

Councilor Greaney stated that he believed social media was really antisocial media, adding that he saw it mostly as a bunch of garbage. He then stated that he did not see the harm in this order, noting that there were no consequences or repercussions.

Councilor Devine stated that she would be voting against this, noting that it was not just talking about social media but referred to inside or outside Council chambers. She then stated that it was about free speech, and questioned who would enforce it or what the punishment would be.

Councilor Anderson-Burgos stated that he doesn't talk about other councilors on social media, but this issue was not just about him. He then expressed frustration with hypocrisy, noting that when he first decided to run, another councilor called him "Juany come lately," adding that he had a screen shot of it. He added that his integrity and character were challenged, and cheap shots were taken at him. He then stated that he was okay with rules being enforced while in Council chambers because he honored and respected the space, but when everyone leaves the room, it should be a different story where people shouldn't have to worry about what they might say getting them into trouble.

Councilor Vacon stated that nothing in the rule controlled content of speech but was about decorum. She then emphasized that she did not post personal posts on Facebook about any city councilors. She added that she had been the victim of anonymous hit pieces. She then stated that the point was not that there needed to be enforcement or punishment but that the way people conducted themselves in chambers should be the same when not in chambers.

Councilor I. Rivera recalled that in the past, there used to be news articles where people wrote about each other all the time. He questioned why it was now different with social media and now not okay when it was okay then.

Motion was made, seconded, and thirded for a roll call vote.

---> Report of Committee received and recommendation denied on a call of the roll of the yeas and nays--Yeas 6 (Bartley, Greaney, Jourdain, Ocasio, Sullivan, Vacon)--Nays 6 (Anderson-Burgos, Devine, Magrath-Smith, Murphy-Romboletti, I. Rivera, J. Rivera)--Absent 1 (Givner).

Councilor Bartley made a motion to reconsider the previous action and lay on the table. Councilor Vacon seconded the motion. Motion failed on a show of hands vote.

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that the committee confirmed with the Law Department if this was in line with Open Meeting Law. She added that with people being used to having their devices, this was about making sure people were not making external statements, social media posts, or texts about Council business during any meeting of the City Council or its committees. She noted it was a 3-0 recommendation.

Councilor Jourdain stated that this was a no brainer, noting that it was happening but should stop.

Motion was made, seconded, and thirded for a roll call vote.

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

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith deferred to Councilor Devine as a the maker of the order to explain why it be given leave to withdraw.

Councilor Devine stated that she was fine if 45 days was working.

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

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

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

Committee Members:

Meg Magrath-Smith

Linda L. Vacon  
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Magrath-Smith deferred to Councilor Jourdain as one of the makers of the order to explain why it was complied with.

Councilor Vacon stated that she believed this was complied with because the administrative assistant had been placing those tabled items on a separate portion of the agenda indicating that they would likely or may not be discussed, but they had been listed. She added that the administrative assistant had indicated that the items from this year had not been listed because it was a lengthy technical project to accomplish. She then requested that the administrative assistant send a communication when all of the tabled items had been brought up to date.

Admin Asst Anderson-Burgos clarified that all of them items that had been previously taken up and tabled had been put into that section on the agendas. He then explained that the items that had not been added were the items that had been deemed tabled by virtue of having been in the committee jackets for more than 45 days, because that was a lengthy process requiring putting the text of all of those orders into a word document. He noted some of the committee jackets had multiple dozens of orders. He reiterated that anything that had been taken up and tabled had been placed on committee agendas.

Councilor Vacon stated that in order to have this order complied with, it would require putting all of them on that list whether they were taken up or not. She expressed her understanding that it would be by the end of the summer recess.

Councilor Jourdain expressed his support for the recommendation. He then asked Councilor Vacon if she was good with the motion.

Councilor Vacon stated that if the administrative assistant was stipulating to send a communication, she was good.

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

The Committee on Charter and Rules to whom was referred an order that City Council rule 10.D be revisited in discussion. D. Every month the City Council invite in a Holyoke School Student to lead in the Pledge of Allegiance.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Magrath-Smith stated that there were a lot of miscellaneous rules that had become defunct that

she was slowly working to bring up to discuss if they should be removed or revised to make active again. She then explained that this rule had been in use in an earlier term but the tradition had changed around how the Pledge of Allegiance was done. She then stated that the committee decided to refer it to the Joint Committee so they could consider how to proceed. She then stated that they considered having the administrative assistant reach out to school principals to ask if any students would want to come, but that would be giving that person a large task. She added that there were additional concerns over who would make sure they were coming, if they had transportation, and if they understood their role.

Councilor Greaney called the question.

Councilor Jourdain asked the administrative assistant to add this item to the Joint Committee's June 13th agenda.

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

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

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

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

Councilor Bartley made a motion to amend the order, adding "and Holyoke Water Works" after "City Forester."

Councilor Greaney noted Forester was spelled wrong.

Councilor Bartley added to the amendment to fix the spelling.

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

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

---> Received and Adopted. Copy to City Forester, Conservation, DCR, Public Safety Committee.

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

Councilor Devine suggested sending a copy to the Disabilities Commission.

Councilor Vacon stated that they weren't involved in removing signs.

Motion was made and seconded to copy to the Disabilities Commission.

Councilor Bartley stated that a good discussion on this subject took place in the Ordinance Committee. He added that he ran this idea by the City Clerk as he did not want to burden her office more than it already was, but someone needed to handle this. He added that it made sense to go through a whole process to add them, but removing them should be more efficient.

---> Received and referred to the Ordinance Committee. Copy to Disabilities Commission.

Bartley, Sullivan - The conservation commissioner be invited to attend a future DGR meeting to provide an update on the construction in and around Scott's Tower. Please be prepared to address the issue of water run-off to the pond owned by the abutter at 5 and 15 Lindor Heights. Refer to DGR and Conservation Commission.

Councilor Bartley made a motion to amend the order to add 15 Lindor Heights. Councilor Vacon seconded the motion. He noted the order was already on the agenda for the committee later that week.

Councilor Sullivan asked to be added to the order.

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

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

Councilor I. Rivera asked to be added to the order.

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

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

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

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

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

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

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

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



Councilor Bartley suggested sending this to Public Safety instead of DGR, noting that a similar order had already been referred there.

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

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

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

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

Councilor Ocasio asked to be added to the order.

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

Jourdain- Ordered, that DPW and Veolia provide the City Council with a status report on city street sweeping. It feels like we are behind schedule and this should have already been largely complete. Please advise as to what percentage of the city is fully complete and what is the schedule to complete the remainder.

Councilor Magrath-Smith stated that she reached out to Veolia on this. She then stated that they had staffing and equipment constraints and had hired a third party Mohawk Sweeping Services that had begun sweeping as of May 28th. She added that they had been contracted to sweep in the non-posted neighborhoods, including the Bemis area. She expressed interest in explanation of the issues.

Councilor Jourdain made a motion to amend Suez to Veolia. He added that he was glad to hear they were starting in the Bemis area as that was where he was getting calls from. He suggested that they should be communicating with the Mayor if they were having these types of issues.

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

Jourdain- Ordered, that the Building department come to the Public Safety committee to discuss the new inspection initiative for 3+ family homes and the implications for owners. A general notice to owners should be published on Building dept and City Council website inviting them to attend the meeting if they wish to give feedback.

Councilor Jourdain stated that he was getting calls on this issue and believed citizens should have a forum to talk about this issue. He emphasized that the City Council had not made this rule but was a state building code requiring inspections every five years.

President Murphy-Romboletti noted that a public meeting had been held the previous week that had been recorded by Holyoke Media.

Councilor Devine stated that she had been receiving calls about this as well. She noted that this had not been done in over 30 years because the Building Department did not have the staff. She then suggested that citizens could talk to the Building Department as well as look to Holyoke Media's website to watch the presentation by Jason from the Building Department.

Councilor Ocasio stated that a lot of the residents at the presentation were more concerned with how to pay for the inspections as some of them don't have enough money. She questioned if the city had grants available because some of them were panicking.

Councilor Greaney stated that in addition to cost, some who were complying with this also had a problem with finding licensed personnel, such as electricians, to do the work. He suggested there needed to be a timeline that allowed people to find someone to do the work. He expressed concern that there was no information on what people could do if they could not find anyone to do the work.

Councilor Devine suggested informing people to go to the Building Department website to find recommendations for laborers such as architects and electricians. She agreed that it would be good if there were grants to help people. She added that if people informed the Building Department that they were working on finding someone to perform the work, they will give those property owners time.

Councilor Greaney suggested people also call Holyoke Gas & Electric to see if they can recommend someone.

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

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

I. Rivera stated that this could be a communication to the Mayor. He then explained that this was about having a better understanding of where tax dollars were being spent in the community. He expressed his belief that those in the lower wards were not getting their fair share.

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

## **COMMUNICATIONS**

(1:31:10)

Motion was made and seconded to suspend the necessary rules to take up items 35 and 37 as a package.

From Mayor Joshua Garcia, letter reappointing Jonathan Moquin of 195 Brown Ave., to serve as a Commissioner of the Parks and Rec. Mr. Moquin will serve a three year term expiring June 30, 2027.

---> Received and appointment confirmed.

From Mayor Joshua Garcia, letter reappointing Paul Burns-Johnson of 15 Steven Dr. to serve on the Board of Appeals. Mr. Burns-Johnson will serve a three-year term expiring July 1, 2027.

---> Received and appointment confirmed.

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.

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

From City Clerk Brenna Murphy McGee and Admin. Assistant Jeffery Anderson-Burgos, minutes from the May 7, 2024 meeting.

---> Received and Adopted.

From Attorney Jane Mantolesky, letter regarding small wireless facilities ordinance

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

From Board of Public Works, communication regarding Councilor's comments

Councilor Bartley stated that the letter was written by Board of Public Works Chair, Mary Monahan, attacking him for a vote he took. He then expressed amazement that the letter was not only written but that it was put on a public agenda. He then referred to a statement in the letter characterizing comments he made as incendiary. He then emphasized that she had not pointed out even one inaccurate statement on his part. He suggested that her letter was hyperbole. He added that the vote was 12-1, she got 12 votes, and he had exercised his right to take a vote and provide an explanation. He then explained that the issue was that the elevator had been broken for 9 years, there was feces all over the building, the stairwells stunk, and the building was falling apart. He then emphasized that as someone who had been on the Council for 13 years, he could take the criticism, but had concerns about any newer councilors taking a vote and being blasted by a commission chair. He also emphasized that he had voted for every DPW budget over his career without making cuts. He then asked rhetorically if they had sent a letter when an order was filed suggesting an ordinance to allow people to sleep in their cars in the parking deck. He suggested that this letter was an act of initiation. He noted that he tried to call her over the weekend, and she did not pick up.

Councilor Greaney stated that he had been the only minority vote on many issues, noting that he had always been the only one dissenting vote on marijuana items. He then stated that he supported Councilor Bartley's right to vote how he wanted to.

Councilor Vacon echoed earlier remarks on freedom of speech, as well as doubling down on the order relative to decorum. She then suggested that how councilors conducting themselves in chambers and in the public reflected throughout all departments and all boards throughout the city.

Councilor Jourdain suggested that this was the playbook, where if you dissent and don't vote the way the party line wants you to vote, they're going to come after you. He noted he had been on the receiving end of attacks for his vote opposing the sewer increases from the Mayor and Ms. Monahan on the day of the election. He then emphasized that when he votes to keep sewer rates down and asks for fiscal accountability, he then has to take character assassinations. He then emphasized that he on the Council to look out for the voters, not there to make friends.

Councilor I. Rivera extended an apology to Councilor Bartley for this letter. He noted that while it wasn't him who sent the letter, this issue had become about other things.

---> Received.

Motion was made and seconded to suspend the necessary rules to take up items 41 through 45 as a package.

From City Council appointee Daniel O'Sullivan, Quarterly Update on Holyoke Media Board

---> Received.

From Olivia Mausel, National Register nomination, Central Churchill Historic District  
---> Received.

From Board of Fire Commissioners, minutes from the April 29, 2024 meeting  
---> Received.

From Local Historic District Commission, minutes from March 21, 2024 and April 18, 2024 meetings  
---> Received.

Grant Report- EMPG-FY23-Fund-FIR1415-Closing-of-Grant.pdf  
---> Received.

### **PETITIONS**

(1:47:00)

Petition of Blue Fox Brands, Inc. for a special permit for a Marijuana Manufacturing Establishment at 1 Cabot St.

Councilor Vacon asked how this was already on the Ordinance agenda, noting it was just being received.

Admin Asst Anderson-Burgos stated that the petitioner reached out to him in early May with the hope that they could get the hearing opened before the Council's summer recess. He then explained that the petitioner assured him they would get the petition to the Citty Clerk in time to have it on this agenda so that it could be referred, and that allowed the notice to be done in time to have it on the following day's Ordinance agenda.

Councilor Vacon expressed a hope that going out of order like this wouldn't cause technical problems with the permit since the permit was advertised before the application came in. She suggested having the Law Department advise the Council if this was to move forward, unless that was already done.

Admin Asst Anderson-Burgos stated there was a similar situation the previous year that promoted him to check with the Law Department to make sure it would be okay to notice something before the Council received it and was told that as long as the Council received it prior to the hearing, it would be okay.

Councilor Bartley asked that the administrative assistant get that in writing just to be sure it was being done right. He then noted that while he kept hearing about the death of marijuana manufacturing but here was another petition coming in. He also noted that gentleman who bought the building at 1 Cabot had come into the DGR Committee years earlier with a great proposal and had been a credit to the city.

President Murphy-Romboletti asked Atty Bissonnette if he heard the request about putting something in writing.

Atty Bissonnette stated that he could do that.  
---> Received and referred to the Ordinance Committee.

Petition of Edwin Colon of 23 Springdale Ave for a Street Vendor License to be located at the Gas Station on Berkshire and Main St.

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

Petition of Open Square Realty LLC for a Multi Family Dwelling at 4 Open Square Way

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

## **PRESIDENT'S REPORT**

(1:52:10)

President Murphy-Romboletti stated that councilors had been invited to the Taxpayers Association luncheon on June 13th at the Library. She stated that DPW would be presenting. She then stated that June was Pride Month. She noted that the flag raising had been held the day before. She then thanked Admin Asst Anderson-Burgos and Councilor Anderson-Burgos for their work on the month's events. She noted that all events could be found on holyokepride.org. She added that PrideFest would be on June 22nd at Veterans Park.

She then thanked department heads for attending budget hearings, adding that the budget vote would take place on June 11th. She suggested that remaining questions should be directed to department heads in the next week.

She then stated that an executive session would take place at 6pm immediately before the budget vote.

Councilor Vacon asked for clarification, noting that the executive session appeared to be scheduled from 6-8pm, but the budget vote was scheduled for 7pm.

Admin Asst Anderson-Burgos clarified that the default for Google calendar was 2 hours but did not mean the executive session would actually last that long.

Councilor Jourdain asked if they could recess the executive session and come back after the budget vote if they needed more than one hour.

President Murphy-Romboletti stated that they could as long as the City Solicitor and Chief Pratt could do that.

Councilor Bartley stated that the Memorial Day ceremony had been a terrific event, adding that the Rotary Club had put up a great flag display.

He also stated that there was a well-attended event at the park on Laurel for former Ward 3 Councilor, Helen Norris. He commended Councilor Jourdain for his part in it. He also commended the Parks staff for above and beyond for the event.

Councilor Sullivan offered a shout out to Holyoke native, Jamie Westbrook, for recently being called up to play for the Boston Red Sox.

Councilor Jourdain observed that the Helen Norris had a great turnout. He then thanked Mayor Garcia for his support, adding that it would not have been possible without his coordination. He also thanked Parks Director, Tom Reynolds.

President Murphy-Romboletti stated that the vote to fill the at-large vacancy on the School Committee would be taken on June 18th prior to that evening's Council meeting. She added that anyone interested was still welcome to submit their resumes to the Personnel Department.

Councilor Magrath-Smith asked when councilors would receive cover letters and resumes.

President Murphy-Romboletti stated that the administrative assistant had been collecting them and would be sending them all the following day rather than sending them one at a time.

## **ORDERS AND TRANSFERS**

(1:58:05)

Motion was made and seconded to suspend the necessary rules to take up items 49 and 50 as a package.

Bartley- The DPW provide an update on resurfacing projects in W-3 and citywide: essentially where and when will they take place. It would be interesting to know the name of the vendor and the associated costs for each street. In particular, homeowners on Homestead Av and Judith St are seeking to coordinate homeowner projects for their properties with the City's resurfacing. Please send communication to city council administrative assistant by the end of June and please contact the W-3 city councilor to meet on site to review.

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

Bartley- The dpw look at water runoff on Argyle Ave and offer suggestions for improvement. Please contact W-3 councilor to meet on site.

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

Councilor Devine stated that Councilor Givner contacted her and asked that the next three items be sent to DGR.

Motion was made and seconded to suspend the necessary rules to take up items 51, 52, and 53 as a package.

Devine- ORDERED: that the City Council reconsider and then rescind their vote of May 21, 2024 on agenda item #25 filed by Councilor Jourdain, Councilor Vacon, Councilor Devine, Councilor Sullivan, Councilor Bartley and Councilor Greaney re: pending HOUSE No. 2747 , an ACT granting a local option for a real estate transfer fee to fund affordable housing.

Councilor Jourdain stated that this should be voted on now instead of being referred to committee.

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

Devine- ORDERED that the Mayor consider appointing an Affordable Housing Commission using the guidelines in proposed HOUSE BILL 2747 (An Act granting a local option for a real estate transfer fee to fund affordable housing)

Councilor Jourdain stated that there was no need to appoint an affordable housing commissioner, noting that the Speaker had already announced this was not included in the bill.

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

Devine- ORDERED: That the DGR Committee invite in Representative Duffy and Senator Velis to clarify if there is a difference between the Affordable Homes Act and the 2% real estate surcharge we voted on Tuesday 5/21. If this surcharge on real estate is contained in the Affordable Homes Act, then ordered that our vote taken on 5/21/2024 be rescinded.

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

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, FOURTEEN THOUSAND EIGHT HUNDRED THIRTY EIGHT AND 34/100 Dollars (\$14,838.34) as follows:

FROM:

12101-51105 SERGEANTS \$6,995.44

12101-51107 PATROLMEN 7,842.90

TOTAL: \$14,838.34

TO:

12101-51180 INJURED ON DUTY 5-11-2024 \$14,838.34

TOTAL: \$14,838.34

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President Murphy-Romboletti stated that this transfer represented 6 officers.

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

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, SEVENTEEN THOUSAND NINE HUNDRED EIGHTY SIX AND 29/100 Dollars (\$17,986.29) as follows:

FROM:

12101-51105 SERGEANTS \$10,143.39

12101-51107 PATROLMEN 7,842.90

TOTAL: \$17,986.29

TO:

12101-51180 INJURED ON DUTY (PAYROLL 5-25-2024) \$17,986.29

TOTAL: \$17,986.29

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President Murphy-Romboletti stated that this transfer represented 6 officers.

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

Motion was made and seconded to suspend the necessary rules to take up items 56, 57, and 58 as a package.

Devine- Ordered, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

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

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, 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

TOTAL:\$16,300

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

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

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor  
---> Received and referred to the Finance Committee.

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

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

Devine, All councilors - ORDERED that the City Council give a proclamation to Captain Denise Duguay for 31 years of dedicated service to the City of Holyoke.

All councilors asked to be added to the order.

Councilor Jourdain stated that Cpt. Duguay had done a great job for the city and would be missed.  
---> Received and Adopted.

Givner- Per resident request, please remove handicap sign from 204 Oak St, for Ms. Josephine Rivera. She will no longer need it. Ordinance, Copy to DPW  
---> Received and referred to the Ordinance Committee. Copy to DPW.

Jourdain, Bartley, Greaney - 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.

Councilor Jourdain stated that he spoke with the Treasurer and understood he would be working on this.

Councilor Bartley and Councilor Greaney asked to be added to the order.

Councilor Greaney asked if this should also be copied to the Law Department.

Councilor Jourdain stated that it should not yet be, pending what the report says. He then stated that a resident of Springfield recently won a case in Hampden Superior court against Springfield for using this company and taking home equity from that resident. He then stated that the Treasurer informed him the way it was in the report was not the way it was counted for Holyoke. He added that the Treasurer was still researching the background but did say that Holyoke had not done business with Tallage Davis LLC.

Councilor Greaney noted that there were penalties attached to that lawsuit.

Councilor Devine asked if this could wait, noting that the next Finance meeting was planned for June 12th.

Councilor Jourdain suggested giving the Treasurer longer than that, perhaps in August.

Councilor I. Rivera asked if the situation in Springfield was through the receivership program. He recalled that their program was having issues with how much money was being taken from property owners.

Councilor Jourdain stated that he had not researched how it started but understood that this resident had gotten behind on her taxes, they liened her home, but went beyond just taking the back taxes and wiped her out. He added that the company pocketed the difference. He added that this was happening in multiple states where cities were selling off the liens and residents were becoming victims of predatory practices.

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

J. Rivera- Order to request the installation of a three-way stop or offer safety recommendations at the intersection of Chestnut and Suffolk Street. Recent incidents of accidents and near-misses in the vicinity highlight the urgent need for enhanced traffic control measures in this area.

Councilor Bartley made a motion to amend, requesting that they install a three-way stop "or offer safety recommendations." He suggested that if they recommended against a stop, there would be no alternative.

Councilor J. Rivera noted this was a request from a nearby business.

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

Vacon- ORDER: that the law department issue a compliance letter to JB Hunt company regarding the need to comply with the truck restriction hours on Homestead Avenue.

Councilor Jourdain asked to be added to the order.

Councilor Bartley asked if this was for noncompliance.

Councilor Vacon confirmed that it was regarding the need to be in compliance.

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

Motion was made and seconded to suspend the necessary rules to take up items 65 through 68 as a package.

Vacon- ORDER: That lights be added to the STOP sign (and a larger stop sign be placed) at the Keyes & County Rd. intersection to increase visibility. There have been accidents at the Keyes/County and (Whiteloaf/Southampton) intersection.

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

Vacon- ORDER: Please clear the obstructed traffic signs on County Rd (intersection sign) and Westfield Rd (going toward Holyoke). They are overgrown by tree branches and constituents are requesting they be cut back.

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

Vacon- ORDER: that temporary speed humps be place on Apremont Highway near Dupuis to help slow traffic. Constituents have requested traffic calming in the area.

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

Vacon- ORDER: please cut back brush on Lower Westfield Rd next to the union building. This is a constituent request.

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

Vacon, Bartley - The City of Holyoke amend Zoning Ordinance section 4.3(A)(8) to require a special permit prior to granting permission for this use in all residential districts in the City of Holyoke and no longer allow the use as of right; the special permit is to be issued by the City Council or the Planning Board only after a public hearing.

Councilor Vacon stated that Councilor Bartley was looking to be added to the order. She also noted that this order had been previously filed but there was an active lawsuit going on and Council had been asked not to pursue it at that time. She then stated that she had asked the Law Department for an update on that lawsuit and had not heard a response so she was assuming it was over.

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

## **LATE FILED ORDERS AND COMMUNICATIONS**

(2:15:25)

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, FIVE HUNDRED AND 00/100 Dollars (\$500) as follows:

FROM:  
12202-51105 FIREFIGHTERS \$500  
TOTAL: \$500  
TO:  
12201-51301 ARSON OVERTIME \$500  
TOTAL: \$500

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor  
---> Received and referred to the Finance Committee.

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY-FOUR THOUSAND FIVE HUNDRED SEVENTY AND 00/100 (\$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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor  
---> Received and referred to the Finance Committee.

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, SEVEN THOUSAND SIX HUNDRED FIFTEEN AND 42/100 (\$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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

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

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY THREE THOUSAND AND 00/100 (\$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	

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

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

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, 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	

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

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

Devine - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

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

Devine - Ordered, 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 4, 2024.

Joshua A Garcia, Mayor

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

MiFA response to Mr. Weinberg letter and addendums.

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

Bartley - Ordered, that the City Council approve an Amendment to a Home Rule Petition for the purpose of expanding the Center City Liquor License Area.

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

  
Adjourned at 9:21 PM