

Ordinance Committee

Wednesday, March 5, 2025

Video of meeting can be found at https://youtu.be/YII_Pw4reOo?feature=shared

Members present in person: Chair Israel Rivera, David Bartley, Meg Magrath-Smith

Members present on Zoom: Vice Chair Linda Vacon, Jenny Rivera

Other councilors present: Patricia Devine, Carmen Ocasio

Chair I. Rivera called the meeting to order at 6:31 p.m.

Councilor Vacon made a motion to remove item 1 from the table. Councilor J. Rivera seconded the motion. Motion adopted.

Item 1: Minutes of February 19, 2025 meeting

---> Approved 3-0-2 (Bartley, Magrath-Smith)

DISCUSSION:

Councilor Vacon made a motion to approve item 1. Councilor J. Rivera seconded the motion. Motion adopted 3-0-2 (Bartley, Magrath-Smith).

Chair I. Rivera made a motion to take a roll call vote that for the purposes of this meeting would applicable to all motions to remove an item from the table, place items on the table, package items, open or close a public hearing, or suspend the rules, unless there is an objection. Councilor Bartley seconded the motion. Motion adopted.

(1:55)

Councilor Bartley made a motion to remove items 2 and 3 from the table as a package. Councilor Vacon seconded the motion. Motion adopted.

Item 2: 12-3-24 Zone change application - Tiago Martins & Jeffrey Dias at 736 Dwight St from BL to DR to develop properties with duplex/triplex apartments.

*Public hearing closed 2-19-25

---> Approved 5-0

Item 3: 12-3-24 Zone change application - Tiago Martins at 712-718 Dwight St from BL to DR to develop properties with duplex/triplex apartments.

*Public hearing closed 2-19-25

---> Approved 5-0

DISCUSSION:

Chair I. Rivera stated that the Planning Board provided communications for these items. He then read from the recommendation letters, which provided support for the zone changes and described them as appropriate to the historical character for the neighborhood and allow for the development of needed new housing. He noted both letters were almost identical other than being for two different properties.

Councilor Vacon made a motion to approve the zone changes. Councilor Bartley seconded the motion.

Councilor Bartley stated that this was a known entity, and he was excited to see them developing in the city. He added that he appreciated they found it to be appropriate to the historical character of the neighborhood.

Councilor Vacon stated that the two addresses should be specified when voted on to be approved.

Motion adopted on a call of the roll of the yeas and nays--Yeas 5--Nays 0--Absent 0.

(6:55)

Councilor Bartley made a motion to suspend the necessary rules to remove items 4 through 8 from the table as a package. Councilor Vacon seconded the motion. Motion adopted.

Chair I. Rivera noted that all 5 items were just waiting on legal language.

Item 4: 6-20-23 MALDONADO VELEZ, GIVNER -- Ordered, that if someone is putting in an RFP through the city for a property that is up for sale and the applicant has outstanding issues with the Board of Health, Building Department, or any other city department

having to do with other properties they own, that they are not eligible to win the bid for the RFP.

---> Approved 5-0

DISCUSSION:

Chair I. Rivera read from the language provided to update Sec 2-349 Certification of compliance.

All bidders must provide a certificate satisfactory to the Director that they are in full compliance with the building, health and fire codes for the city and Commonwealth."

Councilor Bartley made a motion to adopt the language and have it put into legal form for the next City Council meeting. Councilor Magrath-Smith seconded the motion.

Councilor Vacon requested that the Law Department provide the legal forms at least 7 days prior to the meeting to give people time to review them.

Councilor Bartley stated he would make that motion following discussion of all 5 items.

Motion adopted on a call of the roll of the yeas and nays--Yeas 5--Nays 0--Absent 0.

Item 5: 6-20-23 MALDONADO VELEZ, J. RIVERA -- ORDER that Sec 38-73 (6) of our ordinances be amended for the hours to read 10pm instead of 11pm and 8am instead of 7am.

---> Approved 4-1 (Magrath-Smith)

DISCUSSION:

Chair I. Rivera read from the language provided to update Sec. 38-73 Enumeration of prohibited noises, part 6 Loading and unloading, by "*striking the words "11:00 pm and 7 a.m." from the end of the last sentence and substituting the words "10:00p.m. and 8 a.m."*

Councilor Magrath-Smith expressed concern about the section referring to bulk waste vehicles and the hours of Casella trash pickup service at the schools if they were within 1,000 of residents. She noted that they usually started at 7 a.m. and there may be an issue with that and if they may need to ask for an exception.

Chair I. Rivera stated that they could be informed ahead of time so they could be prepared to abide by the change.

Councilor Magrath-Smith stated that a lot of schools were within 1,000 feet of residents. She then suggested there may need to be a discussion of how the word could be put out about the rules change.

Councilor Devine asked what this section was about.

Chair I. Rivera stated that this was the noise ordinance.

Councilor Magrath-Smith stated that it was the section of the ordinances on enumeration of prohibited noises, specifically the part about loading and unloading. She then read from part 6 of the ordinance:

"The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers. The emptying of bulk waste containers located within 1,000 feet of a residentially zoned parcel shall be prohibited between the hours of 11:00 p.m. and 7:00 a.m."

She noted that part 5 specifically referred to schools and suggested there could be some crossover. She suggested that the ordinance appeared to be about commercial endeavors but because it referred to bulk waste containers, it could also affect Casella servicing the schools.

Councilor Devine asked if this was for trash pickup by the DPW.

Councilor Bartley stated that it did not.

Chair I. Rivera stated that this was more about the industrial areas of the city where factories were making a lot of noises.

Councilor Vacon recalled that at the last meeting, the hours at the schools were discussed because of Casella trying to get to the schools before classes began. She then stated that she believed the Police Department was going to be reached out to for their feedback.

Chair I. Rivera suggested tabling the item to reach out to the Police Department, as well as to Casella to find out the impact it would have on them. He then his belief, however, that part 5 would cover them.

Councilor Bartley stated that he would be opposed to tabling the item. He then questioned the idea of carving out an exception for Casella. He then stated that the ordinance would be provided to HPD and they could then disseminate. He added that Casella was a sophisticated company that would know how to follow the rules. He then made a motion to approve language as written as have it put into legal form.

Councilor Vacon stated that the concern was raised about the schools because the order was filed in relation to a business in a neighborhood but the impact on the schools had not been considered when it was filed. She then explained that the concern was to avoid unintentionally creating another problem out of an effort to fix one problem.

Chair I. Rivera suggested revisiting what part 5 said.

Councilor Magrath-Smith stated that it talked about noise near *“any school, institution of learning, church or court while the same is in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions.”* She then suggested that was why they tried to pick up in the morning before school started.

Chair I. Rivera suggested that part 5 helped cover Casella.

Councilor Magrath-Smith suggested that part 5 could prevent Casella from picking up any time except for before school started. She then expressed a desire for more information around Casella's practices.

Councilor J. Rivera seconded the motion.

Councilor Bartley stated that his office was across was across from Metcalf Schools and he observed that Casella came at all hours. He also emphasized that school ended at 2:30 p.m. and they could adjust their time schedule. He then suggested the order was reasonable. He added that they would also have an opportunity to speak if they wanted to.

Motion adopted on a call of the roll of the yeas and nays--Yeas 4--Nays 1 (Magrath-Smith)--Absent 0.

Item 6: 9-4-24 BARTLEY - CC establish by ordinance a minimum sewer fee to be paid to the City upon the sale of any real estate closing. Currently none exists though a \$5.00 fee was the norm. The present actual rate is \$7.50/1000 gallons. Refer to Ordinance. Copy Board of Public Works, Legal for their input. FYI - this is not to be a revenue raiser but would be monies to cover city expenses to coordinate this time-consuming work.

---> Laid on the table 5-0

DISCUSSION:

Chair I. Rivera read from the provided language to amend Section 90-90 Sewer use charge, *“by adding the following new section:*

(a) (2): A minimum fee shall be charged by the city of \$25.00 on residential and \$100 for non-residential property for any real estate closing as an administrative fee along with the current balance due for sewer service at that property.”

Councilor Bartley questioned if \$25.00 was what the committee agreed to, noting that the order asked for \$7.50.

Chair I. Rivera stated that it appeared new to him as well.

Councilor Bartley questioned how the Law Department could just change what was asked for. He also expressed frustration at seeing Councilor Magrath-Smith roll her eyes.

Chair I. Rivera asked Councilor Bartley to wait on those comments.

Councilor Bartley stated that he was sorry he had to call out the Law Department but expressed concern at seeing another councilor roll her eyes for calling them out. He then emphasized that it was the committee that makes the decisions and not the Law Department. He then asked if anyone recalled the committee asked for \$25 or if the Law Department just made it up.

Chair I. Rivera emphasized there was a right to ask those questions but he felt the need to slow things down to make sure members were speaking to each other respectfully.

Councilor Bartley stated that he believed he was being respectful and took issue with being called out while another councilor was not called out.

Chair I. Rivera asked if this was now a classroom, with people claiming things aren't fair.

Councilor Bartley stated that he was just raising a concern.

Chair I. Rivera expressed concern about unnecessarily antagonizing people. He then asked to get back to making a motion.

Councilor Bartley made a motion to amend the language to \$7.50. Councilor Vacon seconded the motion.

He then reiterated that he was just asking if the Law Department had just made up a new number. He recognized that his statement may have not been the most artful way to state it, but was frustrated after years of dealing with similar issues.

Chair I. Rivera stated that the committee still needed to hear from the Law Department to explain if they did research or had some reason to change it, but agreed it was a new number. He then made a motion to allow the Law Department to address the committee. Councilor J. Rivera seconded the motion.

Councilor Bartley emphasized that he respected Atty Bissonnette, but the committee asked for a specific number and changing it is not how things should work.

Atty Bissonnette stated that he put in the \$25 and the \$100 in the draft for discussion. He then explained that it had originally been \$30 because it would have been \$7.50 multiplied by 4 quarters. He added that it was also going to be consistent with the stormwater feeding charge per quarter. He then apologized for interchanging the language. He also stated that he was also figuring out where to put the language. He then asked the committee to decide what they wanted and the committee would work to get something accurate.

Councilor Bartley stated that he would like to see the item tabled to get the language worked out.

Councilor Vacon stated that she had the same question when the language was provided. She also noted that she did not recall there being a different rate for nonresidential.

Councilor Magrath-Smith clarified that she raised her eyebrows because she was agreeing with Councilor Bartley. She then asked for a benefit of the doubt, emphasizing that she does not roll her eyes at people. She added that as a 7th grade teacher, she had to have control over her facial expressions. She then explained that her reaction was surprise because she also did not understand how it went from \$7.50 to \$25.

Councilor Bartley expressed his apologies. He then made a motion to lay item 6 on the table. He added that he would discuss it with Atty Bissonnette. Councilor Vacon seconded the motion. Motion adopted on a call of the roll of the yeas and nays--Yeas 5--Nays 0--Absent 0.

Item 7: 10-15-24 Jourdain-Ordinance Sec 86-6 be updated from \$200 to \$1000 for consistency with state law.

---> Approved 5-0

DISCUSSION:

Chair I. Rivera read from the language to amend Section 86-6 Drivers must report accidents, *"by striking the term "200" and replacing it with the term "1000."*

Councilor Bartley made a motion to put the language into legal form. Councilor Magrath-Smith seconded the motion. Motion adopted on a call of the roll of the yeas and nays--Yeas 5--Nays 0--Absent 0.

Item 8: 10-15-24 Joudain-Ordinance be created that requires the police to report all damage to city property greater than \$1,000 from a motor vehicle accident to the City Council, Mayor and Law Dept. Further, that the DPW, Mayor and Law Dept have an affirmative duty to pursue collection action against the insurance carrier and/or operator or other responsible party to make the City whole for damage to city property resulting from motor vehicle accidents. City needs to have an ordinance establishing a policy in this matter to help ensure uniformity of enforcement.

---> Approved 4-1 (J. Rivera)

DISCUSSION:

Chair I. Rivera read from the language to amend Section 86 by adding 86-11 *"Public Vehicle Accidents; Reporting"*

*Inset KJ language
use (a)
(b)
(c) instead of 1,2,3
end of paragraph 2 change word "event" to "accident" for consistency*

Admin Asst Anderson-Burgos stated that he would look up the specific language Councilor Jourdain was asking for.

Atty Bissonnette noted there were stylistic changes as well as ensuring there was consistency.

Chair I. Rivera asked if the described edits were to language that was already seen by the Law Department.

Atty Bissonnette stated that was correct.

Chair I. Rivera asked if it would be all set to send to the City Council for the next meeting.

Atty Bissonnette stated that it would be. He then clarified that instead of 1, 2, and 3, it would be a, b, and c. He added that event would be changed to accident.

Councilor Vacon stated that she spoke with Councilor Jourdain and was told he was fine with this moving forward.

Admin Asst Anderson-Burgos displayed the language proposed by Councilor Jourdain, which read:

"(a) that when a motor vehicle accident over \$1,000 is reported to the Police department pursuant to Sec 86-6 that involves damage to city property then the Police department shall forthwith notify the Mayor, Law Department and Department of Public Works of this event;

(b) The Department of Public Works, Mayor and Law Department shall have an affirmative duty to pursue collection action on behalf of the city against the operator, insurance carrier and/or other responsible party or parties to make their very best efforts to make the city whole for damage to city property resulting from such motor vehicle event.

(c) The Police Department shall annually produce a report to the City Council of all motor vehicle accidents involving city property reported to them for City Council review."

Councilor Devine noted that the order was asking for a report to the City Council for damages to city property over \$1,000. She then questioned why the City Council had to have everything when this didn't pertain to the body. She then asked what the Council would do with the report. She added that the information was likely already going to the Law Department and the Mayor, and it was up to them to take care of collections against insurance and against an operator.

Councilor Vacon made a motion to adopt the language and request legal form for the next City Council meeting. Councilor Bartley seconded the motion.

Motion adopted on a call of the roll of the yeas and nays--Yeas 4--Nays 0--Absent 1 (J. Rivera).

Councilor Vacon made a motion to request that the Law Department provide the legal forms at least 7 days before the next meeting. Councilor Bartley seconded the motion.

Councilor Bartley asked Atty Bissonnette if that was sufficient time.

Atty Bissonnette stated that it was, adding that they were pretty much ready to go.

Councilor Magrath-Smith asked if the one regarding the rate could be held back in case the rate changed, or was it already tabled.

Councilor Bartley stated that it was tabled.

Chair I. Rivera clarified that the motion was applied to items 4, 5, 7, and 8 since item 6 was tabled.

Councilor Bartley stated that he would also like to see the legal language for 6 even though it remained in committee.

Atty Bissonnette asked for clarification that it was \$7.50.

Councilor Bartley stated that it was. He then stated that he would plan to call Atty Bissonnette the next day to discuss it but was looking to see it in legal form to be sent to the committee. He then made a motion to ask for legal form for item 6. Councilor Magrath-Smith seconded the motion. Motion adopted on a call of the roll of the yeas and nays--Yeas 5--Nays 0--Absent 0.

Councilor Bartley noted there were other pressing items he would like to see taken up, including the VCare order and the items regarding the Treasurer.

Chair I. Rivera stated that there was a plan to work with the Charter and Rules Committee by meeting together on the Treasurer matter.

Councilor Bartley stated that he filed an order several months earlier regarding building code matters. He added that now that there was a full time Building Commissioner, he would like to have discussions with them, perhaps in April.

Chair I. Rivera encouraged members to ask him to bring up what they wanted to address.

Councilor Vacon offered a reminder that DGR was being asked to take up the VCare question.

Meeting adjourned at 7:12 p.m.

Documents for meeting can be [found here](#).

LAI D ON THE TABLE

(Items taken up at previous meeting(s) and laid on the table. Discussion may or may not take place)

Item 9: 10-15-24 Rivera, J.-Order that Vcare on High Street be allocated an additional parking
This request is necessitated by the increase in participants and the operation of spot.
vans for transportation. Many of these participants are elderly individuals who rely two
on wheelchairs, electric scooters, and walkers. This action is essential to ensure their
safety and accessibility.

*Tabled 2-19-25

Item 11: 1-17-23 I. RIVERA -- Order that the honorable city council work with the city
solicitor's office to draft an ordinance prohibiting the discrimination or discriminatory
practices based on an individuals, or the perception of an individual's race, color, creed,
religion, sex, domestic relationship status, parental status, familial status, sexual
orientation, national origin, gender identity, gender expression, age, disability, criminal
history or the use of a service animal.

*Tabled 2-19-25

Item 10: 3-21-23 JOURDAIN -- Ordered, The City of Holyoke develop a personnel policy for the
handling of administrative leave and codifying the rules into Ordinance as recommended
by the Personnel Dept including but not limited to when employees should or should not
be placed on paid leave or unpaid leave. The current process appears lacking objective
standards. Taxpayers should also be protected to ensure people who should not be out
on paid administrative leave are placed on unpaid administrative leave.

*Tabled 5-23-23, 6-27-23, 9-12-23, 10-24-23, 12-12-23, 8-14-24, 9-11-24, 9-25-24, 10-9-
24, 11-13-24

Item 11: 10-4-22 MURPHY-ROMBOLETTI -- Ordered that the City examine and study the
Schedule A increases that were recommended by the salary study completed in 2014,
so that we can implement salary adjustments that are competitive and more aligned with
neighboring municipalities in order to retract and retain City employees.

*Tabled 4-25-23, 2-7-24, 10-9-24, 11-13-24

Item 12: 5-2-23 MURPHY-ROMBOLETTI -- Ordered, That schedules B and C of ordinance 2-35
be updated as appropriate with competitive salaries to attract and retain employees.

*Tabled 3-27-24, 10-9-24, 11-13-24

Item 13: 6-4-24 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.

*Tabled 8-14-24, 9-25-24, 10-9-24, 11-13-24, 12-11-24

Item 14: 10-3-23 PUELLO -- Ordered, That the no parking sign at 14 Arthur St please be removed. Per DPW must go to ordinance.

*Tabled 10-23-24

Item 15: 10-3-23 J. RIVERA -- Ordered, Request the implementation of a three-way stop at the intersection of Mosher and Bowers Streets.

*Tabled 10-23-24

Item 16: 8-1-23 MCGIVERIN, J. RIVERA -- Ordered, The DPW install a crosswalk for the city parking lot on N. Canal St. across from GTI.

*Tabled 8-14-24, 10-23-24

Item 17: 8-1-23 TALLMAN -- Ordered, That the DPW/Engineer consider putting stop signs at Joanne/Bemis, Drake/Bemis, Mt. Tom/Bemis and West Meadowview/Bemis.

*Tabled 10-23-24

Item 18: 4-4-23 GIVNER -- Ordered, Per constituent requests, that a right turning lane be designated on Hamden at the corner of Pleasant St in an effort to enhance traffic flow.

*Tabled 10-23-24

Item 19: 3-21-23 PUELLO -- That the following entry be added to the City Ordinances Sec. 86-325. - Schedule IV: Stop streets, this will be directed to the Ordinance Committee to be heard.

Street Stopped/ Vernon St

Direction of Travel/ Southerly

Intersection/ Main St

*Tabled 4-25-23, 8-14-24, 10-23-24

Item 20: 9-7-21 MURPHY -- Ordered that the city council work with the mayor to establish a formalized procedure for any request to have a street closing.

*Tabled 10-23-24

Item 21: 4-18-23 MCGEE -- Ordered, that the position of Chief Administrative and Financial Officer be created and added to Schedule A

*Referred back 9-18-24, Tabled 9-25-24

Item 22: 11-21-23 PUELLO — That we consider crafting an ordinance stipulating requirements for expenditure of funds of the police special events line and requirements. Example: committee organized event, private businesses participating, alcohol served, who is profiting etc.

*Tabled 11-28-23, 12-12-23, 9-25-24

Item 23: 4-5-22 VACON, JOURDAIN, PUELLO -- Ordered, That a Legal opinion be issued to clarify allowed uses of marijuana impact fee money. For example, if odor from a facility is a problem in the community can the money be used for

mitigation?

*Tabled 11-29-22, 8-14-24, 9-11-24

Item 24: 11-16-21 MCGEE -- ORDERED that the City Council amend Ordinance 2-69 by striking section (g) (2) from the ordinance. That section states " No employee of the city shall simultaneously serve on the city council during their time of employment."

*Referred back 11-21-21, Tabled 8-14-24, 9-11-24

Item 25: 2-21-23 PUELLO — in accordance with the city charter, create ordinance language that confirms, no sitting city councilor shall become a member of any board or commission in city government during the term of office. To Ordinance Committee

*Tabled 11-28-23, 12-12-23, 9-11-24

Item 26: 8-1-23 GIVNER -- With community support, order that the City of Holyoke establish, in the Schedule A, a Homeless and Housing Liaison position.

*Tabled 6-5-24

Item 27: 3-7-23 MCGEE -- Ordered, that the Zoning Ordinance be amended to add a section for Short Term Rentals, in addition to amending Section 2 DEFINITIONS, and any other sections that may apply to this use.

*Public hearings held 4-25-23, 5-23-23, 8-22-23, 10-24-23, 1-23-24.

Tabled 1-23-24 Pending Planning Board recommendation.

Item 28: 3-7-23 MCGEE -- Ordered, that the Zoning Ordinance be amended to add a Section for Tiny Houses, in addition to amending Section 2 DEFINITIONS, and any other Sections that may apply to this use.

*Public hearings held 4-25-23, 9-26-23, 11-28-23, 1-23-24.

Tabled 1-23-24 Pending Planning Board recommendation.

Item 29: 10-17-23 MCGEE -- Ordered, That the DPW Commission return to reviewing and setting the Sewer Rate.

*Tabled 2-7-24

Item 30: 1-22-24 (Referred back 4-2-24) DEVINE, GIVNER, J. RIVERA -- Ordered, to add the position of City Engineer to the Ordinance under Schedule A, Grade 13.

*Referred back 4-2-24, tabled 4-24-24

Item 31: 12-19-23 MALDONADO VELEZ -- Ordered, Order that the city creates a Housing Committee tasked with creating policy suggestions and implementation of office of tenant protections, office of returning citizens and homelessness liaison. Roles and committee to be created by Ordinance while bylaws to be created by the committee. The committee should included at least one of the following - 1 tenant in market rate housing, 1 tenant with section 8 voucher holder, 1 tenant with MRVP or continuum of care, 1 tenant of HHA, 1 tenant representative of local organization working on housing issues, 1 home owner, 1 landlord.

*Tabled 2-7-24

Item 32: 11-15-22 From Mayor Joshua A. Garcia, letter of Veto regarding order on reporting damages:

The Committee on Ordinance to whom was referred an order That an ordinance be

created that requires a department head to report (with an incident report explaining the cause) of any loss in their department over \$250 in value to the City Council and Mayor within 30 days Recommended that the order be adopted, as amended for losses over \$500.

*Tabled 11-29-22

Item 33: 1-18-22 MALDONADO VELEZ -- Order that we look into creating an ordinance around trash pick up that is similar to when it snows, where residents, business owners, and the city are responsible for the trash on their property.

*Tabled 5-11-22

Item 34: 5-18-21 VACON, BARTLEY, MCGIVERIN, LISI -- Ordered, that the setting of the sewer rate be returned from the City Council to the DPW Commission where it had been previously determined.

*Tabled 6-29-21, 1-25-22, 6-7-23

Item 35: 4-6-21 MURPHY, LISI -- Ordered that the city council consider adopting a wage theft ordinance for all contractors doing projects for the city or receiving special tax incentives by the city similar to Easthampton and Springfield with the following purposes: prevent misclassification of employees as independent contractors; assure that employers are paying all payroll taxes and workers compensation premiums; comply with state laws governing the payment of prevailing wages; assure that contractors provide opportunities for Holyoke residents, veterans, people of color and women.

*Referred back 1-18-22

Item 36: 5-16-23 MURPHY-ROMBOLETTI -- Ordered, that the City Council amend Ordinance 2-336(a) and (b) to reflect a streamlined process for disposition of tax title properties and other properties not needed by the City for municipal purposes and to add a new section for the creation of an Abutter Lots Sale Program.

*Referred back 2-6-24

ADMINISTRATIVELY LAID ON THE TABLE

(Per City Council Rule 9P, "Any order not acted on within 45 business days shall be deemed tabled." Items within this section are laid on the table by virtue of being in the committee more than 45 business days. Discussion of these items is unlikely, but any item may be removed from the table upon motion of the committee.)

Item 37: 8-4-20 MCGEE -- Ordered, That the ordinance committee review the draft Telecommunication ordinance changes. This is being filed on behalf of a constituent request.

Item 38: 3-2-21 From Harold and Lois Darcy, concerned citizens

Item 39: 1-18-22 GIVNER -- Ordered, that That the City of Holyoke amend ordinance that provides Columbus day as a Holiday be updated to wording that reflects that Columbus Day will now be referred to as "Indigenous Peoples Day, formerly known as Columbus Day"

- Item 40: 3-15-22 JOURDAIN, VACON -- Ordered, that That Columbus Day holiday ordinance be changed so the holiday be known as both Columbus Day and Indigenous Peoples Day so everyone may celebrate both, one or the other, or neither if they choose according to their own conscience. This will allow the maximum amount of sensitivity to the issue.
- Item 41: 4-5-22 MALDONADO VELEZ, I. RIVERA -- Order that we add a Grant Manager position to oversee, streamline, and expand our grant applications and money for our city.
- Item 42: 4-5-22 From Massachusetts Association of Realtors, Guide to Understanding housing choice and its opportunities.
- Item 43: 4-5-22 GIVNER -- Ordered, With community support: That the Holyoke City Council adopt, and create a method of enforcement for, a wage theft ordinance for all contractors doing projects for the city or receiving special tax incentives by the city similar to Easthampton and Springfield with the following purposes: prevent misclassification of employees as independent contractors; assure that employers are paying all payroll taxes and workers compensation premiums; comply with state laws governing the payment of prevailing wages; assure that contractors provide opportunities for Holyoke residents, veterans, people of color and women.
- Item 44: 4-5-22 I. RIVERA -- Order that legal review the Boston Cannabis Equity program ordinance and begin to draft language similar to it for the purposes of creating a Holyoke Cannabis Equity program.
- Item 45: 4-5-22 MALDONADO VELEZ -- Order that we allow for overnight parking on city parking lots for people to sleep in their cars. This would be an added measure in the work already being done to provide a safe, temporary place for our unhoused population until a more long term solution is created.
- Item 46: 6-7-22 GIVNER -- Ordered, With community support, Pouloit Pool will be free to Holyoke residents with a target market of students and seniors. A Holyoke pool pass should be easily obtainable at the Parks and Rec office with proof of Holyoke residency including but not limited to a Holyoke school ID, Holyoke Library card, State ID, Mail, etc. A daily fee of no more than \$3 shall be charged for adult residents and no more than \$5 for adult non-residents, along with a \$2 fee for non-resident students and seniors.
- Item 47: 6-7-22 GIVNER -- Ordered, With community support, the City of Holyoke request a PVRTA bus stop be added on Appleton between Linden and Locusts streets.
- Item 48: 6-7-22 JOURDAIN, I. RIVERA -- Ordered, That City Council create an ordinance that states that no department establishes user fees until those have been established by ordinance (unless governed under some other law). Additionally, that a pool pass system be established which allows all Holyoke residents to receive a free pool pass for city pool administered by the Parks & Recreation dept. A fee shall be established for non-Holyoke residents only at a rate to be determined by ordinance.

- Item 49: 6-7-22 VACON -- Ordered, Amend the speed hump ordinance (section b) that when a city engineer evaluation and report determines eligibility for speed humps on a city street, then temporary speed humps may be installed.
- Item 50: 8-2-22 I. RIVERA -- Ordered, That the honorable city council pass an ordinance banning facial surveillance technology (Please see attachment).
- Item 51: 10-4-22 MCGEE -- Ordered, That the City Solicitor be given the authority to hire a paralegal above mid range up to no more than max without needing further approval from CC due to special circumstances.
- Item 52: 10-4-22 MCGEE -- Ordered, That Department heads be given the authority to hire Schedule A positions above mid-range up to no more than max without needing further approval from CC due to special circumstances.
- Item 53: 11-1-22 MURPHY-ROMBOLETTI -- Order that we revise Section 58 - 18 of our City Ordinances to establish that it is the responsibility of the business establishment to collect and return shopping carts to their original locations. Any business that does not adhere to this ordinance shall be subject to a fine of no less than \$25 and not more than \$300, to be issued by the city's enforcement officer.
CURRENT ORDINANCE: Any individual or group who removes a shopping cart from the business lot where the cart originated shall be subject to a fine of no less than \$25.00 and not more than \$300.00, to be issued by the city police department.
- Item 54: 12-20-22 (copy, original sent to Public Safety) Petition from Residents of Holyoke in support of a Tenant Bill of Rights.
- Item 55: 1-17-23 I. RIVERA -- Order that honorable city council add a section to Holyoke code of ordinances titled "Human Relations".
- Item 56: 1-17-23 I. RIVERA, JOURDAIN, MURPHY-ROMBOLETTI, TALLMAN -- (copy - original sent to Public Safety, complied with 3-7-23) Order that the honorable city council invite in the chief of police to discuss whether or not the department has a "Traffic Squad", ordinance references the designation of 6 officers that are required to act as traffic officers. Constituents are concerned with drivers that speed, eat stop signs, etc ... Investment in a "Traffic Squad" as city ordinance states, should help tremendously with mitigating some of our constituent concerns.
Sec 50-42. - Traffic squad-Designation and training of members.
The chief of police shall designate six members and such additional members as may from time to time be required to act as traffic officers. Such members shall receive and be given thorough and adequate training in the regulation and direction of traffic, in accordance with a uniform and recognized standard.
- Item 57: 2-7-23 MCGEE -- Ordered, that the residency requirement for the CPO/Purchasing Director position be removed.
- Item 58: 3-7-23 JOURDAIN -- Ordered, that the City Council work with the Treasurer to review and codify the city's investment policy by ordinance.

- Item 59: 4-4-23 I. RIVERA, GIVNER, MALDONADO VELEZ, MURPHY-ROMBOLETTI, J. RIVERA -- (copy - original sent to Public Safety, complied with 5-2-23) Ordered, that Chapter 50, Article II of the Holyoke City Ordinances be amended to add Section 50-56 establishing a Police Commission.
- Item 60: 5-16-23 VACON, JOURDAIN -- Ordered, An ordinance be created that requires a department head to report (with an incident report explaining the cause) any loss in their department over \$500 in value to the City Council and Mayor within 30 days.
- Item 61: 6-20-23 MALDONADO VELEZ, GIVNER -- Ordered, that we create an ordinance that if the J owner of a rental property does not live in Holyoke, they are required to hire a local property management company that is accessible to our residents. There have been too many issues with rental property regarding rodents, water, and electrical problems where residents have been unable to get in contact with the owner in order to remedy the situation.
- Item 62: 10-3-23 GIVNER -- (copy, original sent to Charter and Rules) Ordered, With community support, order that the following section of our Codes of Ordinances and charter be updated to reflect use of email as sufficient for special meeting notice: Sec. 12. - Special meetings of city council.
The mayor may at any time call a special meeting of the city council by public posting through the city website along with written notifications thereof, together with a statement of the subjects to be considered thereat, to be deposited in the post office, postpaid and addressed to the persons to be notified, at least forty-eight hours before the time appointed for such meeting, or to be left at the usual place of residence of each member of the council, by email at least forty-eight hours before the time appointed for such meeting.
(Acts 1965, c. 187; Acts 1992, c. 189)
- Item 63: 10-17-23 From Board of Public Works, Mary L. Monahan, Chairperson letter re: FY24 Sewer Rate.
- Item 64: 10-17-23 MCGIVERIN -- Ordered, That the City Council adjust the sewer rate according to updated operation costs and revenue projections, along with projected deficit for FY 2024.
- Item 65: 11-9-23 From Atty Michael Bissonnette, Asst City Solicitor, Memo on Optional Municipal Administration Act (MGL Chapter 43C)
- Item 66: 11-9-23 MCGEE -- Ordered, that the City of Holyoke accepts and adopt the provisions of MGL Chapter 43C entitled "Optional Forms of Municipal Administration."
- Item 67: 11-9-23 MCGIVERIN -- Ordered, that pursuant to Section 12 of MGL Chapter 43C, the City of Holyoke, acting by and through its City Council and Mayor, creates a Finance Department as provided for in the statute subject to implementation by city ordinance approved with an effective date no later than December 31, 2025.
- Item 68: 12-19-23 MALDONADO VELEZ -- (copy, original sent to Public Safety) Order that the council works with Tapestry, state delegation, and appropriate city departments to work

towards creating safe injection sites. These would be medically supervised and connect users to services available in our community.

- Item 69: 12-19-23 MALDONADO VELEZ -- Order that the city creates an Office of Tenant Protections, that would oversee rental registration, certificate of occupancy and public database implementation, build relationships with landlords, tenants and community agencies to create recurring Know Your Rights and Responsibilities program, and house tenant legal services.
- Item 70: 12-19-23 MALDONADO VELEZ -- (copy, original sent to Public Safety) Order that we create pathways for community ownership of property (land trusts, condominium conversion, cooperative housing etc).
- Item 71: 1-2-24 I. RIVERA -- (copy, original sent to Public Safety) Order that the honorable city council request that the mayor, Department of Public Works, and the parking advisory committee at the Public Safety committee to discuss the possibility of making parking enforcement a subdivision of the Traffic division.
- Item 72: 1-2-24 I. RIVERA -- Order that the honorable city council place a temporary moratorium on cannabis retail business. Until the footprint of where this industry can be located within the city of Holyoke, I believe it prudent that we put a temporary halt on permitting new business.
- Item 73: 1-22-24 DEVINE, GIVNER, J. RIVERA -- Ordered, That the City Council resurrect the "Peace and Good Order Ordinance."
- Item 74: 2-20-24 From Jane Mantolesky, Assistant City Solicitor, Approval of Zoning Ordinance Amendment
- Item 75: 3-19-24 From Melissa Lafond, communication regarding speed hump petition from September 28, 2022
- Item 76: 3-19-24 From Board of Public Works, communication regarding City Engineer position
- Item 77: 4-16-24 MAGRATH-SMITH -- Ordered, that City Ordinance section 7 4-34 be revised to remove (2): "Any entity that does not receive city solid waste collection services will be exempt from this section if they can prove that the cost of implementing such a plan, over a 12- month period, would cost more than their current solid waste removal plan."
- Item 78: 5-21-24 MAGRATH-SMITH -- Ordered, that the language from sections 7 4-32, 7 4-33, 7 4-34, and 74-35 be updated based on guidance from the Board of Public Works and the Recycling Advisory Committee.
- Item 79: 8-6-24 OCASIO- ordered that the DPW install a Handicap sign for Ana Rodriguez at 361 Chestnut St

Item 80: 8-6-24 RIVERA I. - Ordered that the Personnel Department and Law Department work in conjunction to update the following ordinances to reflect a modern Human Resources Department:
Article I
30-1 (a), 82-4 (c), 82-5 (c)
Article II Division I
2-40 (a), 2-43 (e) (k), 2-64, 2-66 b (3), 2-67 (a), 2-69 (h)
Article II Division II
2-86
Article II Division VI
2-182 b (3) e (2)
Article III Division II
2-311 a, b, c, d, 2-312 a, b (21), 2-313, 2-314
Article IV
2-422 (b)

Item 81: 8-6-24 From Mayor Joshua Garcia and Personnel Director Kelly Curran-COH Remote Telecommuting Pilot Program

Item 82: 9-18-24 Givner-As a service to property owners, order that the City of Holyoke create an ordinance of fully transparent timelines and dated building department policies and procedures for Holyoke property owners. In order to hold property owners accountable there must be clear systems that can be followed and enforced.

Item 83: 9-18-24 Givner- With community support, order that the City of Holyoke create an ordinance of accountability by business owners in the form of public trash bin sponsorships. The idea would be to partner with chains, bodegas, grocery, and convenient stores in an effort to mitigate trash issues in our city.

Item 84: 10-1-24 Speed Hump Petition from Hampshire Street Residents.

Item 85: 10-15-24 Bartley, Anderson-Burgos, Devine, Givner, Greaney, Jourdain, Magrath-Smith, Murphy-Romboletti, Ocasio, Rivera, I., Rivera, J., Sullivan, Coucilor Vacon-A moratorium be established granting Holyoke's multi-family property owners, as defined by 780 CMR 110.7, as amended and effective 10/11/24, more time to come into compliance with MA STATE BUILDING CODE regulations. In terms of rollout, the city's building commission, seems to have imposed an unrealistic two-month turnaround for the hundreds of property owners impacted. Note that the Building Commission, for unexplained reason(s), admittedly dropped the ball on this regulation for decades. Thus, a moratorium of 18-36 months be established to allow property owners a realistic time to hire the appropriate professionals, make necessary improvements, and then contact the Building Commission for an inspection. During said moratorium, no fines shall accrue and any fines previously imposed will be rescinded. Property owners are nevertheless obligated to complete the requirements and to timely respond to the Building Commissioner during this moratorium. For authority to create a moratorium see M.G.L chapter 143, §§3, 3A.

Item 86: 10-15-24 Bartley, Anderson-Burgos, Devine, Givner, Greaney, Jourdain, Magrath-Smith, Murphy-Romboletti, Ocasio, Rivera, I., Rivera, J., Sullivan, Vacon-As a

compendium to the moratorium, an ad hoc committee comprised of representatives from the Building Commission and multi-family owners and the city council be immediately formed. The building committee shall be charged with effectively and efficiently implementing the certificate of inspection requirements and ensuring that it is more efficiently complied with after this initial roll out. Note that as properties change hands and staffing resources change and institutional memory fades this committee will make sure Holyoke doesn't face a similar issue in the future. For authority to create an ad hoc committee see M.G.L. chapter 143, §§3, 3A.

Item 87: 10-15-24 Rivera, J.- Request for School Zone Designation and Traffic Safety Measures on Race St. The new location of LightHouse Holyoke at 92 Race St. has raised safety concerns due to high traffic speeds; the Department of Public Works has indicated that the area needs to be designated as a school zone to improve safety; requests the designation of Race St. near 92 Race St. as a school zone; Request the installation of temporary "SLOW DOWN" signs in the area to enhance safety while the designation is processed.

Item 88: 11-7-24 Anderson-Burgos-The DPW install a handicap sign for Yolanda Gonzalez at 50 Arthur St.

Item 89: 11-7-24 Anderson-Burgos - Ordered that the fine for violating the ordinance on parking in front of driveways be increased. The amount of increase can be discussed based on what is reasonable and what is allowable.

Item 90: 11-7-24 BARTLEY, VACON-The city council ordain a new crosswalk near the main gate to Holyoke Community College.

Item 91: 11-7-24 Bartley, Ocasio- DPW post 'no left turn' and 'no U-turn' signs at the traffic light near Brightside Ave and the jug handle. Motorists are consistently making illegal (and very dangerous) turns.

Item 92: 11-7-24 Vacon, Givner, Ocasio- ORDER: that the city engineer provide draft language for a formal program to prioritize and schedule placement of speed humps and recommend other traffic calming/safety interventions based on data collected from speed data collection via tubes or radar. That additional traffic speed data collection units be purchased as needed for the program.
Establish a method for seeking traffic safety/calming recommendations so that citizens can request measures for improvements to neighborhood traffic issues before completing a petition for a speed hump or raised crosswalk.
Please include police department input for the enforcement component.

Item 93: 11-19-24 BARTLEY, VACON - The City consider installation of flashing Crosswalk signals at the two crosswalks proximate to Metcalf.

Item 94: 12-17-24 Magrath-Smith - Ordered that Council separate the positions of Parks Superintendent and City Forester and make necessary changes in Ordinance in order to do so. Our current combined position is not supported by Ordinance.

Item 95: 12-17-24 Ocasio-the DPW and City Engineer revisit crossing from Capri Pizza to Key Food, It's dangerous. Please install the proper STOP signs with lights and SPEED Humps.

Item 96: 12-17-24 Ocasio-Order that a "Don't Block the Box" be painted in corner of Sargent and Elms St. on both sides.