

**REGULAR MEETING OF THE CITY COUNCIL**  
**June 1,2021**

The meeting was called to order by President McGee at 07:04 PM.

The Clerk called the roll. Absent members: 0 Present Members 13 (Anderson-Burgos, Bartley, Greaney, Hernandez, Leahy, Lebron-Martinez, Lisi, McGee, McGiverin, Murphy, Sullivan, Tallman, Vacon). .

The name of Councilor Anderson-Burgos was drawn to head the roll call voting.

**LAI D ON THE TABLE**

FY2022 Municipal Budget

President McGee stated that the budget would remain on the table, noting that hearings had been scheduled.

---> Received and laid on the table.

The Committee on Ordinance to whom was referred an order that handicap spaces on Ivy Ave . be condensed to one space in front of 8 Ivy Ave, to be located on the East side of the street, 90 feet north of Dwight St Recommended that the order be adopted

---> Laid on the table.

Public Hearing Continued:

President McGee stated that HG&E asked for more time to work on calculations for items 3 and 4, adding that an order had been filed and could be taken up in the DGR Committee to discuss additional options for relocating the electrical lines. Suggested open the public hearing and continuing it to June 15th.

Councilor McGiverin made a motion to open the public hearing. Councilor Tallman seconded the motion. All councilors voted in favor.

Motion was made and seconded to suspend the necessary rules to take item 39 out of order.

The Committee on Public Safety to whom was referred an order Verizon New England, Inc. and Holyoke Gas & Electric Department, request permission to locate poles, wires, cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

Valley Heights Street: Place one (1) jointly owned pole numbered T.8-3/E.1-1N on the easterly side of Valley Heights street at a point approximately three hundred (300) feet northerly from the center line of Lincoln St.

Valley Heights Street: Place one (1) jointly owned pole numbered T.8-4/E.1-2N on the easterly side of Valley Heights Street at a point approximately four hundred fifty (450) feet northerly from the center line of Lincoln St.

Valley Heights Street: Place one (1) jointly owned pole numbered T.8-5/E.1-3N on the easterly side of Valley Heights Street at a point approximately six hundred ten (610) feet northerly from the center line of Lincoln St.

Valley Heights Street: Place one (1) Jointly owned pole numbered T.8-6/E.1-4N on the easterly side of Valley Heights Street at a point seven hundred fifty five (755) feet northerly from the center line of Lincoln St.

Valley Height Street: Place one (1) jointly owned pole numbered T.8-7/E.1-5N on the easterly side of Valley Heights Street at a point approximately nine hundred (900) feet northerly from the center line of Lincoln St.

Valley Heights Street: Place one (1) jointly owned pole numbered T.8-8/e.1-6N in the middle of the cul-de-sac at the northerly end of Valley Heights Street at a point approximately nine hundred seventy (970) feet northerly from the center line of Lincoln St.

Reason: Place six (6) jointly owned pole on Valley Heights Street to provide the distribution of intelligence and telecommunications and for the transmission of high and low voltage electric current . Recommended that the order has been complied with.

**UNDER DISCUSSION:**

Councilor McGiverin made a motion to continue the public hearing to June 15th at 7 PM. Councilor Anderson-Burgos seconded the motion.

Councilor Murphy suggested that with the public hearing open, there may be members of the public seeking to speak.

Denis Sanchez, 16 Valley Heights, thanked the body for the updates and would plan to attend the public hearing on June 15th.

Josh Knox, 40 Morgan St, asked why the process for Valley Heights was different than other areas of the city. Stated his understandings that the residents would be funding a relocation to underground. Suggested that residents in all areas of the city would prefer their electricity to be underground.

President McGee stated that the petition process was for moving the poles from the backyard to the front yard.

J. Knox asked if there had been an issue with putting the wires underground.

President McGee stated that it had been one option discussed.

J. Knox stated that he hoped HG&E would provide that as an option for all residents of the city.

---> Laid on the table. Public Hearing continued to June 15, 2021.

SULLIVAN, Greaney, Jr., McGee Ordered, that That HG&E, DPW, OCD, and ConCom meet with Dev & Gov Relations to explore opportunities to combine resources and implement a program to move utilities underground in the Valley Heights area

**UNDER DISCUSSION:**

Councilor McGiverin suggested Verizon should also be invited to the discussion, noting their ownership of some of the poles.

Councilor Bartley stated that the DGR Committee planned to meet on June 14th, and that the order could be discussed then.

Councilor Greaney asked to be added to the order.

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

**PUBLIC COMMENT**

(8:50)

Councilor Lisi clarified the technical details for participants to be recognized.

President McGee clarified the rules for speaking during public comment, adding that the rules could be suspended if there were more than 10 speakers or if someone from out of the city wished to speak.

Spencer Fox Peterson, 51 Portland St, expressed concern for a social media post published by the Holyoke Police Department. Stated that the post featured a young child, and that the image had been captioned with the statement that the child was found with two unconscious adults, and that it had been tough for the child, but they did what they could. Suggested that the situation was sensitive and traumatic for the child and expressed concern that the child had been used as a prop. Stated that the situation was complicated. Noted that the post had been taken down after he called about it, adding that others may have called as well. Asked what the city would do to work towards more ethics in policing and get to a place where law enforcement is not needed. Suggested that the post had been a breach of ethics.

President McGee suggested reaching out to councilors who could file orders to have concerns addressed in the committees, adding that public comment offers a limited opportunity to take up concerns.

S. Peterson stated he spoke with Councilor Anderson-Burgos, his ward councilor, about the concern. Stated that there had been no admission or acknowledgement of the issue beyond taking the post down. Asked that the HPD address the issue.

Price Armstrong, 57 Park Slope, stated his intent was to address the rescinding of an executive order, as well as the topic of racism as a public health crisis. Stated that racism had been declared as a public health crisis by the American Public Health Association and the Public Health Institute of Western Massachusetts. Added that Covid-19 had exacerbated that crisis, noting that black and Latino Americans were two times as likely to die from Covid-19. Stated that minority communities have higher rates of asthma and other health issues. Reiterated that racism is a public health crisis.

Owen Broadhurst, 1320 Northampton St, stated that naming the holiday of Juneteenth would be an act of respect for those who suffered and died to achieve it, adding that the unilateral abrogation measure of rescinding the executive order did not name the holiday. Suggested there was a message in not naming the holiday, as well as the decision to rescind the executive order on the year anniversary of the death of George Floyd. Questioned why the acting mayor would want his tenure to be remembered for this.

Paul Hyry-Dermith, 37 Longfellow Rd, suggested that everyone in Holyoke should be engaging with the impact of racism in institutions and on people of color. Stated that he believed there was no need to rescind an executive order that simply stated there was ongoing work to be done to address systematic racism in the city and the country. Suggested that the role to address racism belongs to all communities, not just people of color.

John Rivera, 2 Laurel St, suggested that rescinding the executive order had been a signal to white supremacy. Noted that he had been raised in Holyoke schools. Observed that a slur has and continues to be used in the local schools, adding that it is constantly used in the community beyond the schools. Observed that minority communities in the city had faced the practice of redlining, adding that those who did not know that should learn about it.

President McGee reiterated that the limits of public comments were a part of the rules, and that issues requiring further discussion could be taken up in committees for deeper discussion.

Dade Scolardi, 75 Hitchcock St, spoke up against rescinding of the executive order which had declared racism and police violence are matters of public health. Emphasized the importance of understanding the impacts of decisions before they are made. Noted the disparities in vaccination rates and access for people of color, adding that Holyoke is almost 60% BIPOC. Observed that many things may not have been acted on in the original order because groups had not been able to meet and organize due to the pandemic. Recognize that Mayor Councilor Murphy may have sincerely felt sorry, but asked that impact be considered before actions in the future.

Erin Callahan, 60 Old Jarvis Ave, stated that she had been on the committee created by the executive order. Expressed agreement with the concerns about racism being a public health crisis but believed it had been unfair to the acting mayor to not acknowledge that the executive order had mostly been a gesture with little follow through. Suggested a more effective executive order could have been written prior to rescinding the previous one. Stated that the issue was deflecting from the fact that the people with the power to change the issues sits with the City Council.

Sandy Ward, 56 Nonotuck St, expressed agreement with P. Hyry-Dermith, adding that she had been saddened by the way the rescinding had happened. Expressed support for the suggestion from E. Callahan.

Lyn Horan, 100 Southampton Dr, asked for Acting Mayor Councilor Murphy to rethink rescinding the executive order, noting the original order declared racism and police violence a public health emergency. Stated it would have shown faith in constituents had he addressed the issue first before rescinding the order. Stated that all should be aware of the impact of racism during the pandemic, adding that inequities already existed. Recalled that former Councilor Valentin attempted to submit a nonbinding resolution in 2016 to address concerns, adding that it did not move far. Suggested people who do not believe racial issues could happen in Holyoke should learn about tensions in other cities such as Charlottesville.

Sera Davidow, South Hadley, stated she wrote a letter to the acting mayor. Stated that she attended to

help highlight the impact that rescinding the executive order had . Noting she posted her letter to the Hello Holyoke Facebook group, suggested people look at the comments of people who had been encouraged by the decision to rescind the order, adding that they had been people who don't understand the issue of racism. Suggested that the statement that all diversity is welcome in Holyoke sounded like an "all lives matter" statement.

Councilor Vacon suggested that the rules would need to be suspended if people from outside of Holyoke would be allowed to speak.

Councilor Lisi made a motion to suspend the necessary rules to allow anyone to speak . Councilor Lebron-Martinez seconded the motion. All councilors voted in favor.

Councilor Vacon offered a reminder of the minute and a half time limit.

Councilor Leahy asked if people were allowed to speak twice .

President McGee stated they would not be.

David Taber, 156 Suffolk St, suggested there may be a small chance the acting mayor deserved praise if his intent had been to spark a conversation about the need to address systemic racism . Noted that the conversation was happening and expressed an interest in hearing from political candidates on their plans for reinstating the order and supporting action that understands the public health crisis of racism .

Elizabeth Caretti Ramirez, 205 Bemis Rd, stated that in reading and listening to the explanation , adding that she had been confused because he appeared to sound interested in strengthening pieces of the order but that had not been the effect. Noted that many in the community saw the action as hostile and racist. Questioned why he had not decided to strengthen the order instead of canceling it. Noted she had been on the committee for a year and that much work had been done with many questions raised and discussed in that time. Noted that rescinding had bad timing which had ripped the community apart . Ask for reconsideration of rescinding the order .

Josh Knox, 40 Morgan St, stated it had been unfortunate timing to rescind the executive order on the one year anniversary of the death of George Floyd. Noted that in the reporting, the decision was based on it not having been acted upon and that there had been no benefit to the advisory committee. Encouraged withdrawing the rescinding decisions and work on undoing systemic racism . Suggested that the decision was a form of white supremacy, adding that it diminished the lived experiences of non-white people at the hands of police officers. Noted that as a white man, he had never felt disrespected by police officers , adding that his non-white friends had expressed they do.

Helene Busby, 90 Brookline Ave, noted that other speakers had spoken well on the impact of the decision . Expressed agreement on raising issues and coming up with a constructive way to move forward .

Kocayne Givner, 13 O'Connor Ave, stated that systemic racism is real and a public health crisis . Stated that rescinding the executive order was not the only way to deal with it if it wasn't right . Noted she had been on the committee and that much work had been done. Suggested that it didn't seem all people realize it is a real problem .

Vanessa Martinez, 38 Edbert Drive, stated she had been part of the advisory committee on policing and racial justice. Stated that their work had been intensive, noting that they met for three months on a weekly basis, as well as twice a month for several months . Noted that while it hadn't gained momentum, there had been recommendations. Suggested it had been shortsighted to rescind and would look forward to meeting with Mayor Councilor Murphy to discuss the matter and work to create something stronger and better.

## COMMUNICATIONS

(54;25)

Executive order of Mayor Terence Murphy rescinding the Executive order of June 17, 2021:  
Declaring Racism and Police Violence as matters of Public Health that Constitute a Public Health  
Emergency

Councilor Lebron-Martinez commended those that spoke out and those who worked on the committee. Stated that her work in Holyoke included issues of public health, infant mortality, teen pregnancy, noting that those that issues contributed to institutional racism. Noted that when she ran for the School Committee, there were circumstances her family faced, there was a need to address curriculum, a need to address the divide in the school Latino students. Stated a need for the community address the subject, noting it would be difficult. Stated the issue is a public health issue in how it affects people, students dropping out of school, depression. Suggested a need to participate in training on racism much like required training on sexual harassment. Stated her work after City Council would include continued activism on this issue, adding that addressing racism needed to be a whole community responsibility.

Councilor Lisi stated that in the last few years working with Mayor Councilor Murphy, she found him to be decent and worked to make the city more inclusive. Added that these qualities are not enough to address issues or racism. Stated that rescinding the executive order had rolled back important steps taken. Suggested that the actions had been a sign of white privilege preventing him from understanding the impact or had highlighted the problem of color-blindness on issues of racial equality.

President McGee offered a reminder of the rule to not call out other councilors by name.

Councilor Lisi stated that color-blindness had been a dominant way of looking at racism for many years, adding that a new generation had taken on an attitude of color consciousness. Noted that white people often get the benefit of good intentions in situations that often lead to blame and bias with people of color. Noted the uneven health outcomes with minorities when facing the Covid-19 pandemic. Suggested that kindness and respect are not enough to undo the impacts of racism such as housing disparities and health outcomes. Stated that moving forward requires policy changes and that the rescission should be withdrawn in favor of strengthening it.

Councilor Hernandez stated that it had been a sad day for the community when the decision to rescind the other had been made noting it had been bigger than the reasons provided to rescind it. Noted she had received many questions from her constituents asking why the decision was made when it appeared there had been positive steps forward. Stated that when she decided to run, it had been to be a voice to those who are under represented. Asked for consideration to undo the decision to rescind the order.

Councilor Leahy expressed his appreciation to the speakers, noting that the conversation was important to have. Recalled that the process to make Juneteenth a state holiday had started a year ago. Noted the importance of acknowledging slavery and of issues from the past. Questioned rescinding the order based on it having not been acted on, noting that many other things could have been rescinded if that had been the issue. Noted the need to have continued conversations.

President McGee clarified that the item was a communication that was not to be voted on.

Councilor Anderson-Burgos stated that the issue was a sensitive topic. Observed seeing expression of frustration and confusion. Recalled an incident while he was a teen when he and his brother had been approached by a police officer, noting that his brother had been slapped in the face by the officer. Noted the impact the incident had on him in the years since. Recalled a more recent incident when an officer had visited his home looking for a family member who had been in an argument with a family member in Chicopee, and that they had referred the search to Holyoke Police to look for him. Recalled that after answering questions, the officer did not appear to like the answers and spoke down to him in front of his own home. Recalled that in a call with the Chief of Police, he had been told that was not in line with the training they receive. Noted that he had not received an apology. Stated that these issues will not go away without being addressed, adding that the community needed to come together.

Councilor Vacon noted that in listening to the comments, she believed that the Acting Mayor acted with good intentions and that the steps he took were intending to harm anyone or dismiss the issues. Noted that things were in process and that additional things could be put into orders and into committee to move

initiatives forward. Suggested that any councilors or constituents would be well served to use those paths. Noted that issues with executive orders is that the intentions behind them leave when the administrations change. Reiterated the public is best served when using the committee structure for an open and transparent process, adding that she would work to be a constructive participant.

Councilor Greaney noted that he listened to the speakers and would appreciate definitive definitions of systemic racism's and concrete examples of incidents and hear from people on committees to learn how to address the issues. Questioned statements on social media comparing local actions to that of Nazis or attributing the label of white supremacy to actions. Observed Mayor Councilor Murphy to be a fair and decent man who actions were intended to have a positive impact on the community.

Councilor Lebron-Martinez clarified that when she spoke, she saw the situation to be an opportunity to work on developing understanding on how racism is felt.

President McGee noted that members of the committee recalled their work on research and gathering information, suggesting that work to bring them in should be done to keep their work going.

Councilor Murphy observed that he had done a poor job explaining the purpose of his order, adding that the impact had been that many in the community believed that he did not see racism as an issue in the city. Stated that racism in all forms and police abuse are inherently wrong and eradicated to the extent possible. Recalled that he had grown up in an integrated neighborhood which had been a great advantage. Suggested that laws could be passed but that prejudice could not be eliminated without better knowledge. Stated that his intent had been to clarify the establishment of Juneteenth as a holiday. Stated he had been advised that making that change required a new executive order. Recognized that the timing had not been good. Expressed that he would seek to work with the health director to collect information on the health disparities of people of color. Stated intent to create a community relations board that would include perspectives of the community as well as members of the police force. Expressed a hope for changes that could help make a safer and more united community providing a better quality of life for all residents. Recalled that when he ran for mayor in 1983, the city had been more divided and he believed the community could not thrive like that. Stated that in his return to City Council, he knew of health concerns and had filed orders to deal with asthma. Recalled his work to make sure housing in South Holyoke that could be renovated was not torn down but maintained. Stated that he would continue to seek input and listen to others in efforts to address issues.

Declaring Racism and Police Violence as matters of Public Health that Constitute a Public Health Emergency

---> Received.

Motion was made and seconded to suspend the necessary rules to take items 5, 6, 7, 8, and 9 as a package.

From Acting Mayor Terence Murphy letter reappointing Mr. Israel Rivera, 25 Willow St. to serve as a Commissioner of the Parks & Recreation for the City of Holyoke: Mr. Rivera will serve a three year term; said term will expire on June 30, 2024.

---> Received and appointment confirmed.

From Acting Mayor Terence Murphy letter reappointing Mr. Marco Crescentini, 66 Fairfield Ave. to the Local Historic District Commission (Fairfield Avenue). Mr. Crescentini will serve a three year term; said term will expire on July 1, 2024.

---> Received and appointment confirmed.

From Acting Mayor Terence Murphy letter reappointing Mr. Mark P. Cutting, 40 Briarwood Dr. to serve as a member of the Holyoke Economic Development and Industrial Corporation (HEDIC): This seat on the Board of Directors represents the Industrial Community Sector. Mr. Cutting will serve a three year term which will expire on June 30, 2024.

---> Received and appointment confirmed.

From Acting Mayor Terence Murphy, letter reappointing Ms. Rosa Pantoja, 715 Westfield Rd. to serve as a member of the Holyoke Economic Development and Industrial Corporation (HEDIC): This seat on the Board of Directors represents the At-Large Sector. Ms. Pantoja will serve a three year term: such term

will expire on June 30, 2024.

---> Received and appointment confirmed.

From Acting Mayor Terence Murphy letter reappointing the following individuals to the Citizens Advisory Committee for the Office of Community Development for the City of Holyoke:

Ms. Kate Kruckemeyer, 63 Fairfield Ave. Mr. Elbert Bowler, 26 Claren Dr. Mr. Nelson Lopez, 3 Shawmut Ave., Ms. Nancy J.E. Gentile, 20 Montgomery Ave.

and, also appoint Mr. Patrick B. Beaudry, 37 Florence Ave., Said terms for all appointments shall expire on June 30, 2022.

UNDER DISCUSSION:

Councilor Murphy noted that on number 9, one of the appointment was new.

Councilor Leahy made a motion to refer item 9 to the Public Service Committee.

President McGee asked if the intent was to confirm the reappointments and refer the one appointment to committee.

Councilor Leahy confirmed that was his intent.

Councilor Bartley asked to confirm all of the appointments, noting that it is often difficult to find citizens to serve on the Citizens Advisory Committee. Observed Mr. Beaudry to be a conscientious and civic-minded person.

Councilor Leahy withdraw his motion to refer.

---> Received and appointment confirmed.

From Brenna Murphy McGee, MMC communication regarding the City Council to create a process that would allow citizens to petition for the recall of elected officials who hold a four -year term.

---> Received.

From Brenna Murphy McGee, MMC and Jeffery Anderson-Burgos minutes of May 18, 2021.

---> Received and adopted.

From Parks & Recreation Commission minutes from April 1, 2021.

---> Received.

From Holyoke Board of Health minutes of February 1, 2021.

---> Received.

Communications of Green Highland LLC, 26 Hadley Mills Rd. in response to Engineering Comments sent to the Holyoke Ordinance committee on March 15, 2021.

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

Communications regarding Green Highland LLC, 26 Hadley Mills Rd. response to Planning Comments sent to The Holyoke Ordinance Committee on March 15, 2021.

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

Communication from Kirstin Beatty in regards to State Pesticide Spraying Issue and Resolution .

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

Letter of support from Emma Kerr in regards to the petition of the Holyoke Gas & Electric and Verizon to relocate the poles for Valley Heights.

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

### **PRESIDENT'S REPORT**

(1:44:35)

President McGee stated that he had been working with Scott at Holyoke Media, Admin Asst Jeffery Councilor Anderson-Burgos, as well as Acting Mayor Councilor Murphy to set up the Council chambers for in person meeting, including barriers between desks and getting the camera system and monitors ready. Noted there would be a test the next day at 5:15 PM to make sure everything runs correctly and according to needs.

Stated there had been an email to inform of a memorial at the Mt. Tom site of a plane crash 75 years ago.

Councilor Murphy stated that City Hall officers had opened with no reports of issues or complaints. Noted that greeters were stationed at all entrances of City Hall and the Annex. Offered thanks to Sean Gonzalez for helping coordinate that.

Stated that 10 new police officers had been sworn in, bringing the force closer to a goal of 90. Noted that the group had been diverse in race and in gender.

Stated that there was an agreement with a new Personnel Director, adding that there had been a late file to get City Council approval. Asked for the body to consider approving without referring to committee, noting that they were ready to start the following Monday. Stated there had been many good candidates, with a couple exceptional candidates.

Stated there had been a press conference to discuss the relief act money. Stated that the City website would provide a document to submit proposals to receive some of the funding. Stated the proposals were planned to be due back June 21st, adding that it could be extended to June 24th. Stated that there would be review of committees in the month of July. Stated that the City would receive \$14.9 million this year and the same the following June. Noted it needed to be allocated within that period of time. Noted the several areas the city was looking at for use of the funds.

Councilor Bartley stated that the DGR Committee could meet in July, and that the meeting would be figured out at the June 14th meeting. Asked if the budget could be posted on the city website.

President McGee suggested posting it on the City Council section of the website.

Admin Asst Anderson-Burgos stated he would post it the next morning.

President McGee clarified that the memorial he referred to was the B-17 Memorial planned for July 10th at 11 AM.

Stated that the budget hearings had been scheduled, broken up into three meetings, to discuss the budget with city departments.

### PETITIONS

Petition of Diego Munoz Torres for a renewal of a second hand license for 241 Main St.

---> Received and Adopted on a call of the roll of the yeas and nays --Yeas 13--Nays 0--Absent 0.  
Approved by the mayor.

Petition for a new special permit for ACMJ., Inc. for a Marijuana Cultivation and Processing Establishment at 532 Main St.

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

Petition for a new special permit for First City Provision Inc. for a Recreational Marijuana Retail Establishment at 89 South St.

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

### REPORTS OF COMMITTEES

(1:55:20)

The Committee on Ordinance to whom was referred an order Special Permit Application of Green Valley analytics, LLC for a Marijuana Manufacturing Establishment at 306 Race St for a marijuana testing facility.

have considered the same and Recommended that the application be approved with conditions:

1. That the owner of the building always pay the commercial property tax rate to the extent allowed by Federal, State, and Local Laws for the duration of the Special Permit



- 2. That the business retain a minimum 30% Holyoke residents for non-security jobs
- 3. That Hiring preference be given to security personnel that are retired Holyoke Police or are a retired member of another police department that now lives in the City of Holyoke
- 4. There shall be no marijuana consumption allowed on site
- 5. There shall be no deliveries of retail or medical marijuana from the site to individual homes , residences, or people
- 6. That hours of operation be set according to city ordinances . .

Committee Members:  
 Rebecca Lisi  
 Juan . Anderson-Burgos  
 Linda L. Vacon  
 Terence Murphy  
 Libby Hernandez

UNDER DISCUSSION:

Councilor Lisi clarified that the establishment would be a testing facility , which falls under the jurisdiction of manufacturing in the city ordinances . Stated they anticipated the committee’s needs and put together a nice presentation that walked the committee through the plans . Stated they would hire six employees earning living wages with benefits . Noted it would be the second analytics lab in the city , adding that they would prioritize hiring HCC students that had completed their cannabis program . Noted that the conditions were modified to account for changes to the city ordinance . Noted that the planned hours of operation would 24 hours.

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 13--Nays 0--Absent 0.  
 Approved by the Mayor.

The Committee on Ordinance to whom was referred an order That a handicap sign be placed at 63 Taylor St.  
 have considered the same and Recommended that the order be adopted.

Committee Members:  
 Rebecca Lisi  
 Juan . Anderson-Burgos  
 Linda L. Vacon  
 Terence Murphy  
 Libby Hernandez

UNDER DISCUSSION:

Councilor Lisi stated that the Disabilities Commission recommended approval .  
 Councilor Hernandez stated that the applicant was thankful and had been in much need for the handicap parking space.

---> Report of Committee received and the Ordinance passed its first reading .  
 The Ordinance passed its second reading .  
 The Ordinance was passed to be enrolled .  
 The Committee has considered the same and find that it is truly and properly enrolled .  
 Report of Enrollment received .  
 The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays --Yeas 13--Nays 0--Absent 0.  
 Approved by the Mayor.

The Committee on Ordinance to whom was referred an order That the City Council consider raising the max amount of reserve police officers for 24 to 35.  
 have considered the same and Recommended that the order be adopted.

## Committee Members:

Rebecca Lisi  
 Juan . Anderson-Burgos  
 Linda L. Vacon  
 Terence Murphy  
 Libby Hernandez

## UNDER DISCUSSION:

Councilor Lisi stated that with the limit of 24 reserve officers, many move on to be hired by other municipalities. Noted they had been asked to raise the number so that even with loss to other cities, the department's staffing needs could still be addressed.

Councilor McGiverin stated that the request had been made due to it being difficult to find candidates, noting that many communities were struggling to find people to become police officers. Stated that the reserve officers come off the civil service list. Stated that the patrolman's union relaxed rules for use of reserve officers for expanded duties and allowed for more training of the reserve officers.

Councilor Vacon stated that it had come up in the meeting that there was an issue with auxiliary police because of a reform that required all training to be identical for all categories. Expressed a hope that this would be addressed with additional legislation, adding that this change would likely result in more need for use of reserve officers.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays

--Yeas 13--Nays 0--Absent 0.

(2:05:00)

The Committee on Finance to whom was referred an order CPA FY20 PROJECT RECOMMENDATION FOR JACKSON STREET FIRST TIME HOMEBUYER AFFORDABLE HOUSING PROJECT  
 (Recommended by the Mayor)

have considered the same and Awaiting disposition.

## Committee Members:

Joseph M. McGiverin  
 Peter R. Tallman  
 Michael J. Sullivan  
 James M. Leahy  
 David K. Bartley

## UNDER DISCUSSION:

Councilor McGiverin stated that the City Council had voted on the project and that they had come back with amendments. Stated the changes had been due to the Housing Authority backing out on the construction, adding that they would be part of the project, but that Habitat for Humanity would be handling the construction.

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order That the City of Holyoke appropriate the amount of Seven Million Four Hundred Seventy One Thousand Six Hundred Fifty Four Dollars (\$7,471,654) for the purpose of paying costs of:  
 Partial roof replacement at the Lt. Clayre Sullivan Elementary School, a 112,000 square foot school

building originally constructed in 1960, and located at 400 Jarvis Avenue, Holyoke, Massachusetts, Partial roof replacement at the Maurice A. Donahue School, a 70,550 square foot school building originally constructed in 1972 and located at 210 Whiting Farms Rd., Holyoke, Massachusetts, and Partial roof replacement at the E.N. White School, a 63,965 square foot school building constructed in 1958 and located at 1 Jefferson Street, Holyoke, Massachusetts, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school(s) and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of The Holyoke City Council. To meet this appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA provided further that any grant that the City of Holyoke may receive from the MSBA for the Project shall not exceed the lesser of (1) Eighty (80) percent ( %) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The City Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City authorized by this order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

(Recommended by the Mayor)

have considered the same and Awaiting disposition.

Committee Members:

Joseph M. McGiverin

Peter R. Tallman

Michael J. Sullivan

James M. Leahy

David K. Bartley

UNDER DISCUSSION:

Councilor McGiverin noted that the MSBA accepts two types of projects, noting that this is an accelerated project to repair and replace roofs. Noted that a few of the buildings had recently become eligible. Stated that there had been discussion of the types of roof, design process, requirements to qualify. Stated that the reimbursement for the design and the work would be at 80%. Stated that the Auditor spoke with Bond Counsel as to the ability to absorb the debt within the capacity, adding that figures had been provided that day.

President McGee stated that the city's anticipated cost after the reimbursement would be approximately \$1.5 million.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays

--Yeas 13--Nays 0--Absent 0.

Approved by the Mayor.

The Committee on Finance to whom was referred an order that the finance committee consider a potential proposal from "Viewpoint with Dennis Quaid to include Holyoke on the public television series, "Great Places to Live, Work & Visit." Consideration needs to be given to the potential marketing benefits in terms of economic development and tourism against the potential cost to subsidize the production.

have considered the same and Awaiting disposition .

Committee Members:

Joseph M. McGiverin  
 Peter R. Tallman  
 Michael J. Sullivan  
 James M. Leahy  
 David K. Bartley

UNDER DISCUSSION:

Councilor McGiverin stated that the proposal included impressive numbers of viewers the city would be exposed to in participating in the project. Stated that the order was to give a green light to Holyoke seeking to be involved, adding that the costs would be capped at \$24,500 for production plus \$3,400 for additional exposure and additional work.

Councilor Murphy stated that the additional \$3400 would be for coming to Holyoke and filming in the City for 24-48 to meet and film people in Holyoke. Clarified that the number of homes reached would be millions. Stated that it would be worth the cost if the production attracted even one or two businesses to come to the city. Also noted the potential positive impacts on tourism and marketing for the city .

Councilor Greaney stated that the statistics on the homes reached would be something that the city had not experienced before and would be a positive way for the city to attract business and new residents .

Councilor Tallman stated that the program would be broadcast throughout the country , adding it would be a benefit to Holyoke. Stated that anything to promote the city would add to the tax base and bring the beauty of the city to the rest of the country.

Councilor Leahy stated that as a member of the Tourism Advisory Board , he supported this order. Noted it could be used as a digital marketing tool as well .

Councilor McGiverin noted that Councilor Leahy is a member of the Actor's Guild and would be willing to participate in their needs. Reiterated that 60 million households would be reached in the format they use in just a matter of months.

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

The Committee on Finance to whom was referred an order that the finance committee invite in Mike McManus and Robert Peirent to discuss and address budgeting for sidewalks , trees, and equipment. have considered the same and Complied with.

Committee Members:

Joseph M. McGiverin  
 Peter R. Tallman  
 Michael J. Sullivan  
 James M. Leahy  
 David K. Bartley

UNDER DISCUSSION:

Councilor McGiverin noted that Bob Peirent and Mike McManus had met with the committee on several occasions to discuss sidewalks , trees, roads, and inventory of vehicles .

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2021, FIFTY THOUSAND DOLLARS AND 00/100 Dollars (\$50,000) as follows:

FROM:

16101-51275 SALARY STUDY \$16,000  
 16101-51102 REFERENCE LIBRARY ASSISTANT 7,000  
 16101-51113 ASSISTANT DIRECTOR 27,000

TOTAL: \$50,000

TO:

19191-51999 POLICE/FIRE INDEMNIFICATION \$25,000  
 19121-51999 WORKERS COMP 25,000  
 TOTAL: \$50,000  
 (Recommended by the Mayor)  
 have considered the same and Awaiting disposition .

Committee Members:  
 Joseph M. McGiverin  
 Peter R. Tallman  
 Michael J. Sullivan  
 James M. Leahy  
 David K. Bartley

UNDER DISCUSSION:

Councilor McGiverin stated that many things had changed in the last 3-4 years regarding health insurance, adding that certain employees can be paid for the cost of out-of-pocket items. Noted that the auditor explained that the surpluses had been due to positions that had not been filled the entire year . Noted that the Auditor stated she believed the account had been underfunded at the time the budget was filed.

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

The Committee on Finance to whom was referred an order to invite in the auditor to discuss and update the council on the rules associated with the ARP Act - auditor to also provide council with update as they become available.  
 have considered the same and Awaiting disposition .

Committee Members:  
 Joseph M. McGiverin  
 Peter R. Tallman  
 Michael J. Sullivan  
 James M. Leahy  
 David K. Bartley

---> Order remained in Finance.

(2:25:40)

The Committee on Public Service to whom was referred an order From Acting Mayor Todd McGee letter appointing Mr. Ray Drewnowski, 27 Jarvis Ave. to serve as the Democratic Member for the Board of Registrar of Voters for the City of Holyoke: Mr. Drewnowski will replace Ms. Hayley Dunn and will serve a three year term; said term will expire on March 31, 2024.  
 have considered the same and Recommended that the order has been complied with.

Committee Members:  
 James M. Leahy  
 Libby Hernandez  
 Rebecca Lisi

UNDER DISCUSSION:

Councilor Leahy stated that R. Drewnowski is well known in the city for the hard work he puts in for many organizations. Noted he was in his second term on the state committee and had served as a Presidential elector in 2012.

President McGee noted that the legal department advised at the time of the appointment that anything sent by him as Acting Mayor should be referred to committee .

Councilor McGiverin reiterated that R. Drewnowski had been well known for his efforts throughout the city. Noted that he was replacing Hayley Feyre Dunn who had served two terms and had done a fantastic job. Observed he had worked with her on various committees in the city and works tirelessly. Stated that each local party committee submits names that the mayor chooses from for the term.

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

The Committee on Public Service to whom was referred an order From Acting Mayor Todd McGee letter reappointing L. Dorothea MacNeil, 226 Beech St. to serve as the Republican Member for the Board of Registrar of Voters for the City of Holyoke: Ms. MacNeil will serve a three year term; said term will expire on March 31, 2024.

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

Committee Members:  
James M. Leahy  
Libby Hernandez  
Rebecca Lisi

UNDER DISCUSSION:

Councilor Leahy noted that L. MacNeil had worked in Holyoke since 1980, had attended Boston Law, was familiar with grants and had participating in the election audit of the recent election. Observed that she expressed an interest in assuring that ballots are handled correctly.

President McGee stated that he had been a part of the audit process and that she had been enjoyable to work with.

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

The Committee on Public Service to whom was referred an order From Acting Mayor Todd McGee, letter reappointing Ms. Frances Welton, 1421 Northampton St. to serve as a member of the Historical Commission for the City of Holyoke: Ms. Welton will serve a three year term; said term will expire on April 16, 2021.

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

Committee Members:  
James M. Leahy  
Libby Hernandez  
Rebecca Lisi

UNDER DISCUSSION:

Councilor Leahy noted that this would be her third appointment to the Commission. Stated that she had a background in history, research, economic development, education. Noted that she taught at Hampshire College and served as Assistant Dean and WNEC Law.

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

The Committee on Public Service to whom was referred an order From Acting Mayor Todd McGee, reappointment of Lori Belanger of 16 Roland St. for the position of Purchasing Director for the City of Holyoke: Ms. Belanger will serve a four-year term; said term will expire on November 30, 2025.

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

Committee Members:  
James M. Leahy  
Libby Hernandez  
Rebecca Lisi

UNDER DISCUSSION:

Councilor Leahy stated that she was unable to attend the meeting as she was using the evening to study for an exam related to her job. Stated that all should know her and her hard work for the city.  
 ---> Report of Committee received and recommendation adopted.

The Committee on Public Service to whom was referred an order that the park and recreation department and DPW review the park space at Jones Point in order to develop a plan to better utilize the space .  
 have considered the same and Recommended that the order has been complied with.

Committee Members:  
 James M. Leahy  
 Libby Hernandez  
 Rebecca Lisi

#### UNDER DISCUSSION:

Councilor Leahy stated that Terry Sheppard and Mike McManus attended to discuss the use of CPA funding for the use of Jones Park. Stated that the Pina Park, Spray Park, and Mayer Field had been identified as priorities and that Jones Point would be put off a couple years .

President McGee clarified that it had been pushed off to next year and that the funding would be for then . Stated they would come back with a plan and seek neighborhood involvement. Noted that the park needed serious work.

Councilor Lisi noted there would be a survey on what the community wanted to do with the park .  
 ---> Report of Committee received and recommendation adopted.

The Committee on Public Service to whom was referred an order that the Personnel Department post the position or Treasurer and the Public Service Committee begin interviews so the City Council can appoint a Treasurer to fill the unexpired term of Sandra Smith.  
 have considered the same and Recommended that the order has been complied with.

Committee Members:  
 James M. Leahy  
 Libby Hernandez  
 Rebecca Lisi

#### UNDER DISCUSSION:

Councilor Leahy stated that K. Jackowski had attended. Noted her experience with the city, adding that she had been the only person to apply to the person. Asked if she could be nominated.

President McGee asked if the order could be used to appoint or if it would require a separate order .

Councilor Bartley made a motion to suspend the necessary rules to allow the Law Department to address the Council. Councilor Anderson-Burgos seconded the motion. All councilors voted in favor .

Atty Wellhoff asked for a clarification of the question .

President McGee stated that the order was to post for interviews to fill the position . Stated that K. Jackowski had been the only one to apply and that the interview had been done . Asked if it would be proper to vote to appoint her to fill the unexpired term .

Atty Wellhoff suggested tabling to give proper time to research the issue .

Councilor Bartley made a motion to lay on the table. Councilor Leahy seconded the motion.

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

(2:37:50)

The Committee on Development and Governmental Relations to whom was referred an order CDBG-CV Public Notice of Substantial Amendment to FY 2019 Annual Plan

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

Committee Members:

David K. Bartley  
 Michael J. Sullivan  
 Peter R. Tallman  
 Howard B Greaney, Jr.  
 Gladys Lebron-Martinez

UNDER DISCUSSION:

Councilor Bartley asked the Admin Asst if the final summary had been received from Alicia Zoeller .

Admin Asst Anderson-Burgos stated that the order on the agenda had been what was discussed in committee.

Councilor Bartley noted they hadn't had the summary but should be good enough. Noted that the committee had a productive meeting. Stated it had made a difference to have the Acting mayor present for the meeting when the grants are discussed. Noted he had done more due diligence, allowing programs to receive more funding. Stated that they had no issues with the recommendations, adding that they received clarifications on many of the needs of the programs.

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

The Committee on Development and Governmental Relations to whom was referred an order that The City of Holyoke, through its Honorable City Council and Honorable Mayor hereby petition the Massachusetts General Court to enact Legislation to establish a process for recalling elected officials in the City of Holyoke, and that said Legislation be entitled:

AN ACT PROVIDING FOR THE RECALL OF ELECTED OFFICIALS IN THE CITY OF HOLYOKE and that said act read as follows see attached

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

Committee Members:

David K. Bartley  
 Michael J. Sullivan  
 Peter R. Tallman  
 Howard B Greaney, Jr.  
 Gladys Lebron-Martinez

UNDER DISCUSSION:

Councilor Bartley stated that there had been a question related to a section that would place the question on the ballot in 2021, adding that there been a through summary form the City Clerk. Noted that it came up because the issue was whether or not it could appear on the ballot that year. Stated that if it was to be passed that night, it could be sent to Boston through the state delegation in time to appear on the November ballot. Noted that although they were familiar with the language, it had been discussed thoroughly.

Councilor McGiverin stated that he requested it be sent to committee, noting that the two most important items to him had been to assure it would require 250 voters and that a recall could not happen within the final 12 months of a term.

Councilor Tallman asked for a clarification that it could not happen within the first 12 months of a term.

Councilor Bartley confirmed that was correct. Councilor Anderson-Burgos asked who would have the final say if 250 signatures were collected to recall an elected official.

President McGee stated if a petition met the requirements, a vote of the citizens would take place.

Councilor Anderson-Burgos stated his intent to change his vote to a yes on the previous vote.

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



The Committee on Development and Governmental Relations to whom was referred an order That the law department send out demand letters to the insurance company under provisions of both G.L. c 93A Ma Consumer Protection Act and G.L. c 176D, the Unfair Methods of Competition and Unfair and Deceptive Acts in the business of Insurance.

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

Committee Members:

David K. Bartley  
 Michael J. Sullivan  
 Peter R. Tallman  
 Howard B Greaney, Jr.  
 Gladys Lebron-Martinez

Councilor Bartley stated the order was relative the Essex House . Noted that the maker wanted to make sure the demand letters had been sent to the insurance company. Stated that after much time, the new Solicitor confirmed that the letters had been sent. Noted that the details would need to be discussed in executive session. Suggested delaying an executive session until August or September .

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

**ORDERS AND TRANSFERS**

(2:53:30)

MCGEE Ordered, that Order that the public service committee invite in and interview the following translation services fir city council :

Transfluenci - Stacey Chevalier, Interpreter Services Coordinator - stacey@transfluenci.com - (413) 737-1888 - \$65/hr. per interpreter, 3 hour minimum

HPS Language Access Services Department - Nick Magnolia, Translation Manager -nmagnolia@hps.holyoke.ma.us - (413) 512-5358 - \$75/hr. per interpreter, 3 hour minimum

UMass Translation Services - Dr. Regina Galasso, Director - translate@umass.edu - (413) 545-2203 - \$100/hr. per interpreter, 2 hour minimum

All of these providers would require 2 interpreters per meeting so that they can switch off at regular intervals (I suspect this will be the case with anyone you speak to).

There are a few other companies that provide interpretation services in the area , Language Bridge <https://www.lbridge.com/> and Concordis Language

Services <https://www.concordislanguageservices.com/>

President McGee stated that Scott from Holyoke Media provided a list of services that the city should review in order to schedule interviews .

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

MCGEE, Leahy Ordered, that Order that the city of Holyoke look to adopt an ordinance similar to Springfield regarding recreation and off highway vehicles - see chapter 385- recreation & off-highway vehicles city of Springfield .

> <ORD-2019-11 Chapter 385-Recreation & Off-Highway Vehicles - City of Springfield, Massachusetts

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

MCGEE Ordered, that Order that the acting mayor consider the using ARP act funds towards the Holyoke Row proposal, see attached proposal.

President McGee stated that Holyoke Rows had been looking to come in to give an update .

Councilor Murphy stated that the proposal would be available that Thursday .

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

Motion was made and seconded to suspend the necessary rules to take items 31, 36, and 37 as a

package.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2021, FIFTY THOUSAND DOLLARS AND 00/100 Dollars (\$50,000) as follows:

FROM:

14251-51105	POWER SHOVEL OPERATOR		\$50,000
		TOTAL:	\$50,000

TO:

19412-57630	CLAIMS & DAMAGES		\$50,000
		TOTAL:	\$50,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor

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

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2020 COMMONWEALTH SECURITY TRUST FUND GRANT, \$20,000, NO MATCH, " grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor

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

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS" 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 1, 2021.

Terence Murphy, Mayor

Councilor Murphy stated his understanding was that the funds would not be received until the order is adopted, adding that it could go into an interest bearing account. Suggested adopting right away.

Councilor McGiverin noted that while earning interest would be nice , there were outstanding questions that should be addressed in committee such as impacts on the city budget.

Councilor Bartley stated he would generally support referring to committee but added that the funds would be discussed in committee when they come up. Questioned the need to refer to committee.

Councilor Leahy stated that he would prefer the city to receive the funds as soon as possible , but that he had many questions related to the committee that had been put together by Mayor Morse to determine use of Covid relief funds. Stated questions could be asked after the city receives the funds.

Councilor McGiverin noted that the order authorizes a fund . Stated that with a vote to approve, the City Council would be giving up their right to authorize use of the funds . Stated that it had not been established how the funds would be spent.

Councilor Greaney stated that the order should be referred to committee .

Councilor Leahy asked if it was correct that City Council would lose control if the order was approved that night.

President McGee noted that they still needed answers on how the grant works. Clarified that the order would establish the fund and that Councilor McGiverin was correct in how the order reads.

Councilor Leahy stated that given this information, he would prefer the order be referred to committee.

Councilor Murphy stated that all of the information available suggested it would be treated like Community Development funding and would go through the same process. Stated that the exception would be in calculating lost revenue, which would go into the general fund.

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

Motion was made and seconded to suspend the necessary rules to take items 32 and 33 as a package. MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2021, FIVE THOUSAND ONE HUNDRED NINETY SIX AND 00/100 Dollars (\$5,196) as follows:

FROM:			
11512-53010	SPECIAL COUNSEL		\$5,196
		TOTAL:	\$5,196
TO:			
11511-51101	CITY SOLICITOR		\$5,196
		TOTAL:	\$5,196

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor

#### UNDER DISCUSSION

Councilor McGiverin stated that the orders had been originally filed by Mayor Morse, refiled by Acting Mayor President McGee, and refiled a third time by Acting Mayor Councilor Murphy. Stated that the nothing had changed in the transfers, noting that the finds were for the purpose of paying back pay to former Acting City Solicitor Crystal Barnes. Stated that the new City Solicitor provided an opinion clarifying that the funds were not a salary increase but for a differential between the salary of the senior solicitor to the City Solicitor. Noted that it had been discussed in committee twice as well as discussion in three of the last four City Council meetings. Suggested not using procedure to avoid voting.

Councilor Vacon stated that the only time a vote had been avoided had been at a special meeting because there had been a desire to assure 13 councilors were present. Observed that many votes had been taken without 13 councilors present.

Councilor Vacon offered an objection to the fact that \$11,000 of taxpayer funds was being used to pay a former employee that had been in charge of her budget and expended the funds out of the lines and had not sought payment under the current ordinances. Noted that the budget had a \$3 million deficit that needed to be brought into balance.

Councilor Anderson-Burgos asked about the ramifications to taxpayer money if there was a lawsuit as a result of not paying the salary.

Councilor Vacon made a motion to suspend the necessary rules to allow the Law Department to address the Council. Councilor Greaney seconded the motion. All councilors voted in favor.

Atty Wellhoff stated that her understanding had been that if there was a lawsuit, the city could be subject to treble damages.

Councilor McGiverin stated he had not heard an argument as to why Atty Barnes did not deserve the money for the work she performed. Observed that while she was working as the City Solicitor, she was also assigned to City Council, had appeared in all City Council meeting, Ordinance Committee meetings,

Charter & Rules Committee meetings, and when needed in other committee meetings, and would have to supervise the department and manage the budget, as well as managing the legal device of other departments within the city. Expressed he did not understand why Mayor Morse had not paid her. Stated that the request was not different than what would have been appropriate. Noted that former City Solicitor Paul Payer had been in a similar situation when he became the Acting City Solicitor and hadn't been paid the salary.

Councilor Vacon noted that the city had not been sued in the previous situation, adding that she believed the argument was being used as a strategy.

---> Received and Denied on a call of the roll of the yeas and nays --Yeas 8 (Anderson-Burgos, Hernandez, Leahy, Lisi, McGee, McGiverin, Murphy, Tallman)--Nays 4--Absent 1 (Lebron-Martinez). Laid on the table.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2021, FIVE THOUSAND NINE HUNDRED FIFTY SEVEN AND 00/100 Dollars (\$5,957) as follows:

FROM:			
11512-53010	SPECIAL COUNSEL		\$5,957
		TOTAL:	\$5,957
TO:			
11511-51101	CITY SOLICITOR		\$5,957
		TOTAL:	\$5,957

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor

---> Received and Denied on a call of the roll of the yeas and nays --Yeas 8 (Anderson-Burgos, Hernandez, Leahy, Lebron-Martinez, Lisi, McGee, McGiverin, Tallman)--Nays 4--Absent 1 (Lebron-Martinez). Laid on the table.

Councilor McGiverin made a motion to reconsider the previous vote. Councilor Lisi seconded the motion. Motion passed on a show of hands vote, 8-4.

Councilor McGiverin made a motion to lay on the table. Councilor Tallman seconded the motion. Motion passed on a show of hands vote, 8-4.

Councilor Greaney asked if a motion is defeated 8-4, how could it receive a vote to lay on the table.

President McGee stated that a motion to reconsider allowed the actions to be reconsidered.

Councilor Greaney asked if the minority vote to defeat an item is negated by reconsideration and laying on the table.

President McGee stated that there was a vote to reconsider followed by a vote to lay on the table.

Councilor Greaney expressed he understood that. Expressed frustration that the item in question had been defeated at least four times.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2021, TWENTY FOUR THOUSAND SEVEN HUNDRED SIXTEEN AND 26/100 Dollars (\$24,716.26) as follows:

FROM:			
12101-51104	LIEUTENANT		\$7,614.16
12101-51107	PATROLMEN		10,510.14
12101-51105	SERGEANT		6,591.96
		TOTAL:	\$24,716.26

TO:			
12101-51180	INJURED ON DUTY		\$24,716.26
		TOTAL:	\$24,716.26

To the City Council:  
 I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor

President McGee stated that the information did not say how many officers this item was for , adding that the item was for a statutory accounting mechanism.

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

Approved by the Mayor.

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "DEP CT RIVER CSO CLEANUP PROGRAM, INCREASE \$62,500, NO MATCH, " grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:  
 I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor

UNDER DISCUSSION:

Councilor McGiverin stated that he spoke with the Engineer on the importance of immediate passage . Stated that the funds through the program had been received by the City for several years , adding that the grant is shared with Chicopee and Springfield . Noted that the percentage that the share each year had bee split according to the work each community had done . Stated that the City received \$1 million in the current year applied it toward Jackson Street project . Stated that Chicopee announced a portion of the ward totaling \$250,000 could not be used this year . Stated that if it was not to be used by Springfield or Holyoke, it would go back to the state and would not be available the next year . Stated that in voting to accept, the City would receive an additional \$125,000.

Councilor Bartley stated that he would support this measure just as he would supporter a previous measure if he had not faced issues with his Zoom connection . Questioned the decision to refer a previous order to committee if it was clear the item was going to be passed . Suggested a need to call out councilors who act in a duplicitous nature .

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

Approved by the Mayor.

Motion made and seconded to suspend the necessary rules to take Late File I out of order .  
 MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2021, TWO HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$250,000) as follows:

FROM:		
13002-57000	PUBLIC SCHOOLS - OTHER EXPENSES	\$250,000
	TOTAL: \$250,000	

TO:		
19141-51999	HEALTH INSURANCE	\$250,000
	TOTAL: \$250,000	

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor

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

Councilor Vacon made a motion to reconsider the vote on item 37, noting that the rationale for immediate passage had been the same as for item 35. Councilor Bartley seconded the motion.

Councilor McGiverin stated that while he understood the argument, stated that item 35 had a time constraint that would involve the loss of \$125,000 that had just come before the City Engineer while item 37 is about establishing a fund that once adopted could be spent out of accordingly.

Councilor Vacon stated that there had been a thorough explanation from the Acting Mayor on how the funds would be handed for item 37. Noted that the Auditor had asked for the item to be passed.

Councilor McGiverin clarified that the Auditor had not asked for the item to be adopted that evening. Noted the difference is that some of the funds would supplement or be used appropriated through part of the general fund as opposed to just through a block grant formula. Stated that referring to committee is the Council doing its diligence before taking a final vote.

Motion to reconsider failed on a show of hands vote, 6-6.

Councilor Greaney asked if there is a limitation on the number of times an item can be tabled.

President McGee suggested giving the Law Department until the June 15th meeting to respond.

MURPHY Ordered, that That the ordinances are updated to reflect the new June 19th holiday.

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

VACON Ordered, that replace "no parking" signs on Homestead Ave. at the field near McMahan School.

---> Received and adopted. Referred to the DPW.

Approved by the Mayor.

ANDERSON-BURGOS Ordered, that That the City Engineer evaluate and make suggestions to address the speeding on Beech St, specifically the stretch between Portland St and Linden St. The residents that live on the side streets are concerned when tuning on to Beech St. As a side note the Holyoke High School is across the street and this makes that section a hazard to the students as well as the pedestrians.

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

ANDERSON-BURGOS Ordered, that Ordered that the sidewalk between 16 through 48 Norwood Ter be replaced. This entire stretch of sidewalk has crumbled and has become hazardous."

---> Received and adopted. Referred to the DPW. Copy to Public Safety.

Approved by the Mayor.

BARTLEY, Greaney, Jr., Murphy, Sullivan, Tallman, Vacon Ordered, that City Council invite Jordan Hart, chamber of commerce executive director, to appear before the DGR committee.

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

BARTLEY Ordered, that Ordered, that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare 303 Elm Street (Assessors Map 004, Block 04, Parcel 007) as surplus property available for disposition. The property is approximately

8,276 square feet in size, zoned Downtown Residential (DR) and has an assessed value of \$32,900.

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

HERNANDEZ Ordered, that Reach out to DPW/HPD to conduct a traffic study for the area, corner of Pine and Appleton Street, due to high speed travel and constant running of the Stop sign. Residents are concerned and have suggested that a camera could assist police department in identifying violators . In addition there is a problem with constant parking of vehicles in the alleyways between Pine and Walnut on the Appleton side street in which they conduct mechanical work and in summer time these illegally parked vehicles are utilized as launching pads for fireworks .

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

HERNANDEZ Ordered, that Study to find out if speed humps could be installed on Linden , between Hampshire and Sargeant streets. Cars speed down this street and residents would like to know how traffic patterns can be slowed down to ensure pedestrian safety .

---> Received and adopted. Referred to the DPW. Copy to Public Safety.  
Approved by the Mayor.

### LATE FILED ORDERS & COMMUNICATIONS

(3:34:10)

From Acting Terry Murphy, letter appointing Ms. Sheila Biermann as Personnel Director.

Councilor Vacon asked if this was for the HR person .

Councilor Leahy made a motion to approve with a copy to the Public Service Committee . Councilor Vacon seconded the motion.

Councilor Tallman made a motion to suspend the necessary rules to take final action . Councilor Vacon seconded the motion. All councilors voted in favor .

Councilor Leahy withdrew his motion to approve , noting the importance of the position and that he would have many questions.

President McGee clarified that Councilor Tallman made a motion to take final action and asked what the motion would be.

Councilor Leahy stated he would not want to appoint a department head without knowing them, adding that it should just be a couple weeks .

Councilor Vacon stated that she understood that with the Acting Mayor , appointments that a mayor could solely make would have to come before the City Council . Asked if this position was one the mayor could typically make without City Council input .

President McGee stated that the City Council would approve the appointment .

Councilor McGiverin stated that Councilor Murphy's intentions were likely good , there had not even been a resume provided. Recalled the meaningful conversation that had taken place with the previous Personnel Director.

Councilor Bartley noted that Atty Ball was able to take over as City Solicitor right away .

President McGee stated that her appointment had gone to committee.

Councilor Bartley stated that she was in the position first . Asked how this situation would be different. Suggested putting the person in the position right away and send to committee . Noted the appointment was sure to be approved in committee and approved by the City Council . Suggested there be consistency and that the appointment should move forward.

Councilor McGiverin stated that the difference with Atty Ball was that she was already known to the Council, adding that she was appointed at the Acting City Solicitor for a vacancy and that the new Personnel Director would be a permanent appointment. Stated that the new mayor would appoint a new City Solicitor. Stated that the consistent way to do business was that new appointments go to committee.

Councilor Murphy noted having many concerns. Stated that as Acting Mayor, he had been attempting to get resumes together. Stated that the person serving in the acting personnel position was already overburdened. Suggested that the appointed person may have applied to other positions and the city risked losing her. Stated that another candidate under consideration had accepted another position. Stated that he had been impressed with Ms. Biermann when he interviewed her, that she had experience in many personnel issues in a variety of areas, that she was excited to reach out to employees to make sure they're properly trained, that things are going well, what could be done better, and that she had experience handling disputes. States he would honor the Council's wishes.

Councilor Greaney asked about the education of Ms. Biermann.

Councilor Murphy stated that he believed she had a bachelor's degree and a master's degree, adding that he would have to refer back to her resume.

Councilor Leahy stated that the difference with Atty Ball was that he knew her and that she was familiar with the position. Expressed that he would not support appointing Ms. Biermann without speaking to her.

Councilor McGiverin stated that the Council did not know her education background or her employment history. Suggested that two weeks was not a lot to ask. Expressed a need for the Council to do its job by referred to committee.

Councilor Murphy stated that she was a supervisor at Eastfield Mall vaccination site, previously had 175 people working for her, a backgrounding Huma Resources with other companies.

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

From Law Department, Legal Opinion clarifying City Council Rule 66

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

From Law Department, Legal Opinion regarding pay of City Solicitor

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

Mass Cannabis Growers Coop comments on Special Permit for 11 Jackson St. Supplemental to the February 22, 2021 and the bound document submitted May 13.

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

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "DCR URBAN FORESTRY CHALLENGE GRANT, \$7,000, IN KIN MATCH \$4,846, CASH MATCH \$150," 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 1, 2021.

Terence Murphy, Mayor

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2021, ONE HUNDRED FIFTY DOLLARS AND 00/100 Dollars (\$150.00) as follows:

FROM:

11712-53100	CONSERVATION RESTRICTION COSTS	\$150.00
	TOTAL:	\$150.00



TO:  
 XXXXX-XXXXX DCR URBAN FORESTRY CHALLENGE \$150.00  
 TOTAL:\$150.00

To the City Council:  
 I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor  
 ---> Received and referred to the Finance Committee.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2021, THREE THOUSAND EIGHT HUNDRED FORTY THREE AND 00/100 Dollars (\$3,843.00) as follows:

FROM:  
 11211-51103 PAY-MAYOR'S AIDE \$3,843.00  
 TOTAL:\$3,843.00

TO:  
 11521-51101 PAY-PERSONNEL ADMINISTRATOR \$3,843.00  
 TOTAL:\$3,843.00

To the City Council:  
 I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, June 1, 2021.

Terence Murphy, Mayor  
 ---> Received and referred to the Finance Committee.

MURPHY Ordered, that Ordered that the finance committee meet with the auditor and the director of planning and development to discuss the potential problems and benefits of the community host agreements.  
 ---> Received and referred to the Ordinance Committee.

Adjourn at 10:53 PM.  
 A true record  
 ATTEST:

  
 \_\_\_\_\_  
 City Clerk