

REGULAR MEETING OF THE CITY COUNCIL
September 7,2021

The meeting was called to order by President McGee at 07:05 PM.

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

The Pledge of Allegiance was recited.

President McGee stated that a proclamation was to be presented to Sheriff Nick Cocchi and his staff. Councilor Bartley expressed his honor to present the proclamation. He noted the countless volunteer hours from the Sheriff's Department in service to Holyoke. He recalled work at Scott's Tower several years prior that had benefited from the manpower and tools provided by their department. He then read the proclamation into the record:

"Be it resolved the Holyoke City Council extends its congratulations to Sheriff Nick Cocchi in recognition of leading the men and women of the Hampden County Sheriff's Department in providing countless of community service to the City of Holyoke."

Sheriff Cocchi expressed his appreciation for the recognition. He stated that his department's goal was to work with the community through restitution, and through clean up and beautification projects. He noted that offender labor provided restitution opportunities so that they could play a part in cleaning up and supporting the community and returning to being productive citizens..

The name of Councilor Lisi was drawn to head the roll call voting.

President McGee noted that there been technical issues experienced with the broadcast system earlier in the day that could potentially create issues during the meeting.

L Aid ON THE TABLE

Motion was made and seconded to remove item 1 from the table.

The Committee on Ordinance to whom was referred an order DPW install a stop sign at the end of Ridgeway St. where it meets Lorraine St. Recommended that the order be adopted according to the recommendation of the City Engineer.

UNDER DISCUSSION:

Councilor Lisi stated that the order had been tabled in order to receive proper legal form. She stated that the City Engineer recommended a stop sign.

Councilor Bartley thanked constituents in the neighborhood for bringing up the issue.

---> 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 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.

Motion was made and seconded to suspend the necessary rules and take items 4 & 11 as a package. The Committee on Ordinance to whom was referred an order that the city council raise the sewer fee to a minimum of \$8.05 per 1000 gallons in order to make certain that the enterprise fund no longer operates with deficits, but also to plan for the additional needed improvements funded by debt service. Recommended that the order be adopted with an amendment to \$7.77 per 1000 gallons.

UNDER DISCUSSION:

Motion was made and seconded to suspend the necessary rules to allow the Solicitor's office to explain their legal opinion.

Atty Kathleen Degnan noted that there had been questions on how the measure should pass at the August 3rd meeting. She stated that a review of city ordinances indicated that the sewer rate is established by ordinance. She then noted questions had come up regarding the applicability of rules 35 and 45. She advised that rule 35 would not apply, noting that the rule applies specifically to appropriation or expenditures of funds. She then advised rule 45 applied to orders, adding that the code required the rate to be set by ordinance. She also advised that ruled 37 and 38 set forth procedure, noting that there must be two votes passed by majority followed by a vote to ordain by two-thirds.

Councilor McGiverin asked for clarification that all ordinances passed by the City Council would require a two-thirds vote.

Atty Degnan confirmed that was correct. She noted that the sewer rate matter had been clear due to language in the codes.

Councilor McGiverin asked about a reference to City Council rules .

Atty Degnan clarified that rule 37 sets forth the broader procedure for changing an ordinance. She then stated that rule 38 clarified the voting process for adopting an ordinance change .

Councilor McGiverin expressed that he understood the ruling while not agreeing with the rule itself . He then asked if the City Solicitor endorsed the opinion , noting the opinion had been submitted by Atty Degnan as Assistant City Solicitor .

Atty Degnan confirmed that she had endorsed it.

Councilor Leahy asked how to address ordinances that had been adopted but may not have received the requisite vote of two-thirds.

Atty Degnan stated she would need time to do research before responding to that question .

Councilor Leahy noted thousands of votes had been taken and expressed concern that some could be overturned.

Councilor Lisi noted that in research of the matter , there had been a rule change in 2014 to require a super majority for passage of an ordinance . She also noted that a question came up on if the City Council could have a rule that superseded M.G.L. on how an ordinance gets passed.

Atty Degnan stated that she would need more time to look into the question .

Councilor Lisi expressed her intent to file a rule change to require a simple majority . She suggested that a super majority on most items was excessive .

Atty Degnan asked if rule 38 was changed.

Councilor Lisi stated that she had copies of rules prior to and after the rule was changed in 2014.

Councilor Greaney noted that the sewer rate was a special case where the ordinance was clear and it would require a super majority .

Atty Degnan confirmed that was correct.

Councilor Greaney stated the rest can be researched .

Atty Bissonnette noted that many zoning regulations had recently changed on the state level to require only a simple majority . He then noted some state provisions only require a simple majority for passage of ordinances .

Councilor Murphy expressed his intent to motion for passing the first and second readings . He then stated that he had been in discussions with the bond counsel on the city's bond rating and bonding capacity . He noted that balancing the enterprise fund for the sewer was an issue that repeatedly came up . He added that the fund was an obstacle to improving the city's bond rating . He also stated that the collection rate had improved . He also noted that the fund would be balanced for the year if the rate increase was passed that evening . He then stated that waiting longer would lead to deficits even if there was to be a 100% collection rate .

Councilor McGiverin offered a procedural point that the votes had already been taken .

Councilor Vacon noted that the rate receiving most votes was \$7.50, with 8 votes . She also noted that taxpayers in West Holyoke have been balancing sewer fund for a few years . She then stated they would

want their neighbors to get a fair rate in addition to not paying for a service they are not able to receive . She emphasized the need to find a compromise.

Councilor Bartley offered a clarification that a super majority was defined as four -fifths, not two-thirds. He then asked for consideration of a recent vote of the Planning Board in which a 3-2 vote failed, adding that state law would have required a 4-1 vote. He then observed that a large majority of the City Council's votes on ordinances had been at least near unanimous and without controversy . He also noted that the city can supersede state requirements but not undercut them.

Motion was made and seconded to pass the first reading.

Councilor Lisi made a motion to go to the first ballot.

Councilor McGiverin asked to clarify that several votes had already been taken .

Councilor Murphy clarified that there had not been an ordinance to vote on .

Councilor Bartley asked to clarify that legal language was provided .

Councilor Murphy clarified it had been provided with the legal opinion .

Councilor Vacon stated that the committee had not recommended \$7.77.

President McGee clarified that rate is what had come out of the committee .

Motion to pass the first reading passed on a show of hands vote.

Motion to pass the second reading passed on a show of hands vote.

---> Motion to set the sewer rate at \$7.77 was received and denied on a call of the roll of the yeas and nays. Yeas 7--Nays 6 (Bartley, Greaney, Leahy, McGee, Sullivan, Vacon)--Absent 0.

Motion was made and seconded to reconsider the previous action and lay on the table.

Councilor McGiverin asked for legal guidance on the item being laid on the table , noting the legal opinion stating that items are stale and not actionable after two consecutive meetings remaining tabled .

Atty Bissonnette clarified that the actions taken that evening restart the clock and keep the matter fresh .

Councilor Vacon suggested it would be questionable to table the matter in order to not take a vote unless new information was being sought.

Councilor McGiverin stated that the matter was tabled in order to receive legal guidance on whether the city could supersede state law regarding thresholds for passage .

---> Laid on the table.

From Acting City Solicitor Lisa Ball , re: Sewer Rate.

---> Received.

The Committee on Ordinance to whom was referred an order that The DPW and Disabilities Commission remove the Handicap parking sign in front of 7 Russell Terrace. The house is vacant and there is no need for handicap parking.

Recommended that the order be adopted.

UNDER DISCUSSION:

Councilor Bartley noted that the abutters determined the house had been vacant and that the person requiring the sign had passed away, adding that the area had a great need for parking.

---> 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 a handicap sign be removed from the front of 143 Oak St. Recommended that the order be adopted

UNDER DISCUSSION:

Councilor Lisi stated that the purpose was clear in the language .

Councilor Greaney asked for an explanation of the sign's removal .

Councilor Lisi stated that it had been due to the sign no longer being needed .

President McGee observed that the committee had approved the order through the process .

Councilor Greaney reiterated his request to understand the reason.
 Councilor Hernandez stated the person needing it was no longer at the address.
 ---> 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.

PUBLIC COMMENT

John Rivera, 2 Laurel St, offered thanks for providing Spanish interpretation on meetings and in city announcements. He then asked the body to consider the horrors of colonialism and imperialism, noting that a majority of the city are descendants of Tainos that suffered genocide. He then suggested that it would be a messy legacy to vote against changing the name of a holiday honoring a mass murderer. Elizabeth Caretti Ramirez, 205 Bemis Rd, stated her intent to address the same issue. She also commended the Council for offering Spanish interpretation. She then expressed concern with a letter sent to councilors, noting it had been ignorant and full of mistruths. She expressed intent to refute the doctrine of discovery, adding that it would be ridiculous to talk into a house and claim it. She also refuted a claim that Neil deGrasse Tyson had defined the "discovery" as the greatest event in human history, clarifying that he stated it had been significant. She then suggested that celebrating Italian heritage could be done without celebrating Columbus.
 Erin Callahan, 60 Old Jarvis Ave, expressed her discomfort with an outside organization, The Sons and Daughters of Italy,
 Motion was made and seconded to suspend the necessary rules to allow residents from outside Holyoke to speak.
 Andras Arthen, 14 Pleasant St, Worthington, stated that he was the president of the European Congress of Ethnic Religions. He then stated that he had spoken with indigenous elders and activists. He noted how hurtful they find it to see a celebration of a man that had committed genocide against their people and cultures. He stated that the history had often only been taught from the perspective of those engaging in conquests.

COMMUNICATIONS

(51:00)

Motion was made and seconded to take items 7-9 as a package
 From Acting Mayor Terence Murphy letter appointing Ms. Chelsea Gazillo, 79 Lawler St. to serve as a member of the Conservation Commission for the City of Holyoke: Ms. Gazillo will replace Mr. Price Armstrong and will serve the remainder of his term; said term will expire February 1, 2022.
 ---> Received and referred to the Public Service Committee.

From Acting Mayor Terence Murphy letter nominating Victor Machado, 40 Suffolk St. to Serve on the citizens advisory Committee (CAC) for the Office of Community Development for the City of Holyoke: Mr. Machado will serve a one year term: said term will expire June 30, 2022.
 ---> Received and referred to the Public Service Committee.

From Acting Mayor Terence Murphy, letter to nominate Mr. Terry Gibson 20 Oakwood Ave. to serve on the Citizens Advisory Committee (CAC) for the Office of Community Development for the City of Holyoke: If you approve this nomination, Mr. Gibson will serve a one year term: said term will expire on June 30, 2022.
 ---> Received and referred to the Public Service Committee.

Councilor Leahy asked for a moment of silence to honor Jimmy Curran .
 Councilor Greaney asked for a moment of silence to honor the 13 service members that died in Afghanistan.

From Brenna Murphy McGee, MMC and Jeffery Anderson-Burgos, Admin. Ass't. to City council minutes of August 3, 2021.

Councilor Bartley commended the minutes.

---> Received and adopted.

From Acting City Solicitor Lisa Ball , re: Sewer Rate.

---> Received.

From Lisa Ball, Acting City Solicitor legal opinion re- amending zoning ordinances by automatic right.

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

From Lisa Ball, Acting City Solicitor , legal opinion on tabling an agenda item.

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

Motion was made and seconded to suspend the necessary rules to take up items 14 and 15 as a package.

From Office of Planing & Development re: ACMJ. Inc. 532 Main St. Suite 201.

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

From Office of Planning & Development re: First City Provisions Inc. 89 South St.

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

Motion was made and seconded to suspend the necessary rules and take 3 of the table

The Committee on Ordinance to whom was referred an order that That no parking on the S shape curve turn on O'Connor Ave.

Recommended that the order be adopted according to the recommendation of the City Engineer.

UNDER DISCUSSION:

Councilor Lisi stated that the order was to address concerns with emergency vehicles attempting to access the street. She noted that the Engineer had worked to determine where the 'no parking' spaces should go.

Councilor Hernandez stated that the issue had been a concern for the residents for a while , adding that it would be to ensure large emergency vehicles can pass through . She noted that these vehicles had been forced to reverse due to being blocked by cars parking in the spots on the curve .

Councilor Bartley asked if residents had participated in the discussion . He noted that the area would be losing two parking spaces in an area with already limited parking . He suggested that the street could have been made one way with parking removed from just one side .

Councilor Hernandez stated that she had pictures showing a fire truck not able to pass through . She also noted that residents on the street had brought forward the safety concerns .

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

The Ordinance passed its second reading .

The Ordinance was passed to be enrolled .

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

Report of Enrollment received .

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

--Yeas 12--Nays 1 (Bartley)--Absent 0.

Approved by the Mayor.

FFY2021 Spreadsheet, American Rescue Plan Act.

---> Received.

From Board of Fire Commission minutes of June 17 and July 29, 2021.

---> Received.

From residents of Norwood Terrace, petitioning the City of Holyoke for improvements to the east sidewalks on the dead end portion of the street.

Councilor Murphy commended the petitioners for their advocacy. He stated that he had been working with the DPW to address sidewalks around the city. He then asked his colleagues to inform him of sidewalks on concern in their wards.

Councilor Vacon asked if the asphalt sidewalks would qualify under Chapter 90 funds.

Councilor Murphy stated that he would seek an answer. He then stated that even if not, he would seek to bond for the repairs.

Councilor Vacon noted that she knew of a few sidewalks that were mostly asphalt.

Councilor Bartley noted that Brown Avenue was an issue. He then noted Westfield Rd to Michigan Ave were asphalt sidewalks with need for repairs. He then stated that Gilman and Clark had been half done.

Councilor Greaney noted he had sought to address issues with Wood Ave for a while.

Councilor Tallman noted that there were areas on Northampton St with trees uprooting the sidewalks.

Councilor Murphy stated that while there was a long term plan for addressing many issues, he was seeking to address the most critical locations right away.

Councilor McGiverin stated that potholes on Vassar Circle and Hitchcock St needed to be addressed right away.

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

From Whalley Communications re: Managed IT support and Monitoring Statement of Work.

Councilor Leahy asked if this was a requested contract.

President McGee confirmed that it was.

---> Received.

From Lawrence J. Farber, Esq. for Open Square Properties LLC and Open Square LLC letter in regards to potential MME at 109 Lyman St. expressing legal objections to a MME.

Councilor Bartley stated that the matter had been discussed during an Ordinance Committee meeting, noting there had been a lot of back and forth. He suggested that his colleagues read the letter before voting on the issue. He also noted that there had been description of exciting business activity planned for Open Square.

Councilor Anderson-Burgos stated that he was happy to praise businesses investing in Holyoke. He then expressed concern about one participant in the Ordinance Committee discussion disrespecting the people living in the Flats area.

Councilor Lisi stated that the letter was regarding a specific application, adding that the appropriate time to discuss it would be during the application's public hearing. She noted that the order in Ordinance Committee was to fix two Scribner's errors in the recently adopted marijuana ordinance. She then suggested that a new order should be filed to address concerns about buffers in a more transparent way.

Councilor Vacon stated that there was an ongoing public hearing to address the planning process for marijuana establishments as well as the table of buffers. She noted that the buffer zone exists to address matters such as odors and other safety factors, adding that a noticed public hearing to address that matter can properly include concerns related to the topic.

Councilor Murphy emphasized the need for research odors to understand the potential negative impact on air quality. He also expressed that there needed to be more consideration of where marijuana establishments are opened to avoid creating issues of other types of businesses.

Councilor Lisi suggested that as the permitting authority, the City Council can work to mitigate these issues. She also noted that each applicant has a public hearing to allow others to express their concerns. She then suggested that the average person would not read an order to correct language and expect that matters of health and other related concerns would be a part of the discussion.

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

From Department of Labor Relations, letter re- petition for certification by Written Majority Authorization.

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

PETITIONS

(1:23:45)

Petition for a new second hand license at 50 Holyoke St. for GameStop #4391.
 ---> Received and referred to the Finance Committee.

PRESIDENT'S REPORT

(1:24:00)

President McGee deferred to Councilor Bartley to provide an update on Holyoke Day at the Big E .

Councilor Bartley stated that the Big E would go forward with a salute to the Big E on September 21st. He noted that the event would be limited for the year. He then requested that any councilors or department heads contact him if they were seeking to participate . He recognized there would be a conflict with the preliminary election taking place the same day . He then noted that the event should return to its normal festivities in 2022.

President McGee stated that there would be a mayoral debate that Thursday , September 9th at 6:30 PM. He also stated that there would be an event to dedicate Marty Dunn Way in front of Francie's Tavern at the corner of Lyman and Maple Streets.
 He congratulated Councilor Lisi for earning her Doctorate degree .

REPORTS OF COMMITTEES

(1:27:40) President McGee implored the Council to package items when appropriate and refer items to committee without unnecessary debate .

Motion was made and seconded to suspend the necessary rules and take items 23A, 23C, 23D as a package

The Committee on Ordinance to whom was referred an order that no parking be allowed on Beaulieu St from the northeast intersection with Stebbins Street to a point 40 feet northerly 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 there was a need for more clearance for truck deliveries .

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

The Ordinance passed its second reading .

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

The Committee on Ordinance to whom was referred an order that the no parking sign in front of 982 Hampden street be removed
 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

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

The Committee on Ordinance to whom was referred an order The "no parking" sign proximate to 282 Cabot St be moved north and relocated as close to the street corner near Locust St. as possible. Purpose: this would provide room for additional parking near the two care facilities in this neighborhood have considered the same and Recommended that the order be adopted according to the recommendation of the City Engineer. .

Committee Members:

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

UNDER DISCUSSION:

List stated that signs were being removed on Hampden Street and on Cabot Street to gain addition parking in the areas.

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

The Committee on Ordinance to whom was referred an order that That city council thru the appropriate committee consider a drop & pick up for 2 parking spots for the van that will pick & drop off the participants that attend the Vcare Adult at the addresses 200-210 High Street This program serve a population of 60 and older and is necessary to assure their safety . Enclosed letter of company request. 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 VCare center wanted to be able pick up and drop off elderly patients with mobility issues. She added that while their initial request was to eliminate two parking spots , they would remain metered with one pick up and drop off zone for one hour in the morning and one hour in the afternoon.

Councilor Murphy asked to clarify that the change was for one spot.

Councilor Lisi confirmed that was accurate .

Councilor McGiverin asked if the legal form was available . He recognized the need and supported the effort to accommodate. He then noted that parking spots cannot be designated for anything other than loading and unloading for a limited time . He also noted that restaurants and retail stores in the area constantly need parking. He then asked for confirmation that it would be one spot for one hour in the morning and in the afternoon.

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

Councilor McGiverin clarified that M.G.L. states that parking spots cannot be designated for specific person or vehicle. He asked to clarify that anyone can use the space as pickup or drop-off spot.

Atty Bissonnette confirmed that was accurate, noting that the City Engineer clarified the same point during the committee’s discussion of the matter.

Councilor Murphy expressed concern for patients being dropped off and needing to make their way to the wheelchair ramp at the corner of the intersection. He also observed that vans are often in the space for around 10 minutes.

Councilor Bartley asked if the city would face liability if someone was to get hurt in a city -designated loading zone. He suggested that it should be tabled to seek a legal opinion. He then suggested it was an extraordinary measure to take for a business with off street parking available behind the building .

Councilor Murphy recognized that a compromise had been made , reiterating his concern that it needs to be safe.

Councilor Lisi asked to confirm that there was not a legal form .

President McGee confirmed that was accurate.

Motion was made and seconded to lay on the table and refer to the Law Department.

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

The Committee on Ordinance to whom was referred an order Zone Change application from RO to DR for Gordon Alexander at 472, 474, 476 Appleton St (076-02-001) and (076-02-003) to expand allowed use to personal services as allowed in adjacent DR zone .
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 request was to expand allowed uses , including personal services. She also noted it would not be a spot zone as it would be changing the shape of surrounding zones .

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

The Ordinance passed its second reading .

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

(1:43:30)

The Committee on Finance to whom was referred an order Settlement Agreement by and Between the City of Holyoke and the Holyoke Professional Supervisor Association
have considered the same and Recommended that the order has been adopted.

- Committee Members:
- Joseph M. McGiverin

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

UNDER DISCUSSION:

Councilor McGiverin stated there had been questions on language . He stated that the main focus of the contract was a 2% cost of living increase (COLA), as well as changes for positions within the contract . He noted the funds were in the budget for the contract. He also stated that there had been an impression of positions being created, then clarifying that the positions had been discussed the previous year and budgeted for.

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 12--Nays 0--Absent 0. Councilor Lisi did not vote or participate in discussion on this item .

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "DIVERTING JUVENILES AND EMERGING ADULTS FROM CRIMINAL JUSTICE SYSTEM INVOLVEMENT, \$50,000, 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 have considered the same and Recommended that the order has been adopted.

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

UNDER DISCUSSION:

Councilor McGiverin stated that the grant was to support a diversion program through the probation office for juveniles. He also noted that Councilor Leahy disclosed he was on the board for the Boys & Girls Club, noting that it would be receiving \$42,000 of the grant for the purpose of working with the Police Department and the Juvenile Court.

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

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY20 MUNICIPAL VULNERABILITY PREPAREDNESS (MVP) - THE NATURE CONSERVANCY MATCH INCREASE, \$22,097.50 " grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant . have considered the same and Recommended that the order has been adopted.

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

UNDER DISCUSSION:

Councilor McGiverin stated that this would be an increase for a larger grant . He also stated it would allow the city to do more work on landscaping for the collection of storm water at the Library's parking . Councilor Tallman noted that a larger amount had already been approved to help with the Holyoke Public School system.

---> 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.

Motion was made and seconded to suspend the necessary rules and take items 24D & 24 E as a package

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2022 STATE 911 DEPARTMENT SUPPORT AND INCENTIVE GRANT, \$246,443, 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
have considered the same and Recommended that the order has been adopted.

Committee Members:

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

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

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2022 STATE 911 DEPARTMENT TRAINING GRANT, \$17,900, 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
have considered the same and Recommended that the order has been adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the training grant was to cover costs associated with the certification and annual recertification of 911 dispatchers. He then stated the support and incentive grant was to cover salaries for dispatchers, noting that they have to put the funds into the budget prior to reimbursement.

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

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "GREEN COMMUNITIES COMPETITIVE GRANT, \$195,603, 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
have considered the same and Recommended that the order has been adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the purpose was to upgrade municipal systems for the purpose of energy conservation. He added that it would be a 20% estimated energy conservation with a savings of \$22,000 at Councilor Sullivan School.

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

The Committee on Finance to whom was referred an order That in order to reduce interest costs, the Treasurer, with the approval of the Mayor, is authorized to issue refunding bonds, at one time or from time to time, pursuant to G.L. c. 44, §21A, or pursuant to any other enabling authority, to refund all or any portion of the Town's general obligation bonds outstanding as of the date of adoption of this order, and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the bonds of the Town to be refunded, and costs of issuance of the refunding bonds; and that the Mayor and the Treasurer are each authorized to execute such documents as may be necessary or desirable to carry out this transaction, including one or more refunding trust agreements with a bank or trust company.

Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under G.L. c. 44A any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require have considered the same and Recommended that the order has been adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin noted that an identical vote had been taken in 2012. He then stated that it would allow the Treasurer, with the approval of the Mayor, to look for better interest rates on the debt held by the city.

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

The Committee on Finance to whom was referred an order that the amount of FOUR THOUSAND SEVEN HUNDRED FIFTY THREE AND 50/100 Dollars (\$4,753.50) be authorized from the CITY SOLICITOR Department's SPECIAL COUNSEL (11512-53010) appropriation in fiscal year 2022 for services rendered in fiscal year 2021 which were unencumbered at the 2021 fiscal year end. have considered the same and Recommended that the order has been adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the current City Solicitor inherited two expenditures. He stated that the funds were in a line item to cover the expenses, and the City Auditor confirmed the legitimacy of the invoices.

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

The Committee on Finance to whom was referred an order that the amount of ONE HUNDRED NINETY SEVEN THOUSAND NINE HUNDRED TWENTY SEVEN AND 69/100 Dollars (\$197,927.69) be authorized from the DEPARTMENT OF PUBLIC WORKS Department's VARIOUS (-) appropriation in fiscal year 2022 for services rendered in fiscal year 2021 which were unencumbered at the 2021 fiscal year end. have considered the same and Recommended that the order has been adopted.

Committee Members:

Joseph M. McGiverin

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

UNDER DISCUSSION:

Councilor McGiverin stated that the one vote was to cover several invoices from the prior fiscal year . He noted that the DPW Superintendent discussed the reasoning behind the delayed payments , noting he had sought to find ways to transfer from different line items in his budget. He also emphasized it was made clear to the DPW Superintendent that the bills need to be paid in a timelier fashion . He also noted the department would seek to fill the Assistant Superintendent to help delegate some of the departmental responsibilities.

Councilor Vacon asked where the funds would be coming from .

Councilor McGiverin stated they would come from same line items as they would have come if they had been paid during the previous year. He also stated that the department expected the bills to create budgetary issues during the remainder of the fiscal year .

Councilor Bartley emphasized the this had been a major mistake . He then expressed his expectation that the department would be requesting a salary increase in the next budget.

Councilor Murphy stated that he had engaged in a serious conversation with the Mr . McManus emphasizing that this kind of mistake cannot happen. He also noted the importance of respecting the businesses that needed to be paid.

Councilor Tallman expressed his expectation that Mr . McManus understands that the bills got out of hand. He also expressed an expectation that the funds will have an impact on the budget .

---> 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.

Motion was made and seconded to suspend the necessary rules and take items 24J & 24N as a package The Committee on Finance to whom was referred an order that the amount of ONE THOUSAND THREE HUNDRED EIGHTY AND 00/100 Dollars (\$1,380.00) be authorized from the PERSONNEL Department's PROFESSIONAL SERVICES-EMPLOYEE TRAINING (11522-53010) appropriation in fiscal year 2022 for services rendered in fiscal year 2021 which were unencumbered at the 2021 fiscal year end have considered the same and Recommended that the order has been adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the new Personnel Director , Sheila Biermann, had inherited an invoice from 2019 for a training bill.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, ONE THOUSAND FIFTY DOLLARS AND 00/100 Dollars (\$1,050.00) as follows:

FROM:

11211-51103 AIDE TO MAYOR \$1,050.00|

TOTAL: \$1,050.00

TO:

11521-51201 LABOR SERVICES DIRECTOR \$1,050.00

TOTAL: \$1,050.00

have considered the same and Recommended that the order has been adopted.

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

UNDER DISCUSSION:

Councilor McGiverin stated that the transfer was to cover an expense that should have been funded for the current budget but had been cut due to not having been sure what the line item was.

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

The Committee on Finance to whom was referred an order That the City Council approve the expense of the FY2021 Holyoke Share-ValleyBike Administration in the amount of \$9,610.00 to be paid from the TNC-Rideshare receipts reserved for appropriation fund #2601 have considered the same and Recommended that the order has been adopted.

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

UNDER DISCUSSION:

Councilor McGiverin stated that the MOU adopted by the city in 2020 had an administrative fee, adding that the state had been paying it at the time. He then noted that the city has 12 station. He then stated that the expenses would be paid through the revenue collected by the program, noting that the fund currently had \$43,142.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, FIVE THOUSAND DOLLARS AND 00/100 Dollars (\$5,000.00) as follows:
 FROM:

11211-51103 AIDE TO MAYOR \$5,000.00

TOTAL: \$5,000.00

TO:

11211-51102 EXECUTIVE ASSISTANT TO MAYOR \$5,000.00

TOTAL: \$5,000.00

have considered the same and Recommended that the order has been adopted.

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

UNDER DISCUSSION:

Councilor McGiverin stated the surplus was due to extra funds in the line item as the aide had left. He also noted that the executive assistant had not received a raise in a while. He also stated that it would increase the salary from \$44,392 to \$49,392, adding that it would remain under the maximum for position's salary. Councilor Vacon asked to clarify that the transfer was within the budget but had not been budgeted for that line item.

Councilor Murphy stated that the office had three people, reduced to two before he took over, and that one remained. He stated that the person in the job had been doing the work of three people. He also noted that there had not been a salary increase in 6-6 years.

Councilor Vacon asked if she was being moved into a different position .
 Councilor Murphy clarified that the position had a salary range allowing for the raise .
 ---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays
 --Yeas 12--Nays 0--Absent 1 (Lebron-Martinez).

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, ONE HUNDRED SIXTY FOUR THOUSAND NINE HUNDRED EIGHTY THREE AND 00/100 Dollars (\$164,983.00) as follows:

FROM:

16101-51103 REFERENCE LIBRARIAN \$90,487.00
 16101-51110 REFERENCE LIBRARY ASST EVENINGS 74,496.00
 TOTAL: \$164,983.00

TO:

16101-51115 COLLECTION DEVELOPMENT LIBRARIAN \$38,610.00
 16101-51109 ARCHIVIST 38,380.00
 16101-51107 LIBRARY ASSISTANT 20,789.00
 16101-51101 LIBRARY DIRECTOR 242.00
 16101-51105 CATALOGER 139.00
 16101-51400 LONGEVITY 150.00
 16101-51102 REFERENCE LIBRARY ASSISTANT 29,674.00
 16101-51104 CHILDREN'S LIBRARIAN 35,064.00
 16101-51108 CUSTODIAN 1,740.00
 16101-51113 ASSISTANT DIRECTOR 195.00
 TOTAL: \$164,983.00

have considered the same and Recommended that the order has been adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that budget had been adopted prior to passage of the new salary schedule that provided increases. He noted there had been job description changes as a result of the new schedule.

Councilor Vacon asked what the library hours were .

Councilor McGiverin stated that 8:30 AM - 4 PM and 4 PM - 8:30 were two different shifts.

Councilor Murphy clarified that evening hours had begun that day .

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

The Committee on Finance to whom was referred an order that the finance committee meet with representatives from Whalley Computer Associates to review both the costs and impacts on the computer services provided to the city

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that Whalley described two areas that they service the city . He then stated

that they service the Police Department with data collection through the computer system line item . He also stated that they service the city through computer consulting services . He added that they offer 24/7 remote staff for departments to reach. He stated they also offer a full time person on City Hall premises . Councilor Leahy stated that it had been interesting to learn that their contract with Whalley was on a month to month basis, at a rate of \$30,160 per month. He also noted they offer antivirus service, a dedicated person for the Police Department, and two on site engineers. He also noted that a different company hosts the city's website.

Councilor Tallman emphasized the value of speaking with Whalley , and of learning about the support they offer. He also noted the high cost was worth the cybersecurity protections that come with the service .

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

(2:24:55)

The Committee on Public Safety to whom was referred an order To invite the Chief of Police to discuss the plan that the department has in place in case there is any domestic terrorism in our City and if there are any changes to the current plan that were prompted since the attack on Capital Hill , this past 1/6/2021. have considered the same and Recommended that the order has been complied with.

Committee Members:

Terence Murphy

Joseph M. McGiverin

Todd McGee

UNDER DISCUSSION:

Councilor Murphy stated that the Police Chief explained he was part of a regional and federal task force to monitor and assess the legitimacy of threats , and to respond if necessary.

Councilor Greaney asked for the committee's plan to address an order to discuss the pros and cons of marijuana use.

Councilor Murphy stated that the local hospitals needed more time to develop a plan for presentation as well as to focus their efforts on response to Covid .

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

The Committee on Development and Governmental Relations to whom was referred an order Proposals and recommendations for the American Rescue Plan Act 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 the spreadsheet of proposals and recommendations had been worked through with a lot of compromise. He also noted that they had sought the Mayor's recommendations. He recognized that there were tough decisions to make, adding that he had many concerns with the Mayor's recommendations and noting many cuts made to programs that the committee had voted to support. He then asked the Mayor to reconsider his recommendations.

Councilor Murphy stated that the city would be receiving an additional \$3.8 million, adding that he would engage in the same process for allocating those funds between any new proposals and those that had already been considered but not funded. He stated that he prioritized infrastructure in his recommendation. He noted that an allocation to the Springdale Pond sewer separation would save money in the sewer account, as well as reducing the capital expenditure needs in the future . He also noted that he maintained investment in sewer system rehab and municipal buildings . He then stated that increases to housing proposals had been due to the potential of new home construction to begin that fall. He then stated that he was expecting to receive recommendations from the Citizens Advisory Committee for the

extra \$3.8 million in October.

Councilor Greaney expressed his support for the Boys & Girls Club, noting the importance of supporting the youth as the future of the city.

Councilor McGiverin expressed support for the committee's recommendations. He then emphasized the importance of the allocation for lost revenue replacement. He stated that the guidelines for the program had fallen short of what should be allowed. He also asked for support of additional infrastructure projects in the next round of funding to reduce future capital expenses.

Councilor Leahy commended the work involved to make the recommendations. He then emphasized the need to offer more support for the Water Department's needed capital expenses for repairs and updating. He also expressed support for the benefit of the Boys & Girls Club, as well as Providence Ministries and the Homework House.

Councilor Vacon commended increases to infrastructure projects. She then noted that the balance sheet Holyoke Housing Authority (HHA) had a robust balance sheet, noting that the Water Department had faced many cuts over the years.

Councilor Bartley expressed concern that \$1.3 million was being allocated to HHA for construction of 8 houses. He also noted that the committee had recommended allocations to infrastructure projects as well as votes and compromises on support for many of the other programs. He also noted that HHA has had enough funds to transfer from their budget for investment in MMDT while paying relatively little in taxes to the city. He also expressed frustration that the Mayor's recommendations and the information about expected additional funding had just been communicated to the Council that afternoon.

Councilor McGiverin stated that the federal government had repeatedly changed formulas and deadlines for every funding program they had initiated due to the Covid pandemic. He reminded the body that he had suggested reserving some funds in preparation of a likely change to the formula of the ARPA funds that could allow more to go to be allocated to lost revenue replacement for city services.

Councilor Sullivan questioned allocating extra funded for houses, noting that HHA had alternative sources of funds available to them. He then noted that sewer infrastructure had an impact on neighborhoods all over the city for generations. He suggested directing more towards the issue. He also noted the impact on future sewer rate increases.

Councilor Murphy stated that he had intended to hold off on providing his own recommendations because more information was expected. He noted that he had only learned of the additional funding becoming available prior to the previous weekend. He also noted that Holyoke had the most open process of communities in the region.

President McGee emphasized that a great deal of work had been done by many people on a matter that constantly evolves. He also noted that there had been \$80 million in requests for worthy proposals with \$14.9 million to allocate. He then implored the members to respect the work and time many had put into making difficult decisions with the ARPA allocations.

Councilor Anderson-Burgos commended Acting mayor Councilor Murphy for his work in the process. He then asked everyone to consider that the pandemic has had an effect on the way people behave, also asking that people be more patient and avoid personally attacking others.

Councilor Greaney stated that people have priorities that they advocate for in various ways, adding that he did not believe anyone was intentionally attacking anyone else.

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

ORDERS AND TRANSFERS

(3:00:55)

President McGee reiterated that matter going to committee should be referred without debate.

SULLIVAN Ordered, that Ordered that the City Council approve funding of \$18,000 in CPA funding for a Small Grant program. This would allow for up to 6 or more small grants, none to exceed \$3,000.

Councilor Sullivan stated that the same grant had been approved the previous year, adding that \$12,000 remained. He also noted the programs that had been funded had been successful.

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

VACON Ordered, that a legal opinion be provided that clarifies if a deed issued in the 1960's for map 190

lot 30 on Mountain Road prior to an ordinance (1970's) pertaining to the aquifer recharge area in the Mountain Road area establishing requirements for a building lot is grand fathered and remains a legal building lot.

Also, if the land was sold after the ordinance was passed would it need to comply with the ordinance in effect at the time of the sale?

Councilor Vacon asked for the opinion to be broad enough to have context for other old deed situations that may come up.

---> Received and adopted. Referred to the Law Department.

VACON Ordered, that Amend the zoning ordinance to read any home construction in a residential zone shall be greater than 50% living space. A special permit from CC is required if the home construction will have 50% or less living space.

Recently home plans have been approved and it has been communicated from the Building Commissioner that our current residential zoning allows for construction of a home that is 80% garage and 20% living space.

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

VACON Ordered, that traffic calming measures be recommended by our City Engineer for Bray Park Drive and access to the plaza. Install temporary speed humps on Bray Park Drive to slow traffic.

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

VACON Ordered, that additional speed limit signs be posted on Homestead Ave, north and south of 202, locations to be determined by our City Engineer.

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

ANDERSON-BURGOS Ordered, that That the DPW install 2 blinking stop signs at the 3 way stop located where Claremont Ave and Hillside Ave intersect. The 2 blinking stop signs should replace the 2 stop signs located on Hillside Ave.

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

ANDERSON-BURGOS Ordered, that That the DPW Superintendent provide the City Council with an update on the tree list. Update should include how trees are prioritized and the obstacles the DPW faces in addressing them. This is a constituent request.

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

BARTLEY Ordered, that That the Honorable City Council, in accordance with M.G.L. ch. 30B and the Holyoke Procurement Ordinance, vote that the City of Holyoke accept the proposal and sell 12, 22 and 24 Main Street for \$31,900 to H&H Realty Holdings, LLC (Oliver Homberg and Yazan Haddad, Managers). 12, 22 and 24 Main Street are adjacent vacant lots totaling approximately 10,455 square feet in size. The properties are identified in the Holyoke Assessor's records as Map 033, Block 04, Parcels 011, 012 and 013, zoned General Industry (IG) and have a combined assessed value of \$20,600.

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

BARTLEY Ordered, that That the Honorable City Council, in accordance with M.G.L. ch. 30B and the Holyoke Procurement Ordinance, vote that the City of Holyoke accept the proposal and sell 415 and 417 Main Street for \$10,000 to Elliott Fire Sprinkler Systems, LLC (Chris Elliott, Manager). 415 Main Street is a vacant three story mixed use building on an approximate 2,744 square foot lot. The adjacent 417 Main Street is a vacant lot approximately 2,744 square feet in size. The properties are identified in the Holyoke Assessor's records as Map 028-07-004 and 005, zoned Downtown business (BC) and have a combined assessed value of \$135,400.

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

BARTLEY, Leahy, McGiverin, Sullivan, Tallman Ordered, that The Law Department provide City Council with an updated legal opinion regarding the city's supervisors association and include within it, at a minimum, the following: whether the association is a union: if it is a union, when was this designation

approved and by what authority; under what general law is it affiliated; and please specify the department heads who serve at the Mayor's pleasure. Further, please provide the specific department heads included within the association. Please provide any past legal opinions and relevant exhibits.

---> Received and adopted. Referred to the Law Department. Copy to Finance.

BARTLEY Ordered, that The Public Safety and ordinance committee review the "access road" to Peck School for on street parking recommendation. Peck school administration has safety concern about the ability of 54 school buses to turn down the access road to the school.

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

BARTLEY Ordered, that The "access road" leading to peck school off Chapin St should be given a name. Refer to Ordinance, Mayor (see Ball Ave., Kaster St.)

Councilor Bartley asked where name changes are referred.

Councilor Tallman suggested it could be DPW.

President McGee suggested it could be the Ordinance Committee for a name change.

Councilor McGiverin suggested that it should with the DPW before the City Council would address it.

Councilor Leahy stated the DPW Commissioners would handle it.

Councilor Bartley clarified the location.

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

BARTLEY Ordered, that Due to concerns at Metcalf school, ordain, : right turn only' when exiting the parking area.

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

BARTLEY Ordered, that The HPS now runs two schools, side by side, on the west side of Northampton Street between Hitchcock and Lawler St. and now is the time for DPW, City Engineer, HPD, and the Mayor's office to review and monitor this area and make some public safety decisions. Parents, Teachers and Administrators have called about derelict drivers, etc. Please refer to Public safety for a hearing and copy to HPS and the aforementioned departments.

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

HERNANDEZ Ordered, that That our City ensures to provide all Everbridge announcements to our constituents in both English and Spanish in an effort to improve access to essential services to persons with Limited English proficiency. Our population consists of more than 50 % Latino/Indigenous descent people, a good majority are Spanish native speakers, this population being considered under the Limited English Proficiency (An LEP person is someone who does not speak English as their primary language and has limited ability to read, speak, and/or write English at a level that permits him/her to interact efficiently with English speakers or documents without language assistance). Most recently department heads have been reaching out to Bilingual residents of our town that volunteer their voice and record the English followed by the Spanish verbiage of the message, however it is not consistent nor is there a formal procedure in place to ensure that it goes out in both languages.

Councilor Hernandez stated that there had not been consistency in providing both languages when messages go out, adding that it was not effective as a communication tool for those who do not speak English.

Councilor Murphy stated that he was working with Transfluenci to contract them for the work of translating parts of the website, documents sent out by departments, as well as messages sent to residents.

Councilor Bartley asked if emergencies were communicated in both languages on local access channels 12 and 15.

Councilor Murphy stated that the meeting replays in Spanish were on 12 and that English replays were on 15.

Councilor Bartley clarified that his question related specifically to communications about emergencies.

Councilor Murphy stated he would follow up.

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

HERNANDEZ Ordered, that The crosswalk that was installed in Hampden Street next to Stop and Shop,

to address our pedestrians but most importantly our blind residents , is missing essential functions and it would be most beneficial that a Spring-loaded In-Street Pedestrian Crosswalk Sign be placed in the middle with lines repainted that instill urgency to the motorist that they need to stop , slow down to allow our pedestrians to safely arrive to the other side . Currently motorists continue to speed up that hill ignoring the initial beep . It would be most beneficial to have a light such as that in South Street in front of Elmwood towers. Motorists that do stop to yield to pedestrians are most of the times almost rear ended by other speeding motorists and at times they try to dodge the stopped vehicle and go around creating a very unsafe atmosphere for pedestrians that now are obliged to step back out of the way .
 ---> Received and referred to the Public Safety Committee.

HERNANDEZ Ordered, that Clinton & Dwight street corner in need of crosswalk or light and some kind of bump out to keep cars from parking up to corner blocking visibility for pedestrians , currently pedestrians have to walk to almost the middle of street to see incoming traffic . Vehicles constantly park in the -No parking zone-, not being enforced nor ticketed.
 ---> Received and referred to the Public Safety Committee.

HERNANDEZ Ordered, that Intersection at West Franklin and Linden has a crosswalk that is routinely ignored creating a dangerous circumstance for our pedestrians , can a study be conducted to place flashing lights and or a middle signage that creates urgency to stop for pedestrians . Traffic needs to slow down in our City.
 ---> Received and referred to the Public Safety Committee.

HERNANDEZ Ordered, that A study to address a possible right turning only lane , Hampden right turn only onto Pleasant is the goal.

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

LEAHY Ordered, that The Holyoke Police Department and the Superintendent/Receiver of the Public Schools add video surveillance immediately at the Holyoke High /Robert's field Complex. This is regarding the recent vandalism at John F. Gilligan Field. The soccer goal was set on fire, and they burned the field.

Councilor Leahy made a motion to amend the order to strike the final sentence , noting that the scoreboard had been damaged due to a vendor's truck driving into it and not through vandalism .

---> Received and adopted. Referred to the Holyoke Police and Superintendent.

LEBRON-MARTINEZ Ordered, that Ordered, that the City Council approve the Resolution for the Certified Housing Development Incentive Program Project and Local Tax Increment Exemption (TIE) Agreement with Canal Row, LLC for the housing development on land bound by Race and Main Streets (Assessors Map 030, Block 06, Parcels 001, 002, 004, 005, 006, 013 and 014) .

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

LEBRON-MARTINEZ Ordered, that Ordered, that the City Council approve the Resolution for the Certified Project and the Tax Increment Financing (TIF) Agreement with Canal Row, LLC for the commercial development on land bound by Race and Main Streets (Assessors Map 030, Block 06, Parcels 001, 002, 004, 005, 006, 013 and 014).

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

MCGEE Ordered, that That the Preliminary Election in the City of Holyoke for the choice of City Officers be and the same is hereby called to be held on Tuesday, September 21, 2021 in the several polling places as designated by the City Council. The polls will be opened at 7:00 a.m. in the forenoon and closed at 8:00 p.m. in the afternoon of said day, and all the voters in the several precincts in which they are entitled to vote, between said hours, may cast their votes by voting machines and paper ballots for the election of :

MAYOR

Que las Elecciones Preliminaria en la Ciudad de Holyoke , para el escojer de oficiales de la cuidad ,

sera llevado a cabo el Martes, 21, de Septiembre 2021 en los varios barrios, designados por la Asambleista Municipal. Los precintos estaran abiertos a las 7:00 a.m. de la manana y permaneceran abierto hasta las 8:00 p.m., cuando los precintos sean designado para votar en las horas dicha y hagan dado sus votos por medio de las maquinas de eleccion o por boletos de papel , para la eleccion de:

ALCALDE

---> Received and adopted.

MCGEE Ordered, that That the Polling Place for each of the voting precinct in the City of Holyoke for the Preliminary Election to be held Tuesday, Sept. 21, 2021, be and the same are hereby designated as follows:

ORDENA, que los lugares para cada recinto en la Ciudad de Holyoke para las Elecciones Preliminar Esta que se llevaran a cabo el Martes , 21 de Septiembre 2021 sea y al igual, por este medio designado lo siguiente:

WARD ONE BARRIO UNO

PRECINCT A - Rosary Towers Recreation Room 21 Bowers St..

RECINTO A--Rosary Towers Recreation Room 21 de la Calle Bowers

PRECINCT B-- Holyoke City Hall, 536 Dwight St.

RECINTO B-- Holyoke City Hall, 536 Dwight St

WARD TWO BARRIO DOS

South Bridge St. Entrance only

Morgan, en la Calle So. Bridge solamente

Maple St.

Calle Maple

WARD THREE BARRIO TRES

Northampton St,

Metcalf, 2019 de la Calle Northampton

2019 Northampton St.

Metcalf, 2019 de la Calle Northampton

WARD FOUR BARRIOS CUATRO

Parish Center, Appleton St.

Center, en la Calle Appleton

WARD FIVE BARRIOS CINCO

School Gym, Kane Rd.

McMahon, en la Calle Kane

PRECINCT A--Morgan School Gym,

RECINTO A--Gimnasio de la Escuela

PRECINCT B - Falcetti Towers, 475

RECINTO B - Falcetti Towers, 475 de la

PRECINCT A - Metcalf School, 2019

RECINTO A - Gimnasio de la Escuela

PRECINCT B - Metcalf School Gym,

RECINTO B -Gimnasio de la Escuela

PRECINCT A& B - St. Paul's Church

RECINTO A&B - St. Paul's Church Parish

PRECINCT A - Lt. Elmer J. McMahon

RECINTO A--Gimnasio de la Escuela

School Gym, Whiting Farms Rd. Donahue, en la Calle Whiting Farms	PRECINCT B - Maurice A. Donahue RECINTO B–Gimnasio de la Escuela
WARD SIX BARRIO SEIS Jarvis Ave. de la Calle Jarvis	PRECINCT A&B - Sullivan School 400 RECINTO A&B - Escuela Sullivan, 400
WARD SEVEN BARRIO SIETE Gym, 1 Jefferson St. E. N. White, 1 de la Calle Jefferson	PRECINCT A&B - E. N. White School RECINTO A&B- Gimnasio de la Escuela

---> Received and adopted.

MC GEE Ordered, that That the City Council meeting of September 21, 2021 be rescheduled due to the Preliminary Election.
 President McGee stated that he would work with the Mayor to determine if a special meeting would be necessary.
 Councilor Bartley expressed a preference for meeting on the 20th, even if for an hour to keep the Council current.
 Councilor Sullivan suggested that there should be a date set to allow people to schedule their plans around the date.
 Councilor Vacon made a motion to set the next meeting for September 20th. Councilor Bartley seconded the motion.
 Councilor McGiverin noted that the evening before an election would also present conflicts for the City Clerk.
 Motion to set the meeting date failed on a voice vote.
 President McGee asked if the 28th would work.
 Councilor Vacon stated that there were public hearings scheduled for that evening.
 Councilor Tallman asked if the 27th would work.
 Councilor Bartley stated there was a DGR meeting that evening.
 Councilor Sullivan suggested they should hear from the City Clerk to determine if the 20th would be an issue.
 Motion was made and seconded to suspend the necessary rules to allow the City Clerk to address the Council.
 City Clerk McGee stated that her office has a long day on the 20th setting up precincts and preparing and then returning to City Hall early morning on Election Day.
 Councilor Bartley made a motion to set the next meeting for September 20th. Councilor Sullivan seconded the motion. Motion failed on a voice vote.
 Councilor Bartley asked if the City Clerk needed to be at the meeting.
 City Clerk McGee stated that there was more work involved in addition to taking vote tallies.
 President McGee suggested that without a new date, the meeting would be canceled.
 ---> Received and adopted.

MC GEE Ordered, that Ordered that the position of Professional accountant that has been budgeted for the Auditor's department for fiscal year 2022 be assigned to Grade 10 of Schedule A of the Classification and Hiring Schedules of the City of Holyoke Ordinances.
 ---> Received and referred to the Ordinance Committee.

MC GEE Ordered, that Ordered that the law department draft a home rule petition to be filed with the

Legislature to remove the residency requirement for City Solicitor from section 45 of the Holyoke City Charter.

Section 45 of the Holyoke City Charter reads: No person shall be eligible to any of the offices of the city government, except superintendent of schools, unless he is a citizen and has been a resident of the city for at least two years.

Proposed amendment to section 45: No person shall be eligible to any of the offices of the city government, except superintendent of schools and City Solicitor, unless he is a citizen and has been a resident of the city for at least two years.

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

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2022 STATE PLAN FOR THE LIBRARY SERVICES AND TECHNOLOGY (LSTA)-ARPA, \$50K, 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, September 7, 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 "FY2022 CRCC/PVPC CSO, \$745,000, 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, September 7, 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 "ARSON WATCH REWARD PROGRAM, \$1K, 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, September 7, 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 "SFY2021 COMMONWEALTH SECURITY TRUST FUND, \$11,720, 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, September 7, 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 2022, SIXTY ONE THOUSAND NINE HUNDRED NINETY THREE AND 88/100 Dollars (\$61,993.88) as follows:

FROM:		
12101-51104	LIEUTENANT	\$11,676.84
12101-51105	SERGEANT	12,439.03
12101-51107	PATROLMEN	37,878.01
	TOTAL:	\$61,993.88
TO:		
12101-51180	INJURED ON DUTY	\$61,993.88
	TOTAL:	\$61,993.88

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 7, 2021.

Terence Murphy, Mayor

Councilor McGiverin clarified that the transfers were for accounting purposes to identify salaries for public safety employees injured on duty.

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, ONE HUNDRED TWENTY FIVE THOUSAND AND 00/100 Dollars (\$125,000) as follows:

FROM:		
12101-51109	RESERVES	\$60,000
12101-51590	COURT	40,000
12101-51117	E911 DISPATCHER	2,000
12101-51107	PATROLMEN	20,000
12101-51104	LIEUTENANT	3,000
	TOTAL:	\$125,000
TO:		
12101-51300	OVERTIME	\$125,000
	TOTAL:	\$125,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 7, 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 2022, ONE HUNDRED FORTY NINE THOUSAND SEVENTY SIX AND 00/100 Dollars (\$149,076) as follows:

TO:		
13001-51101	SCHOOL - PERSONAL SERVICES	\$71,456
13002-57000	SCHOOL - OTHER EXPENSES	34,181
18202-56510	SPED - TUITION ASSESSMENT	582
18202-56511	SCHOOL CHOICE ASSESSMENT	42,857

TOTAL: \$149,076

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 7, 2021.

Terence Murphy, Mayor

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

MCGIVERIN Ordered, that the amount of SIX HUNDRED DOLLARS/100 Dollars (\$600.00) be authorized from the SOLICITOR'S OFFICE Department's PROFESSIONAL SERVICES-SPECIAL COUNSEL (11512-53010) appropriation in fiscal year 2022 for services rendered in fiscal year 2021 which were unencumbered at the 2021 fiscal year end.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 7, 2021.

Terence Murphy, Mayor

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

MURPHY Ordered, that That the Public Service Committee interview for the position of Tax Collector . Councilor Murphy stated that many resumes had come in , with most applicants from outside of Holyoke . Councilor McGiverin noted that the City Council advertises the position . He also noted that someone who is not a resident would have time to become a resident . Councilor Bartley asked how many applicants there were . Councilor Murphy stated that there were 48 applicants .
---> Received and referred to the Public Service Committee.

MURPHY Ordered, that A study to address a possible right turning only lane , Hampden right turn only onto Pleasant is the goal.

---> Given leave to withdraw by maker .

MURPHY Ordered, that Ordered that the ordinance committee meet regarding the application process and permitting process in Holyoke as it might compare with neighboring communities . The purpose of this order is to determine whether Holyoke is making it more difficult to attract new development projects both in terms of time and expense required that other cities in the area .

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

MURPHY Ordered, that Ordered that the city file a home rule petition with Representative Duffy and Senator Velis allowing the Holyoke Police Department the authority to confiscate and destroy illegal dirt bikes and OHV's similar to the petition filed for Springfield and currently pending in the state legislature . Councilor Murphy stated that he met with public officials and law enforcement from many surrounding communities facing the same issues with dirt bikers . He then stated one goal was to be allowed to destroy confiscated bikes. He then noted that the goal was to have multiple communities enact the same policies .

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

MURPHY Ordered, that Ordered that an ordinance be established prohibiting gas stations from selling gas to illegal dirt bikers/OHV's.

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

MURPHY Ordered, that Ordered that an ordinance establishing municipal fines for illegal operation of dirt bikes and OHV's be established at the highest possible level allowed .

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

MURPHY Ordered, that Ordered that the city council work with the mayor to establish an ordinance which

will set the guidelines for flag raising events in the city .
 ---> Received and referred to the Ordinance Committee.

MURPHY Ordered, that Ordered that the city council work with the mayor to establish a formalized procedure for any request to have a street closing.
 ---> Received and referred to the Ordinance Committee.

MURPHY Ordered, that Ordered, that the DGR committee meet with the Soldier's Memorial Commission the Veterans service director, and the Supt of DPW as well as our State Senator and State Representative to discuss the administration and maintenance of the War Memorial building .
 Councilor Murphy stated the goal was to ensure that building is maintained properly , noting it would require a change to state law.
 ---> Received and referred to the Development and Governmental Relations Committee.

LATE FILED ORDERS & COMMUNICATIONS

LISI Ordered, that That we change our rules to pass ordinances other than zone changes by a simple majority.
 ---> Received and referred to the Charter and Rules.

From Mayor Murphy, letter appointing Willie Spradley of 8 Ross Rd. to serve on the Citizens Advisory Committee
 ---> Received and referred to the Public Service Committee.

Communication and legal forms from City Solicitor's Office regarding Indigenous People Day
 ---> Received and referred to the Ordinance Committee.

Communication from City Solicitor's Office, License Agreement between the City of Holyoke and Edward A. Owen.
 ---> Received and referred to the Development and Governmental Relations Committee.

HERNANDEZ Ordered, that Ordered that the ordinances be updated to reflect that Columbus Day will now be referred to as Indigenous Persons Day
 Councilor Hernandez noted that there was already a resolution passed by the Council , and that the passage of the ordinance should be a formality . She noted legal language was already available and suggested that the item be laid on the table for review and a vote at the next meeting .
 President McGee noted that rule 36 requires all ordinances must be referred to the Ordinance Committee before adoption.
 Councilor Hernandez asked if the vote threshold would be 9 votes.
 President McGee stated it would be 9 votes based on a recent legal opinion clarifying the rule .
 ---> Received and referred to the Ordinance Committee. Copy to the law department.

HERNANDEZ Ordered, that That DPW and or Holyoke Police department provide an update on what was the agreement when the Dunkin Donuts was built as to designate certain parking spaces for Eddie's Furniture located at 865 Hampden Street, to allow their delivery and Large cargo vehicles to have the necessary clearance to enter and exit safely from their lot. As it stands there are provisional handwritten no parking signs posted on cones that continually are being taken down thus preventing their business to function properly.
 Councilor Hernandez stated that the business believed the parking spots had been reserved to allow their trucks to make deliveries but were encountering issues with their cones being removed .
 Councilor Tallman asked to be added to the order .
 Councilor Leahy suggested that a neighborhood meeting be held, noting a new restaurant had opened in the area as well.
 Councilor Greaney recalled an incident that evening with a bike that cut right in front of him , forcing him to swerve to avoid hitting the person.
 Councilor Murphy noted that the issue has come up with kids on regular bikes observing behavior on dirt

bikes and beginning to harass drivers. He stated they were attempting to address both issues.
---> Received and referred to the Public Safety Committee. Copy to DPW, Police Department.

MCGIVERIN Ordered, that the amount of ONE THOUSAND TWO HUNDRED NINETY ONE AND 00/100 Dollars (\$1,291.00) be authorized from the CITY SOLICITOR Department's PROFESSIONAL SERVICES-SPECIAL COUNSEL (11512-53010) appropriation in fiscal year 2022 for services rendered in fiscal year 2021 which were unencumbered at the 2021 fiscal year end.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 7, 2021.

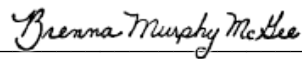
Terence Murphy, Mayor

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

Adjourn at 10:57 PM.

A true record

ATTEST:



City Clerk