

REGULAR MEETING OF THE CITY COUNCIL
December 7,2021

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

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

The Pledge of Allegiance was recited..

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

Motion was made and seconded to suspend the necessary rules to take up item 35 out of order.
MCGEE Ordered, that Proclamation to Susan Kelley for 10 years of dedicated service as executive director of the children's museum of Holyoke.
---> Received and adopted.

President McGee invited Miles, Molly, and Mac McGee into the Chambers to escort Susan Kelley to the podium. He also noted that City Solicitor Lisa Ball offered some of the highlights of Ms. Kelley's accomplishments, including collaboration of many successful "First Night Junior" events at the Merry-go-Round, bringing ideas for new exhibits from a Museum Association Conference, working with United Way volunteers, receiving a grant to for EBT family admittance into the museum, collaborating for successful Fancy Steps fundraisers, establishing contacts for receiving grants, and working to make the museum safer during the Covid-19 pandemic. He then read the proclamation.

S. Kelley stated that one of the bets parts of her job was watching kids grow up. She also stated that it had been an awesome job. She then stated that she was also seeking to develop a Marcotte Ford repair station exhibit for kids to explore, adding that Marcotte had pledged \$10,000 of the needed \$70,000 for the project.

President McGee invited Lt. Maria Pelchar from the Fire Department into the Chambers to present proclamation recipients. He then stated that a proclamation was to be given to Rafael Rivera for winning the Annual Arson Watch Poster Contest. He also noted that the artwork for the winning posters was on display in the Chambers.

Lt. Pelchar stated that she had been involved with submissions to the contest for 15 years. She noted that the winning artwork is printed in annual calendars that are distributed across Massachusetts and Rhode Island. She then stated that Emma Caproni had won second place for Hampden County and Rafael Rivera had won third place for Massachusetts. She then noted that Ms. Caproni and Mr. Rivera had been the first winners ever from Blessed Sacrament School.

President McGee clarified that the Council had a proclamation ready for Mr. Rivera and would have one done for Ms. Caproni as well. He then offered thanks to Patti Devine for preparing proclamations for the City Council.

Councilor Leahy suggested pulling an order from the Public Service Committee to appoint a new Chief Assessor.

Motion was made and seconded to suspend the necessary rules to pull an order out of the Public Service Committee jacket.

MCGEE -- Order that the city council appoint a new assessor.

President McGee noted that Anthony Dulude has served as Chief Assessor for 29 years and was moving to a role at the Retirement Board.

Motion was made and seconded to move to the first ballot for Chief Assessor.

Councilor Leahy stated that Anthony had done well in the Assessor's office. He then stated that he would be supporting Debbie Brunelle, noting that she had capably worked in the department for a long time.

---> Debbie Brunelle received 13 votes (Anderson-Burgos, Bartley, Greaney, Hernandez, Leahy, Lebron-Martinez, Lisi, McGee, McGiverin, Murphy, Sullivan, Tallman, Vacon), Debbie Brunelle appointed as the new Chief Assessor for the City of Holyoke on the first ballot.

LAI D ON THE TABLE

(13:20)

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

The Committee on Development and Governmental Relations to whom was referred an order Special Permit Application of Peter Rosskothan/Delaney House/Log Cabin at 3 Country Club Rd (226-00-005) to replace the existing double sided billboard facing I-91 with a new double sided 'non-accessory electronic sign' of approximately 672 sq ft, to be mounted on a poll of approximately 40' of height with a "V" shaped structure Recommended that the order has been adopted with the following conditions:

1. That the height of the sign from the ground to the top of the sign by no greater than 40 feet
2. That the area of the sign be no greater than 672 square feet.
3. That the sign is allowed to be digital.
4. That the permit runs with the petitioner and with the land;
5. That the permit shall neither be transferable nor assignable
6. That the petitioner shall not be able to sublease without City Council approval
7. That the granting of the permit is further subject to approval by the Commonwealth of

Massachusetts

UNDER DISCUSSION:

Councilor Bartley stated that the order had been tabled at the previous meeting to seek input from Law Department. He then stated that he would be proposing amendments that had been approved by the Law Department. He then made motions to amend the permit to add 4 additional conditions:

Councilor Tallman seconded each motion to amend.

Councilor Bartley stated that the public hearing had been noticed, adding that the Commonwealth expressed concerns about the buffer after the hearing had been closed. He then emphasized that the Commonwealth had not appeared at the public hearing either in person or on Zoom. He added that the petitioner agreed to the additional conditions.

Amendments approved.

---> Report of Committee was received and adopted on call of the roll of the yeas and nays 11 Yeas--2 Nays (Hernandez, Lisi)

Motion was made and seconded to suspend the necessary rules to take up item 30A out of order.

The Committee on Development and Governmental Relations to whom was referred an order License Agreement between City of Holyoke and Edward A. Owen

have considered the same and Recommended that the order has been adopted, with referral of an amendment to the Law Department requesting that the amendment come in legal form as a communication to the City Council.

Committee Members:

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

UNDER DISCUSSION:

Councilor Bartley made a motion to amend the agreement, specifically Section 1 "Scope of License," paragraph F, inserting "notwithstanding language to the contrary, the parties hereto shall bilaterally confer as to the time, place, and method of the removal or alteration of the ramp and said removal or alteration shall be completed in a reasonable time frame and in a workman like manner."

Councilor Tallman seconded the motion.

Councilor Bartley noted that Mr. Owen had a license to use the property at 120 Front Street, adding that there were tenants at the property. He then noted that Mr. Owen was investing \$10,000 to install a handicap ramp. He then stated that language in the license had been an issue for Mr. Owen, specifically language that did not define an emergency that would allow the City unilateral right to require him to remove the ramp within a period of time. He stated that the committee agreed the original language had been overly harsh.

Amendment passed.

---> 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 Ordinance to whom was referred an order that That the City of Holyoke, re-examine the current ordinance which only specifies that the snow and ice shall be removed from the entire width of the sidewalk on all portions of streets on which parking meters are installed but does not state this for residential zones.

Sec. 78-141. - Removal of snow and ice.

(a) No owner or person in control of an estate abutting upon any street, lane, court, or square within the city where there is a sidewalk shall place or suffer to remain for more than 24 hours any snow upon such sidewalk, or any ice upon such sidewalk unless such ice is made even and covered with sand, sawdust, ashes or other suitable material to prevent slipping; nor shall any person place any ice or snow onto other private property or public ways. This section shall apply to snow or ice which may have fallen from any building upon such sidewalk and to snow which may have accumulated upon such sidewalk by drifting, and to ice formed from water running or accumulating upon such sidewalk.

(b)

On all portions of streets on which parking meters are installed, all snow and ice shall be removed from the entire width of the sidewalk within eight hours after the cessation of any snowstorm.

(Code 1972, § 18-15)

We are currently having issues with the owner of 921 Dwight Street, Holyoke, MA in which he does not abide by the ordinance and when he finally gets to complying he shovels out a 12 inch pad as wide as the shovel in his corner lot located on Linden and Dwight Street. Residents have raised their avid discontent in the matter, the HPD and BOH have tied resources in the matter and as most recent as this last snow storm it appears that the owner is not aware of his property lines and responsibility. See library of images that I am including as an example since the snow season started. Recommended that the order has been adopted.

---> Received and referred to the Ordinance Committee. (Item was not supposed to be laid on the table. Item was sent to Ordinance at the 11/16/21 meeting)

Motion was made and seconded to remove item 3 from the table.

The Committee on Ordinance to whom was referred an order that the ordinances be updated to reflect that Columbus Day will now be referred to as Indigenous Peoples Day. Recommended that the order has been adopted, as amended by adding ",formerly known as "Columbus Day" at the end..

UNDER DISCUSSION:

Councilor Lisi stated that the matter had been tabled in order to receive legal form. She also stated that there had been a concern regarding the impact of changing the ordinance language on existing contracts that may have Columbus Day as a paid holiday. She noted that the amendment language would address this concern. She then stated that the ordinance would assure that city employees were paid for the holiday as Indigenous Peoples Day.

Councilor Vacon questioned if the city should change the holiday, noting that Columbus Day remained a federal holiday.

Councilor McGiverin noted that he had raised a question on if the city could supersede a state or federal holiday. He then clarified that he had no issue with intent of the recognition. He noted that he had not heard an answer to this question. He then asked for confirmation that the Chair had the legal form.

President McGee confirmed that he did have two legal forms.

Councilor McGiverin reiterated that federal law supersedes any ordinance the city could create. He noted that he supported the resolution to recognize Indigenous Peoples Day, adding that there were many concerns with the actions taken by Christopher Columbus during his expeditions. He then emphasized the need to learn more about the history. He also noted that the Law Department suggested establishing the holiday by executive order.

Councilor Murphy echoed Councilor McGiverin’s concerns about striking a balance. He then emphasized the need to recognize the history of indigenous people being unjustly dealt with. He expressed a desire to see the city unite, staying with Columbus Day while seeking to honor those who had faced injustices. He then suggested that this should include honoring immigrant people.

Councilor Greaney noted that the Law Department suggested recognizing the holiday by executive order. He then reiterated that the city could not supersede federal law.

Councilor Hernandez suggested that the change would not be superseding the federal holiday, noting that the city would not be eliminating the federal holiday. She then stated that the effort was about amplifying the atrocities committed against the indigenous people. She also noted that the city was made up of 54% people of Taino ancestry.

Councilor Leahy noted that as the son of an immigrant, he recognized the injustices against indigenous people and immigrants throughout the country’s history. He noted that the local schools had two days of recognition, Columbus Day and Discovery Day. He then echoed Councilor Murphy’s suggested to honor and recognize indigenous people and immigrants together.

Councilor Lisi suggested that an executive order to recognize Indigenous Peoples Day had already been done through the passage of a resolution. She clarified that the ordinance change would give city employees the holiday off as Indigenous Peoples Day. She then emphasized that many changes at the federal level often start at the local level. She then noted that indigenous people are native people, drawing a distinction with immigrants and adding that there was no equivalency between the two.

---> Report of committee was received and denied on a call of the roll of the yeas and nays 7 Yeas--6 Nays (Bartley, Greaney, Leahy, McGiverin, Murphy, Vacon)

PUBLIC COMMENT

(40:40)

President McGee stated that emails had been submitted to be read during the public comment period. He then read email into the record:

Linda Pratt, 39 Saint Kolbe Drive, stated
Councilors:

At the Ordinance Committee meeting on November 23rd, many Holyoke citizens spoke up regarding their wish for you to strike the language adopted in 2017 that prevents any city employee from serving on the city council. As these people appeared before you and perhaps spoke publicly for the first time, I am sure it was not easy for some of them. But they realized that their right to representation was at risk.

Jenny Rivera was elected to council in my ward. During the campaign I attended three Meet and Greets with her. Twice I heard her say that she intended to forfeit her city council stipend. Never did I hear her say she was planning to give up her job.

Israel Rivera stated at the Ordinance meeting that he had inquired about potential conflicts of interest, and was assured by the city's Law Department that his new position with HPS did not constitute one.

At no point in the campaign did anyone notify these two candidates that this ordinance was in place. I can only assume that sitting councilors either forgot it was on the books, or purposely avoided saying anything

about it. Clearly, no one with knowledge of it talked to either of these councilors elect. Barring ALL city employees from serving on council may work well for some cities. However, in Holyoke, where a large segment of our population has been under represented in city government, barring even school department employees from serving disqualifies many residents. Please vote to strike this language when it comes before you at the next full council meeting. Let the new City Council be seated. They can then take the time needed to examine the language in the Charter and determine what changes are needed so that it reflects the times we live in and the needs of our citizens. As Council President McGee said at the Ordinance meeting: "What are we afraid of?" Steve Z, Smiths Ferry Road, Columbus Day. 1492. 600 Years Ago. Just wondering what 1 day in this prejudice city council with the exception of one council women are you going to Fly the Italian Flag! You learn from history and forgive and look FORWARD!

Daphne Board, 197 Pine Street, stated
Hello Councilors,

I'm in favor of item #26A, removing the 2017 ethics ordinance language that may have been well-intentioned but is in practice confusing and overly broad. Two Holyokers ran good races and won their seats on the 2022 Council. Let's remove the obstacle since both are clear with the State ethics guidelines.

Laura Clampett, 182 Locust Street, stated

Public comment with regard to agenda item 26A: The two councilors elect that this potential ordinance change impacts were duly elected by the people and should be allowed to serve. If there is a lack of clarity around section (g) (2) of Ordinance 2-69, the ordinance should be changed.

One of the councilors elect sought out advice from the legal department and state ethics commission and was told by both that there shouldn't be a problem with holding a school department position and city council position. Due diligence was done. These councilors elect spent considerable time and money connecting with voters and won their seats on the council fairly. They should be allowed to serve.

The ordinance - as interpreted to disallow anyone who holds any city position - is not necessary. Any conflicts of interest (which could arise for any councilor) could be handled easily through recuse.

This is also not an isolated case of someone who holds a position in city government simultaneously serving on city council. Election results should not be challenged on a case by case basis depending on whether one agrees or disagrees with the result. The timing of the challenge is also extremely suspect. I followed the election closely, and did not hear this concern mentioned in any debates or on campaign literature from opposing candidates.

In this case, sitting councilors who ran and lost stand to potentially benefit if the election results are invalidated. They should be required to recuse themselves from this vote. They also should not be automatically seated if this amendment fails and the councilors elect can't justify leaving their current positions.

To avoid confusion, please vote to amend Ordinance 2-69 by striking section (g)(2) from the ordinance.

Owen Broadhurst, 1328 Northampton Street, stated

Dear Councilors,

The municipal electorate expressed its will regarding its chosen representatives on Election Day. My hope is for the will of the voting public to be respected. Those voting for Jen and Israel Rivera have been nothing short of enthusiastic in their support for these City Councilors elect throughout the whole of the process, and have every right to representation in Council of their choosing.

None of this should remain in doubt, and it is clear that ample measures both have sworn they shall take- and the Commonwealth's own conflict of interests laws- shall address plainly all and any concerns any may have regarding any conflicts of interest as may confront either within their tenure

The voting public, certainly no less aware than anyone else of language in ordinances, has every right to representation of its choice- and choose it did, a choice that ought to be respected should we all be sincerely committed against having anyone within our municipality disenfranchised. The decision before the City Council in its starkest terms, then, is if we shall continue within our disenfranchisement of communities that now have organized to be heard, or respect their wishes.

Their wish is for their candidates, who had been elected in a contest both legal and fair, to be seated.

Their wish is for language in ordinances as may by some be perceived as barriers, to be stricken. Let us respect the will of the electorate; Let us never disenfranchise constituents in struggle; and let us be seated on the right side of history

Susan Van Pelt, 246 Walnut Street, stated

Dear councilors,

Please keep it simple and vote yes on Councilor McGee's order to strike the prohibition by ordinance on city employees serving as city councilors. The Charter prohibition on "officeholders" is sufficient for separation of powers and can be updated appropriately in the next term (looking at you once again, Community Preservation Act Committee!).

While I am sensitive to issues around conflict of interest, the appropriate remedy is recusal on specific discussions and votes.

That all City employees be excluded is as absurdly overreaching as preventing any employee of Gary Rome, just as an example, from serving on Council because he's appeared in Chambers so often over the years, takes advocacy positions through the Taxpayers Association, serves on the mayor's transition team, and thus might unduly influence his employee's votes. The point is, *everyone* (including the self-employed and the "independently" wealthy) has influences that would affect how they serve as councilors. Beyond the actual conflicts as defined by state law and city charter, it should be left to *voters* to decide who represents us.

Patti Devine, 58 Magnolia Avenue, stated

Dear Councilors

Tonight you have an historical opportunity to correct a wrong and pass the ordinance tonight that enables 2 City Councilors elect to take their rightful place on the City Council. I would respectfully ask you to vote in favor of this new Ordinance change. This is as American as it can get.

Motion was made and seconded to suspend the necessary rules to allow more than 10 speakers to speak, with a time limit of 60 seconds per speaker.

Paulo Ferrario, 180 Michigan Avenue, stated her intent to address item 26A. She asked that section (g)(2) be stricken from Ordinance section 2-69. She stated that while she was not a lawyer, she expressed her belief that the ordinance was overly restrictive to limit School Department employees from serving as city councilors. She then emphasized that rules are intended to be tools and that the issue could be fixed.

Helene Florio, 31 Wellesley Road, stated that she was speaking on behalf of the Holyoke Taxpayers Association, asking for consideration of her points before voting on the tax rate. She noted that businesses pay more for taxes than residents and receive fewer services. She then noted that Holyoke was the highest commercial tax rate in the state. She then stated that the city had lost revenue to non-profits owning property. She stated that increase in values was a good thing, but the city should be not be the highest rate in the state. She then emphasized the need to support businesses, and fair and equitable growth.

Guy O'Donnell, 367 Apremont Highway, asked that the ordinance be changed to allow city employees to serve as city councilors. He then recalled a moment when his son received an award at school from councilor elect Israel Rivera. He noted that Mr. Rivera had helped organize a field day for kids and had helped in the community. He also noted that councilor elect Jenny Rivera had been involve din the community, including help with a food distribution to help those who needed it. He stated that the two were among the most ethical he knew. He then suggested that rules that do not make sense should be changed.

Richard Purcell, 279 Suffolk Street, emphasized the need to elect champions in the city, noting that the councilors elect were duly elected and should be allowed to serve.

Jose Maldonado Velez, 210 Pine Street, stated that the Council meets to assure that the rules serve the people. He then suggested that (g)(2) in 2-69 was not serving the people properly. He then asked that the Council remove the language to assure those that were elected get to serve. He then stated that the matter was also about assuring everyone had access to the electoral system.

Kevin Jourdain, 18 Raymond Avenue, stated that everyone knew the rules before the election, adding that he spoke with the School Department to inform them of the rules. He then expressed his understanding that others had spoken with councilors elect Rivera and Rivera about the rules. He noted that the Ethics Ordinance further codified ethics provisions in the Charter. He then suggested it was unethical to change the rules after the election. He then suggested that changing the rules would allow the mayor to hire city

councilors for city jobs. He then suggested that lifting the rule would lead to a flood of city employees running for City Council.

Kocayne Givner, 13 O'Connor Avenue, expressed her support for those who had been elected to their seats, adding that their service would not be a conflict of interest. She then stated that ordinances were suggestions made by the Council, adding that the Charter was the actual law created at a time when the city employed few people and likely did not have to worry about such ethics issues.

Israel Rivera, 25 Willow Street, offered thanks to those who had supported him. He then suggested that bullying was not how democracy should be. He then emphasized that he would be seated in January.

John Aubin, 41 Clinton Avenue, spoke in favor of an order to establish a moratorium on new marijuana establishments in the City. He stated that the ordinance establishing marijuana establishments had not been enough to protect the air quality and health of residents and impact businesses in the downtown area. He suggested that continued growth without addressing the issue of odors would do damage to the downtown area.

Lyn Horan, 100 Southampton Road, expressed support of striking (g)(2) and allowing the councilors to serve. She then expressed concern over the aggressive nature of the opposing position. She then stated that she did not see that an employee in the School Department would have a conflict.

Helene Busby, 90 Brookline Avenue, stated that with everything that the City Council handles, the ordinance was adopted without fully envisioning the entire impact of the 2-69. She noted that this happens often, adding that there could be a legislative fix to address the impacts.

John Rivera, 2 Laurel Street, expressed support for item 26A. He suggested that the ordinance was obstructionist and would not carry through the next election.

Ethan Gaz, 109 Lyman Street, stated that he was representing Small Wonder Cultivation. He stated that while he understood the concerns with marijuana odor, more research needed to be done to understand the controls. He then stated that a mistake in the language of the marijuana ordinance had created many problems with applicants, asking that the Council fix it.

Motion was made and seconded to suspend the necessary rules to take up item 26A out of order.

The Committee on Ordinance to whom was referred an order that the City Council amend Ordinance 2-69 by striking section (g) (2) from the ordinance. That section states " No employee of the city shall simultaneously serve on the city council during their time of employment." Recommended that the order be adopted.

UNDER DISCUSSION:

Councilor Lisi noted that many community members attended the committee meeting to support the ordinance change, with one or two opposing. She then stated that the Charter language was ambiguous and could be clarified. She then suggested that the language change was proposed as a reaction to a police officer serving as a city councilor. She then stated that councilors could and had regularly recused themselves when conflicts came up. She then stated that city councilors are elected as a statement of the public's will, adding that voters did not have an issue with supporting councilors elect Jenny Rivera and Israel Rivera. She also noted that a challenge to the seating of a councilor would only come after the seating of the new Council. She then suggested that it would not be respecting the will of the voters to challenge the seating of councilors. She then stated that it would not have been the School Department's role to notify their employees of a conflict.

Councilor Vacon stated that ordinances were not suggestions but local laws. She then stated that the ordinance had not been adopted as a reaction to a police officer serving on the City Council. She stated the law had been done when there was no election and no conflicts. She noted that an order with Charter and Rules to change an elected position to an appointed one had been tabled in order to avoid changing the conditions of the position during an election year. She noted that at least one other person choose not to run for election due to knowing they could not. She then suggested that the councilor elect in question could choose not to work for the city and choose to serve on City Council. She expressed concern that a city employee serving as a city councilor could have their boss addressing the Council as their department's head.

Councilor McGiverin expressed support for the ordinance change, noting that the local laws could not conflict with state law. He stated that city government exists through their charters as a covenant with the state. He clarified that while local laws can be more restrictive than state law, they cannot deny the intent of state laws. He then noted that potential conflicts of School Department employees could force them

recuse themselves if the Council votes on bonding for a new middle school, reducing the number of available votes for passage. He then questioned the implication that city councilors police each other, adding that each councilor police themselves when it comes to ethical concerns, potentially addressing issues with the state's Ethics Commission.

Councilor Lisi questioned the requirement that School Department would have conflicts for bonding of a new middle school. She noted that there would not be a financial benefit to the schools to build a new one. She reiterated that the councilors should not assume to know more than the public who voted. She also noted that the Council had no oversight of the schools. She then suggested that the ordinance should reflect the will of the voters. She then noted that the ordinance had prevented people of color from seeking to represent their ward when the Council had to vote to fill a Ward 2 vacancy.

Councilor McGiverin reiterated that he intended to support the order. He then clarified that the intent of his point on voting for school bonding had been to illustrate how important he understood ethics to be. Motion was made and seconded to suspend the necessary rules to allow the Law Department to address the Council.

Councilor Sullivan asked if it would require a simple majority or a super majority to remove a councilor whose seating had been challenged. He then asked if those councilors would be entitled to vote.

Atty Bissonnette stated that councilors whose seating had been challenged would not be allowed to vote on the election of the president. He then stated that any challenges would be decided by a majority vote. He then stated that it would require a motion to seat to be approved by a majority. He then noted that the new Council would need to adopt the rules and make any changes they see fit to make.

Councilor Sullivan stated that it would be a mistake to strike the section altogether, adding that it had been well thought out. He then recognized that the value of amending the language, noting that they had been elected and that he did not see a conflict with the School Department. He suggested that striking the language altogether, the door would be open for employees such as union presidents, the City Council's administrative assistant, mayoral aides, or department heads. He suggested it could create a bigger problem for the city.

Councilor Murphy expressed confidence the procedure described by Atty Bissonnette would allow the councilors elect to serve. He added that it would be better to avoid any challenges to allow the City Council to begin their work. He then suggested that the ethics concerns were likely to create an issue with School Department employees voting on a school bond. He then theorized that any department having several members on the Council needing to recuse could prevent the body from having enough votes for passage of matters requiring a super majority. He also questioned the implication that he had not served the people of color in his ward.

Councilor Hernandez stated that the Council could strike the language now to allow all councilors elect to serve, adding that the new Council could then work on the language to address any concerns.

Councilor Anderson-Burgos noted that it had been one person seeking to make this an issue, adding that they were seeking to bully. He then stated that an ordinance created in 2017 should not supersede the Charter. He then suggested the language was designed to prevent certain people in the community from serving on the City Council.

Motion was made and seconded to suspend the necessary rules to allow Councilor Lisi to speak for a third time.

Councilor Lisi clarified that her point was to state that the ordinance had a disproportionate impact on people of color from serving.

Motion was made and seconded to suspend the necessary rules to allow Councilor Vacon to speak for a third time.

Councilor Vacon noted that the only person shouted down during that evening's discussion had been the person the majority of others disagreed with. She implored everyone to express their disagreement civilly. She then stated that the law had not been designed to harm anyone but striking it would harm those who may have sought to run for office.

Councilor Hernandez stated that one person shouted down had come in aggressively and had not acted civilly, noting that he had kept speaking past the one minute time limit. She then suggested that had often been created to disproportionately impact people of color.

Councilor Lebron-Martinez expressed hope for the community and for those who had run for office. She then noted that her grandkids often watch meetings, adding that she hoped they were not watching this meeting. She then recalled that there had been a councilor that had inquired about coaching a football team and receiving a stipend. She also recalled that the same person had received a stipend to be a

promoter for the football team. She then questioned the ethics of these situations. She then emphasized that the community was watching, adding her hope that this would encourage more people to vote. She also expressed a hope that people recognize the challenges that had been faced for some people to get where they are to be able to serve.

President McGee clarified that he filed the order in its current form at the recommendation of City Solicitor, Atty Lisa Ball. He added that another order would be filed to deal with his original intent of preventing City Hall employees from serving as city councilors. He also clarified that the original intent was to be all encompassing. He also suggested that the ordinance in its current form was so broad that councilors should not be able to serve on several boards such as Boys and Girls Club, Wisteriahurst, or various other boards.

---> 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.

Councilor Murphy made a motion to reconsider the previous action. Councilor Anderson-Burgos seconded the motion. A majority of councilors voted in favor.

COMMUNICATIONS

(1:09:05)

Motion was made and seconded to suspend the necessary rules to take up item 4, 5, and 6 as a package. From Mayor Joshua A. Garcia, letter re-appointing Ms. Miriam Panitch, 134 Madison Ave. to serve as a Commissioner of the Planning Board for the City of Holyoke: Ms. Panitch will serve a five year term; said term will expire on June 30, 2024.

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

From Mayor Joshua A. Garcia letter appointing Mr. Morris M. Partee, 127 St. Kolbe Dr. to serve as a member of the Board of Appeals for the City of Holyoke: Mr. Partee will serve a two year term; said term will expire July 1, 2023.

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

From Mayor Joshua A. Garcia, letter appointing Ms. Jennifer Keitt, 63 Arthur St. to serve as a member of the Holyoke Redevelopment Authority: Ms. Keitt will replace Ms. Gladys Lebron-Martinez and will serve her remainder term; said term will expire on November 1, 2022.

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

From Tanya Wdowiak, City Auditor , City of Holyoke Financial Statements, Management Letter and Independent Auditor's Reports Pursuant to Government Auditing Standards and Uniform Guidance for the year ended June 30, 2020.

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

From Brenna Murphy McGee, MMC Ward 5 City Councilor Recount November 19, 2021.

---> Received.

From Brenna Murphy McGee, MMC and Jeffery Anderson-Burgos Admin Asst to City Council minutes of October 19, and November 16, 2021.

---> Received and adopted.

Communication from Assessors office regarding first right of refusal for Chapter land property of Adam Mulcahy.

Councilor Bartley suggested that his colleagues read communication closely to understand what was being said. He suggested that the matter deserved a robust discussion in committee.

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

CPA Project funding extension recommendations.

Councilor McGiverin asked how many projects were on the recommendations.

President McGee stated there were two, one for the Valley Opportunity Council and one for the War Memorial.

Councilor Bartley suggested referring to the Finance Committee, noting that the Development and Governmental Relations Committee would not be meeting again in the current year.

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

From Board of Fire Commission minutes of October 21, 2021.

---> Received.

Letter from Meagan Magrath-Smith Holyoke Community Preservation Act Chairman, regarding Amy Landau increase in salary.

Councilor McGiverin asked if the salary was set by ordinance.

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

From PERAC letter re: Appropriations for Fiscal Year 2023.

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

From Kevin A. Jourdain, letter of resignation as a member of the Holyoke Water Works Commission effective January 2, 2022.

Councilor Bartley asked what the process was for filling the position. He then asked how many commissioners would remain after Mr. Jourdain's resignation.

President McGee stated that there would be one remaining, adding that there was an order with the Public Service Committee to fill a previous vacancy.

Councilor Bartley asked if there was an order to fill the upcoming vacancy.

President McGee stated that an order would have to come after the resignation becomes official on January 2nd.

Councilor McGiverin asked for a clarification of Mr. Jourdain's term on the Water Commission, noting his understating that the term about to expire.

President McGee clarified that the term was set to expire in January 2022.

Councilor McGiverin stated that the position would be vacant anyway, adding that they wouldn't start until February.

---> Received.

From Brian G. Smith letter of resignation from the Holyoke Retirement Board as a voting member.

Councilor McGiverin commended Mr. Smith's service on the Retirement Board as well as his years of service as Auditor.

---> Received.

From Craig DellaPenna letter re: Combining Holyoke's two Historical Commissions.
 ---> Received.

From Maribel Ortiz, Cover letter and resume for interest in the Community Preservation Committee.
 ---> Received and referred to the Public Service Committee.

From Franchesca Nunez, Cover letter and resume for interest in the Community Preservation Committee.
 ---> Received and referred to the Public Service Committee.

PETITIONS

(1:59:45)

Motion was made and seconded to suspend the necessary rules to take up items 20, 24, and 25 as a package.

Petition of GreenGrab, Inc. for a special permit to operate a Marijuana Delivery Operator at 620 Beaulieu St.

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

Petition of 876 Grow Inc. for a Marijuana and Cultivation Establishment at 360 Race St.

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

Petition of Hybrid House LLC for a Marijuana Manufacturing Establishment at 55 Jackson St.

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

Petition of Andrea Alvarez for a renewal of a home occupation for a Salon at 45 Longwood Ave.

---> Received and adopted.

Petition of Daniel LiBoissonnault for a renewal of a home occupation for a Plant-based/Non Dairy business at 267 Southampton Rd.

---> Received and adopted.

Petition of John P. McCann for a renewal of a Home Occupation for Massage Therapy and Yoga at 415 Ingleside St.

---> Received and adopted.

PRESIDENT'S REPORT

(2:01:15)

President McGee stated that there would be a City Hall Christmas party at Pic's Pub, adding that all councilors were invited.

He stated that the City Council Christmas party had conflicts with the original planned date and would be scheduled soon.

Councilor Bartley thanked the Mayor and City Clerk for the invitations.

REPORTS OF COMMITTEES

(2:02:10)

Motion was made and seconded to suspend the necessary rules to take up items 26B, 26C, and 26D as a package.

The Committee on Ordinance to whom was referred an order that a handicap sign be placed in front of 58

North Bridge St. for Marilyn Vazquez, Placard P95360581
 have considered the same and Recommended that the order be adopted, as amended to that a handicap sign be placed on the side of 58 North Bridge St on Ely St.

Committee Members:

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

UNDER DISCUSSION:

Councilor Lisi stated that all three orders were amendments to the traffic ordinances to remove two handicap placards and add one. She also noted that the Disabilities Commission had vetted the orders.

---> 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 handicap sign located at 24 Hampden St be removed. The resident that applied for this has since moved to another location in the city, and has a new application pending for the new address.

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.

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order Remove handicap sign from in front of 136 Beech street. Constituent passed away. Recommended that the order be adopted.

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

---> 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.

(2:09:00)

The Committee on Joint Committee of City Council and School to whom was referred an order Per the School Committee, refer to the Joint Committee of the City Council and School Committee an order to review proposed transfer of school committee land near Dean High School which abuts Ingleside St. and St. Vincent St. Ask that the Joint Committee review the City Engineer's drawings and take a vote whether to recommend approval of the transfer.
have considered the same and Recommended that the order has been complied with.

Committee Members:
Gladys Lebron-Martinez
Terence Murphy
Juan . Anderson-Burgos

UNDER DISCUSSION:

Councilor Murphy stated that the intent was to look into the potential of a developer building houses on the property at the corner of St. Vincent and Ingleside. He then stated that it would provide more housing, bring in tax revenue, and make the sidewalks safer for students walking to and from school. He noted that the School Department (HPS) concluded they would have no functional school use at the property and would transfer the property to the city. He then stated that the City Engineer would work with developers to look into possibilities.

Councilor Bartley referred to a letter from HPS clarifying their vote to approve the transfer of the property to the city. He expressed his intent that it would be a communication at on the next meeting's agenda.

Councilor McGiverin expressed appreciation for the vote to transfer the property at St. Vincent, noting that it would be a benefit to the surrounding neighborhood and the city. He also stated that there had been a suggestion to utilize some of the funds to support programs at Dean School. He then asked if there was an order for the City Council to approve the transfer.

Councilor Bartley clarified that when the communication from HPS was received at the following meeting, it would be referred to the Development and Governmental Relations Committee for discussion and a vote.

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

Motion was made and seconded to suspend the necessary rules to take up items 26F, 26G, 26H, and 26I as a package.

The Committee on Joint Committee of City Council and School to whom was referred an order that in an effort to document and make transparent the work that the Holyoke Public Schools have done under receivership, the City Council invite in Anthony Soto, Interim Receiver, as well as any cabinet level members, and possibly a representative from DESE to go over the metrics by which our student achievement is being evaluated, an explanation of the progress we have made thus far, and the benchmarks that we need to meet in order to be released from receivership.

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

Committee Members:
Gladys Lebron-Martinez
Terence Murphy
Juan . Anderson-Burgos

UNDER DISCUSSION:

Councilor Lebron-Martinez noted that a communication had been sent from HPS to provide their presentation from the committee meeting. She noted that the Receiver provided information on the achievement metrics of students. She also stated that reports from 2019 and 2020 had been impacted due to Covid. She also stated that there had been progress taking place prior to the pandemic. She noted that challenges had increased due to decreased participation. She noted that the presentation showed the

efforts HPS was making address challenges.

Councilor Murphy noted that they showed comparisons between HPS performance and the state standards. He then stated that one main issue was attendance, emphasizing that it had been a major issue prior to the pandemic. He emphasized the need to hold students and parents accountable, especially after the pandemic.

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

The Committee on Joint Committee of City Council and School to whom was referred an order That the City Council invite in the Middle School Building project to discuss City Council role, eligibility period, timing of meetings etc.

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

Committee Members:

Gladys Lebron-Martinez

Terence Murphy

Juan . Anderson-Burgos

UNDER DISCUSSION:

Councilor McGiverin noted that the presentation on the middle school project had been informative, adding that they were informed of tight timelines with a lot to be discussed at various levels. He then stated that the Council's next step would be to vote on a bond for the design phase following an appropriation submission from the Mayor. He then noted that while the MSBA was allowing the city to reapply, they would not be reimbursing the city for the design selection.

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

The Committee on Joint Committee of City Council and School to whom was referred an order that the joint committee of city council and school committee meet to discuss potentially transferring school property on the Dean campus at the intersection of St Vincent and Northampton St to the city for the potential purpose of constructing some homes, and making the streets and sidewalks safer for all, while producing some tax revenues.

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

Committee Members:

Gladys Lebron-Martinez

Terence Murphy

Juan . Anderson-Burgos

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

The Committee on Joint Committee of City Council and School to whom was referred an order that the joint council/school committee meet with the receiver to discuss the potential benefits of providing cursive writing instruction in some of the early grades. Studies have demonstrated that learning cursive improves fine motor skills; increases brain activity in both the right and left hemisphere; is a helpful tool for those with learning disabilities; and improves hand eye coordination.

have considered the same and Recommended that the order has been complied with, with a condition that a report be provided at the end of the school year.

Committee Members:

Gladys Lebron-Martinez

Terence Murphy

Juan . Anderson-Burgos

UNDER DISCUSSION:

Councilor Lebron-Martinez stated they explained the curriculum follows DESE standards, but not being completely removed. She then stated they intended to complete a survey to determine how many teachers provide cursive instruction.

Councilor Murphy emphasized that research indicated cursive writing improves educational learning,

adding that they did not know how much was actually being taught. He then noted that the current standard was that students could sign their own name. He then read from a report, which stated, "learning cursive improves fine motor skills in children. When writing in cursive, both the right and the left hemispheres of the brain show increased activity. This simultaneous hemisphere activity is known as right-left brain synergy. This brain activity promotes memory and language functions. Right-left brain synergy does not occur when using a computer keyboard or when writing in print. Learning cursive helps increase writing fluency's due to the smooth, continuous lines. It makes it easier for these students to convey a thought in writing." He noted they were trying to help students convey their thoughts in writing. He suggested that cursive was a way to accomplish then. He also noted that it was helpful to dyslexia's as the letters do not look as similar as when written in print. He suggested that while it was not part of the state standard, the HPS could do more. He also suggested that learning cursive could help address deficiencies in the school system.

Councilor Leahy recalled learning Denealian writing, adding that it improves creative writing and helps children become more educated. He suggested that when students are writing in cursive, it makes the brain work harder.

Councilor Anderson-Burgos stated that when writing, you think about what you're writing, using thought and mood, and adds to personality development. He stated that this was an important part of education. He suggested that this should be asked for as a part of the curriculum.

Councilor Greaney stated that writing instills a sense of individuality and uniqueness, something students identify with. He added that autographs of notable figures had been prized.
---> Report of Committee received and recommendation adopted.

(2:30:35)

The Committee on Finance to whom was referred an order City Council and the Mayor and the Law Dept review the J & J settlement agreement (see attached) and vote to approve joining as this will provide needed funds to fight the opioid crisis. According to the Attorney General's Office, municipalities that join will receive direct annual payments to expend on municipal abatement strategies developed with input from public health experts, municipal leaders, and families affected by the crisis. FYI: final action must be submitted to the A.G. by January 2, 2022 in order for Holyoke to receive funds. 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 many steps had already been taken, including an action by former Mayor Councilor Murphy to sign a deal to allow the city to get into the agreement. He noted that an appropriation would have to be approved by the City Council, adding that it would be around \$45,000 a year to address the impacts of the opioid crisis.

Councilor Bartley expressed an expectation that the City Council would be receiving a communication from the Law Department confirming that the city had joined the settlement agreement. He then clarified that the agreement was the result of a lawsuit against Johnson & Johnson, noting that Massachusetts would be receiving around a half billion dollars from the agreement. He added that every municipality had to express their interest in joining the agreement. He noted that the funding would be every year for 18 years, adding that the funding could be higher depending on the determination of need for Holyoke.

Councilor Tallman emphasized the importance of the funding coming to the city for 18 years, adding that the grant would be first received the following March.

---> Report of

Committee received and recommendation adopted.

The Committee on Finance to whom was referred an order that the amount of NINE THOUSAND SEVEN HUNDRED FIVE AND 00/100 Dollars (\$9,705.00) be authorized from the COMPUTER SERVICES Department's PROFESSIONAL CONSULTING SERVICES (11552-53010), TWENTY THOUSAND FOUR HUNDRED FIFTY SEVEN AND 00/100 Dollars (\$20457) be authorized from the POLICE/FIRE NETWORK ADMINISTRATION (11552-53020) appropriation in fiscal year 2022 for services rendered in fiscal year 2021 which were unencumbered at the 2021 fiscal year end.

(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 items were invoices for Whalley that had not been paid at the end of the fiscal year. He then clarified that the services from Whalley had been their own budget before being split into a line item with the Police Department and a line item in the Purchasing Department. He noted that the Auditor confirmed they had been missed, and that there was enough funding in the line items to cover 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.

Approved by the Mayor.

The Committee on Finance to whom was referred an order That the Auditor report to the city council on collection efforts for police detail work. Refer to Finance, copy to Auditor.

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 deficit had been lower than the previous year. He clarified the matter was related to outside vendors utilizing police details and sometimes not paying what they owe. He noted that the deficit had been \$240,000 in 2020, decreasing to \$155,000 in 2021. He also noted a 10% fee collected on these services had to be deposited into the general fund, according to state law, rather than going directly to the deficit.

Councilor Bartley stated that the Mayor, Auditor, and HPD would coordinate to come up with solutions to addressing the deficit. He then expressed concern that HPD had not been in favor of collecting fees from vendors ahead of time. He then noted that the Auditor was asked to provide quarterly reports on the issue. He then expressed confusion as to why the issue could not be solved.

Councilor Tallman noted there had been suggestions to address the issue, adding that the Mayor would be seeking to collect old fees before deciding to write off old debts from ten years ago. He noted the improvement was good but there was more to be done.

Councilor Sullivan stated that the situation could be addressed if the vendors were required to pay for their services to HPD before the city paid them for their services to Holyoke. He also suggested that the city could deduct from their payment to vendors if they had not paid HPD for their detail services.

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

Motion was made and seconded to suspend the necessary rules to take up items 27E and 27I as a package.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, ELEVEN THOUSAND EIGHT HUNDRED AND 00/100 Dollars (\$11,800.00) as follows:

FROM:

14261-51102 MOTOR EQUIPMENT REPAIRMAN \$11,800.00

TOTAL: \$11,800.00

TO:

14261-51300 OVERTIME \$11,800.00

TOTAL: \$11,800.00

(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 transfers were coming from an account with surpluses due to vacancies. He also stated that vacancies had been a struggle for the department, adding that the industry as a whole as well as the private sector had been facing similar struggles. He then stated that the funds were needed in the receiving accounts due to the vacancies requiring department employees to work extra hours as well as requiring the department to hire temps.

---> 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 (Greaney, Jr., Lebron-Martinez).

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, TWENTY SIX THOUSAND FOUR HUNDRED AND 00/100 Dollars (\$26,400.00) as follows:

FROM:

14301-51102 HEAVY MOTOR EQUIPMENT OPERATOR \$26,400.00

TOTAL: \$26,400.00

TO:

14302-53100 REFUSE-OTHER SERVICES \$26,400.00

TOTAL: \$26,400.00

(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

---> 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 (Greaney, Jr., Lebron-Martinez).

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, ELEVEN THOUSAND TWO HUNDRED AND 00/100 Dollars (\$11,200.00) as follows:

FROM:

14251-51105 POWER SHOVEL OPERATOR \$11,200.00

TOTAL: \$11,200.00

TO:

14251-51106 PROPERTY MAINT & DEMO WORKER \$11,200.00

TOTAL: \$11,200.00

have considered the same and Tabled in Committee.

Committee Members:

Joseph M. McGiverin

Peter R. Tallman

Michael J. Sullivan

James M. Leahy

David K. Bartley

---> Report of Committee received and referred to the Finance Committee.

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 SEVEN THOUSAND FIVE HUNDRED AND 00/100 Dollars (\$107,500.00) as follows:

FROM:

14251-51104 HEAVY MOTOR EQUIPMENT OPERATOR \$89,100.00

14801-51101 PARKING CONTROL OFFICER 5,000.00

16501-51109 PARKS MAINTENANCE MAN 13,400.00

TOTAL: \$107,500.00

TO:

14222-52502 R&M CITY HALL \$5,000.00

14222-52503 R&M CITY HALL ANNEX 5,000.00

14222-52504 R&M PELLISSIER BLDG 10,000.00

14222-52505 R&M SENIOR CENTER 10,000.00

14222-52509 R&M POLICE 10,000.00

14222-52512 R&M FIRE STATION NO. 3 2,500.00

14302-53100 REFUSE-OTHER SERVICES 65,000.00

TOTAL: \$107,500.00

have considered the same and Recommended to deny.

Committee Members:

Joseph M. McGiverin

Peter R. Tallman

Michael J. Sullivan

James M. Leahy

David K. Bartley

UNDER DISCUSSION:

Councilor McGiverin stated that the surpluses in the sending accounts had been due to vacancies. He then stated that the Repair and Maintenance (R&M) accounts were line items used throughout the year for various reasons. He stated that there had been a transfer out of these accounts to finance roof repair at the Children's Museum and Volleyball Hall of Fame building, adding that they learned the funding would need to be replaced so that the various buildings had the funding to maintain their buildings. He also noted that the transfers were separated out and submitted as late files for that evening. He then added that there were unaddressed questions relative to the \$65,000 transfer. He then stated that another late file had been submitted detailing the department's contract with the Sheriff's Department.

---> Report of Committee received and Denied on a call of the roll of the yeas and nays --Yeas 12

(Anderson-Burgos, Bartley, Hernandez, Leahy, Lebron-Martinez, Lisi, McGee, McGiverin, Murphy, Sullivan, Tallman, Vacon)--Nays 0--Absent 1 (Greaney, Jr.).

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 FIVE HUNDRED AND 00/100 Dollars (\$1,500.00) as follows:

FROM:

11611-51103 PRINCIPAL CLERK \$1,500.00

TOTAL: \$1,500.00

TO:

11611-51300 OVERTIME \$1,500.00

TOTAL: \$1,500.00

(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 surplus was due to a vacancy in the City Clerk's office. He then stated that the overtime was related to early voting days for the election. He then offered congratulations to the City Clerk for a well run election.

President McGee clarified that he was allowed to vote on the matter as there was no financial interest for the City Clerk.

---> 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 (Greaney, Jr.).

Approved by the Mayor.

President McGee noted that Councilor Greaney had to leave early due to back issues

The Committee on Finance to whom was referred an order to accept funds from the Holyoke Gas & Electric and to enter into the escrow agreement to pay off their 2012 General Obligation bonds.

(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 department cannot bond without going through the city to do so. He then stated that the intent was to refinance and take advantage of currently low interest rates and save close to \$5 million. He then stated that the funds would be put into an escrow account to pay off the bonds in an appropriate way.

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

Approved by the Mayor.

(2:55:45)

The Committee on Development and Governmental Relations to whom was referred an order that the City Council's DGR Committee work with the Planning Department and Mayoral designees to redraw the ward lines according to the new federal census.
have considered the same and Recommended that the order has been adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor Bartley noted that there had been several meetings over the year to discuss the matter. He then stated that the end result was two small changes in Ward 2 and Ward 5. He noted that the vote would be followed by councilors signing a document to be sent to the Secretary of the Commonwealth.

Councilor Vacon noted that there had been some precinct changes, adding that voters would receive notices of a change to their voting location.

President McGee clarified that the vote would be for the approval of three parts, the maps, the legal boundary descriptions, and the block report. He added that they Council could take one vote for all three parts or three separate votes. He then stated that the councilors would sign a document indicating their approval.

Councilor McGiverin commended the committee for staying on top of the process, noting the importance to constituents. He also noted that the process had been delayed due to Covid.

Councilor Tallman emphasized the importance of doing this work right. He also reiterated that few changes had needed to happen.

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

The Committee on Development and Governmental Relations to whom was referred an order that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare Clemente Street parcel 006 (Assessors Map 028, Block 04, Parcel 006) as surplus property available for disposition. The property is approximately 5,314 square feet in size, zoned Downtown Residential and has an assessed value of \$34,500
have considered the same and Recommended that the order has been 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 parcels were part of a project for South Holyoke Homes. He stated that a report showed there would be 16-20 single family homes as well as some rental units. He noted this old have the support of some ARPA funds.

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

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up item 30H out of order.

The Committee on Development and Governmental Relations to whom was referred an order that the Honorable City Council, in accordance with the Holyoke Redevelopment Authority's urban renewal plan entitled, "Connect. Construct. Create. - A Plan for the Revitalization of Center City Holyoke" which was approved by the Holyoke City Council on December 4, 2012 and as amended on December 15, 2020, vote to approve the transfer of Clemente Street parcel 006 (Assessors Map 028, Block 04, Parcel 006) to the Holyoke Redevelopment Authority for consideration of \$1.00. Said parcel is approximately 5,314 square feet in size, zoned Downtown Residential and has an assessed value of \$34,500. have considered the same and Recommended that the order has been 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 HRA would work with the HHA to develop the property.

Councilor Murphy stated that this parcel as well as an additional one to be taken up would provide 8 single family homes on one side of Clemente. He added that there would be an additional 5 homes built on the other side. He also stated that 12 apartments were being built in the same neighborhood. He expressed an expectation that the area around Carlos Vega Park would be revitalized over the next 5 years.

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 11--Nays 1 (Sullivan)--Absent 1 (Greaney, Jr.).

Approved by the Mayor.

The Committee on Development and Governmental Relations to whom was referred an order that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare Clemente Street parcel 007 (Assessors Map 028, Block 04, Parcel 007) as surplus property available for disposition. The property is approximately 5,532 square feet in size, zoned Downtown Residential and has an assessed value of \$34,500 have considered the same and Recommended that the order has been 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 purpose for this order was the same as parcel 006.

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

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up item 301 out of order.

The Committee on Development and Governmental Relations to whom was referred an order that the Honorable City Council, in accordance with the Holyoke Redevelopment Authority's urban renewal plan entitled, "Connect. Construct. Create. - A Plan for the Revitalization of Center City Holyoke" which was approved by the Holyoke City Council on December 4, 2012 and as amended on December 15, 2020, vote to approve the transfer of Clemente Street parcel 007 (Assessors Map 028, Block 04, Parcel 007) to the Holyoke Redevelopment Authority for consideration of \$1.00. Said parcel is approximately 5,532 square feet in size, zoned Downtown Residential and has an assessed value of \$34,500. have considered the same and Recommended that the order has been adopted.

Committee Members:

David K. Bartley

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

UNDER DISCUSSION:

Councilor Bartley emphasized the importance of the development for this part of the city. He also emphasized the positive track record and experience of HHA as a partner for the city. He also noted the contrast to the eastern part of the state who appeared to have an aversion to creating dense housing for their communities.

Councilor Sullivan clarified that his vote against 30H and the coming vote on this order was not due to the intent but due to issues with Holyoke Redevelopment Authority (HRA). He noted that they pay a small PILOT of \$4,000 a year. He expressed concern that they would receive properties valued over \$30,000 for the conveyance of \$1. He also noted they could sell the properties and that the city would receive no additional financial benefit.

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 11--Nays 1 (Sullivan)--Absent 1 (Greaney, Jr.).

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up item 30E and 30F as a package.

The Committee on Development and Governmental Relations to whom was referred an order 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 277 Main Street for \$5,000 to Next Realty, Inc. (Shakeel Ahmed, President). 277 Main Street is a vacant lot approximately 2,745 square feet in size. The property is identified in the Holyoke Assessor's records as Map 030, Block 08, Parcel 002, is zoned Highway Business (BH) and has an assessed value of \$18,200.

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

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 Planning Department had a plan to convey the properties to an abutting property owner, but that owner stopped responding to efforts to contact them. He stated the properties would go back onto the market.

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

The Committee on Development and Governmental Relations to whom was referred an order 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 285 Main Street for \$5,000 to Next Realty, Inc. (Shakeel Ahmed, President). 285 Main Street is a vacant lot approximately 2,744 square feet in size. The property is identified in the Holyoke Assessor's records as Map 030, Block 08, Parcel 004, is zoned Highway Business (BH) and has an assessed value of \$24,800.

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

Committee Members:

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

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

The Committee on Development and Governmental Relations to whom was referred an order 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 86 Beech Street for \$15,000 to BEX, LLC (Eric Taub, Manager). 86 Beech Street is a vacant lot approximately 6,621 square feet in size. The property is identified in the Holyoke Assessor's records as Map 062, Block 02, Parcel 017, is zoned Downtown Residential (DR) and has an assessed value of \$32,600. have considered the same and Recommended that the order has been 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 Mr. Taub had been before the committee before seeking a variance on a property in the same area. He then emphasized that Mr. Taub had done good work on that property and would benefit the neighborhood. He then stated that this property would be developed into a duplex with ample off street parking.

Councilor Sullivan noted that this private developer was willing to pay \$15,000 while HRA was only willing to pay \$1 for their property. He then suggested that the two previous orders given a leave to withdraw had been mostly undevelopable with the city asking for \$5,000 while properties worth twice as much were sold for \$1.

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

Approved by the Mayor.

ORDERS AND TRANSFERS

LEBRON-MARTINEZ Ordered, that That a handicap sign be placed in front of 70 Walnut St. for Angel Lopez, Placard #PL3940078.

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

LISI Ordered, that hat Mayor Garcia initiate a financial transfer to create a capital stabilization fund (this action was already approved by the Finance Committee and full City Council). --

Councilor Lisi noted that while there had been an approval to create the capital stabilization account, there had been ongoing conversations with the outside auditor to identify the best source of funds. She then asked if there was an update on those conversations.

---> Received and adopted. Referred to the Mayor Garcia.

MCGEE, McGiverin Ordered, that That the City Council vote to set a MRF for (FY22) tax Classification.

UNDER DISCUSSION:

President McGee asked if the order should be referred to the Finance Committee.

Councilor McGiverin noted that a vote would have been taken in past years. He then noted that the Assessor held their classification hearing the previous week. He then stated that there was an outstanding issue where the state and the outside auditor were still working on balancing the budget with some deficits in question. He stated that the recap sheet should be done the following week. He also noted that the vote would need to take place to then allow the Tax Collector to send out the bills.

President McGee stated expressed his understanding that the 21st would be too late to take a vote and get the tax bills out, requiring a special meeting to be called.

Councilor Vacon asked if the rate was set that night, if additional funds were needed, would the rate remain the same while the bills would end up being higher than the information that was provided at that time.

Councilor McGiverin stated that was his understanding.

Councilor Leahy suggested that the order be tabled to assure that the Council has all of the information they would need.

---> Received and laid on the table.

In City Council, on December 15, 2021, Councilor Bartley made a motion and it was seconded by Councilor Vacon to set the CIP shift to 1.6675 (\$19.26/\$40.59).

Councilor Vacon made a motion and it was seconded by Councilor Bartley to set the CIP shift to 1.6700 (\$19.24/\$40.66).

Councilor Tallman made a motion and it was seconded by Councilor Leahy to set the CIP shift to 1.6650 (\$19.28/\$40.53).

---> Motion to set the CIP shift to 1.6650 was received and denied on a call of the roll of the yeas and nays --Yeas 6 (Bartley, Lisi, McGiverin, Murphy, Sullivan, Tallman)--Nays 5--Absent 2 (Hernandez, Lebron-Martinez).

---> Motion to set the CIP shift to 1.6700 was received and denied on a call of the roll of the yeas and nays --Yeas 5 (Bartley, McGiverin, Murphy, Tallman, Vacon)--Nays 6--Absent 2 (Hernandez, Lebron-Martinez).

---> Motion to set the CIP shift to 1.6675 was received and approved on a call of the roll of the yeas and nays --Yeas 9 (Anderson-Burgos, Bartley, Lisi, McGee, McGiverin, Murphy, Sullivan, Tallman, Vacon).

Tax rate of \$19.26 for the residential rate and \$40.59 for a commercial rate was set.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, TWO THOUSAND FOUR HUNDRED NINETY FIVE AND 00/100 Dollars (\$2,495.00) as follows:

FROM:			
11351-51102	PAY - UNION ACCOUNTANT		\$2,495.00
		TOTAL:	\$2,495.00
TO:			
11211-51103	PAY - AIDE TO MAYOR		\$2,495.00
		TOTAL:	\$2,495.00

To the City Council:

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

Terence Murphy, Mayor

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

MCGIVERIN Ordered, that That the City Council approve the expense of the FY2022 Holyoke Share-ValleyBike Administration in the amount of \$9,610.00 to be paid from the TNC-Rideshare receipts reserved for appropriation fund #2601.

To the City Council:

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

December 7, 2021.

Terence Murphy, Mayor

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

MCGIVERIN Ordered, that that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "RECYCLING DIVIDENDS PROGRAM, \$14,400, 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, December 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, TWO THOUSAND TWO HUNDRED NINETY SIX AND 78/100 Dollars (\$2,296.78) as follows:

FROM:			
12201-51105	FIREFIGHTER		\$2,296.78
		TOTAL:	\$2,296.78
TO:			
12201-51180	INJURED ON DUTY		\$2,296.78
		TOTAL:	\$2,296.78

To the City Council:

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

Terence Murphy, Mayor

---> Passed two readings and Adopted on a call of the roll of the yeas and nays --Yeas 12--Nays 0--Absent 1 (Greaney, Jr.).
Approved by the Mayor.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, FIFTEEN THOUSAND TWO HUNDRED FORTY THREE AND 66/100 Dollars (\$15,243.66) as follows:

FROM:			
12101-51104	LIEUTENANT		\$3,883.22
12101-51105	SERGEANT		3,361.90
12101-51107	PATROLMEN		7,998.54
		TOTAL:	\$15,243.66
TO:			
12101-51180	INJURED ON DUTY		\$15,243.66
		TOTAL:	\$15,243.66

To the City Council:

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

Terence Murphy, Mayor

President McGee stated there were five employees covered under this order.

UNDER DISCUSSION:

Councilor McGiverin stated that these three orders were a standard process of accounting for employees who were being paid their salary while out of work due to being 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 (Greaney, Jr.).

Approved by the Mayor.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, SEVENTEEN THOUSAND NINE HUNDRED NINE DOLLARS AND 84/100 Dollars (\$17,909.84) as follows:

FROM:		
12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	3,361.90
12101-51107	PATROLMEN	10,664.72
	TOTAL:	\$17,909.84
TO:		
12101-51180	INJURED ON DUTY	\$17,909.84
	TOTAL:	\$17,909.84

To the City Council:

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

Terence Murphy, Mayor

---> Passed two readings and Adopted on a call of the roll of the yeas and nays --Yeas 12--Nays

0--Absent 1 (Greaney, Jr.).

Approved by the Mayor.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, EIGHT HUNDRED AND 00/100 Dollars (\$800.00) as follows:

FROM:		
12401-51400	LONGEVITY	\$800.00
	TOTAL:	\$800.00
TO:		
12401-51300	OVERTIME	\$800.00
	TOTAL:	\$800.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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, TWO THOUSAND FIVE HUNDRED SIXTY FIVE AND 00/100 Dollars (\$2,565.00) as follows:

FROM:		
15411-51400	LONGEVITY	\$1,385.00
15411-51500	VACATION BUYBACK	1,180.00
	TOTAL:	\$2,565.00

TO:		
15411-51102	NUTRITION DIRECTOR	\$975.00
15411-51202	HEALTH SERVICES	675.00
15411-51101	EXECUTIVE DIRECTOR	675.00
15411-51103	ASSISTANT DIRECTOR	240.00
	TOTAL:	\$2,565.00

To the City Council:

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

Terence Murphy, Mayor

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

MCGIVERIN Ordered, that Order to use \$1,699,874.78 of the ARPA revenue loss as a funding source to the 2022 budget.

To the City Council:

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

Terence Murphy, Mayor

Motion was made and seconded to take final action.

UNDER DISCUSSION:

Councilor McGiverin stated that order was for the funding from the ARPA funds that were calculated as lose revenue due to the Covid-19 pandemic. He stated that a vote was needed in order to place the funds on the recap sheet for balancing the budget prior to taking a vote on the tax rate.

---> Passed two readings and Adopted on a call of the roll of the yeas and nays --Yeas 12--Nays

0--Absent 1 (Greaney, Jr.).

Approved by the Mayor.

MCGIVERIN Ordered, that Order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "HUD HOME Investment Partnerships- American Rescue Plan (HOME-ARP)" 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. The grant was awarded for the purpose of affordable housing, homelessness support, and rental assistance.

To the City Council:

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

Terence Murphy, Mayor

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

SULLIVAN Ordered, that HOLYOKE CPA ANNUAL BUDGET ARTICLE 2022 - November Revision

Request for the City Council to vote to appropriate and reserve from the Community Preservation Fund annual revenues, in the amounts recommended by the Community Preservation Committee, for committee administrative expenses and reserves in fiscal year 2022, with each item to be considered a separate appropriation:

Appropriations:

FY 2022 Revenues for CPA Local Surcharge Collections	\$ 545,304
FY 2022 State CPA Match (39.4%)	

\$ 214,687

Budget:

FY 2022 Revenues for Administrative Expenses	\$
38,000	
FY 2022 Revenues for Historic Resources	\$
75,999	
FY 2022 Revenues for Community Housing	\$
75,999	
FY 2022 Revenues for Open Space/Recreation	\$
75,999	
FY 2022 Revenues for FY 2022 Budgeted Reserve	\$ 493,994

Total:

FY 2022 CPA Budget

\$ 759,991

Notes:

- Original State Match based on anticipated 32.3% match to FY 21 Local Collections. State Match guidance has been updated to 39.4%. November 2021 disbursement.
- 5% Administrative, 10% in Historic, Housing & Open Space each. Remaining allocated to Budgeted Reserve to utilize at the committee's discretion.

Prepared by Andrew T. McMahon on 11/30/2021

UNDER DISCUSSION:

Councilor Sullivan stated that the funds were due to a state match coming in higher than previously expected.

President McGee clarified that the original match had been 32.2%, adding that the update was 39.4%.

Councilor McGiverin commended Councilor Sullivan for serving on CPA as the City Council's voice. Councilor Bartley added that Councilor Sullivan has also served on the Citizens Advisory Committee. Councilor Tallman noted he was the School Building Committee. Councilor Bartley noted he was also on the Mayor's transition team.

---> Received and Adopted on a call of the roll of the yeas and nays --Yeas 12--Nays 0--Absent 1 (Greaney, Jr.).

Approved by the Mayor.

SULLIVAN, Vacon Ordered, that That the City adopt a temporary moratorium on issuing special permits for MME's and on the use of land and structures in the City for MME's for a period of six months, so the City can study and enact ordinances that protect the health and well being of its citizens and businesses that may be negatively impacted by MME's including but not limited to:

- Studying and evaluating the potential health hazards and economic impact of air emitted from MME's
- Studying and evaluating the effectiveness of the latest filtration and mitigation technology for emissions from MME's
- Implementation of effective filtration and mitigation system minimum requirements to eliminate air quality hazards and nuisance odors emitted from MME's
- Implementation of effective buffers to protect citizens and businesses from air quality hazards and nuisance odors emitted from MME's
- Development and implementation of clear and enforceable air quality and nuisance odor standards and penalties, including fines and operation shut downs

- Identifying the appropriate city department for monitoring and enforcement of air quality and nuisance odor violations
- Exploring dedicated funding for monitoring and enforcement of air quality nuisance odor emissions from MME's.

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

VACON Ordered, that Comcast improves quality and consistency of internet, phone and general service to the users In Holyoke Ward 5 area over Rt. 202. A written report of repairs, upgrades etc., along with a review of the 10 year contract is requested to ensure compliance.

Councilor Vacon stated that the order had been at a request of residents in Ward 5. She then stated that Comcast asked for specificity relative to areas of concern. She then invited other councilors to add their wards if they knew of issues as well. Absent issues in other words, she then made a motion to amend stipulate that the issues were within the Ward 5 area over the Route 202 hill.

---> Received and adopted. Referred to the Mayor Garcia.

VACON Ordered, that that the Ordinance Committee review and recommend ordinance language changes pertaining to our reservoirs including but not limited to: a) increase the fines/penalties from the current amount of not more than \$50 for any offense to a minimum of \$250 for subsequent offenses. b) expand the language in the ordinance to include Massachusetts Environmental Police (MEP) and State Police for issuing citations and fines. c) consider revising Section 90-53 to enforce that fines will be paid to the Holyoke Water Works.

d) consider other revisions to ensure safety of the water supply, including uses and activities at the reservoir.

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

VACON Ordered, that request our City Solicitor to provide a legal opinion regarding the authority of the City Council to issue a special permit for a use that is not addressed in our zoning language, specifically placing a battery storage facility in a RA zone.

---> Received and adopted. Referred to the Legal.
Approved by the Mayor.

VACON Ordered, that Have the speed trailer placed on Mountain Road near #437 facing Southampton Rd, due to drivers traveling at high speeds.

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

BARTLEY Ordered, that The city amend its ordinances to limit parking in front of the business at 548 South St. The new restaurant seeks to cap parking during its business hours to one hour.

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

BARTLEY Ordered, that The City remove the No Parking signs proximate to 274 South St. & 2 Brown Avenue. The signs affect two homeowners and the W-3 councilor met with both 11/20/21 and both wanted the signs removed.

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

BARTLEY Ordered, that The city council send a gentle reminder to the DPW and the plow vendors to please plow the carve-out street near 274 South St. and 2 Brown Ave this winter.

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

BARTLEY Ordered, that The City Council send an invitation to the St. Patrick's Parade Committee, including the Parade President, its members and Directors, to appear at the Council's second meeting in March (3/15/22) to present the award winners and Colleens. Also invite the Holyoke Caledonian Pipe Band to perform.

---> Received and adopted.

LATE FILED ORDERS & COMMUNICATIONS

From Kate McLean, Paralegal, letter re: Sale of 415-417 Main St.
 Councilor Bartley asked the Council had taken a vote on the sale.
 Councilor McGiverin recalled a surplus order but did not recall a vote on the sale.
 Councilor Tallman recalled that there was a sale, with the buyer planning a sprinkler system business for the location.

---> Received.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, FIVE THOUSAND AND 00/100 Dollars (\$5,000.00) as follows:

FROM:		
14801-51101	PARKING CONTROL OFFICER	\$5,000.00
	TOTAL:	\$5,000.00
TO:		
14222-52502	R&M CITY HALL	\$5,000.00
	TOTAL:	\$5,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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, FIVE THOUSAND AND 00/100 Dollars (\$5,000.00) as follows:

FROM:		
16501-51109	PARKS MAINTENANCE MAN	\$5,000.00
	TOTAL:	\$5,000.00
TO:		
14222-52503	R&M CITY HALL ANNEX	\$5,000.00
	TOTAL:	\$5,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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, NINE HUNDRED FIFTEEN AND 00/100 Dollars (\$915.00) as follows:

FROM:		
15411-51500	VACATION BUYBACK	\$915.00
	TOTAL:	\$915.00

TO:
 15411-51101 EXECUTIVE DIRECTOR \$675.00
 15411-51103 ASST. DIRECTOR 240.00
 TOTAL:\$915.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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 THOUSAND SIX HUNDRED FIFTY AND 00/100 Dollars (\$1,650.00) as follows:

FROM:
 15411-51400 LONGEVITY \$1,385.00
 15411-51500 VACATION BUYBACK 265.00
 TOTAL:\$1,650.00

TO:
 15411-51102 NUTRITION DIRECTOR \$975.00
 15411-51202 HEALTH SERVICES 675.00
 TOTAL:\$1,650.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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, TEN THOUSAND AND 00/100 Dollars (\$10,000.00) as follows:

FROM:
 14251-51104 HEAVY MOTOR EQUIPMENT OPERATOR \$10,000.00
 TOTAL:\$10,000.00

TO:
 14222-52509 R&M POLICE \$10,000.00
 TOTAL:\$10,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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, TEN THOUSAND AND 00/100 Dollars (\$10,000.00) as follows:

FROM:
 14251-51104 HEAVY MOTOR EQUIPMENT OPERATOR \$10,000.00
 TOTAL:\$10,000.00

TO:
 14222-52505 R&M SENIOR CENTER \$10,000.00

TOTAL: \$10,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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, TEN THOUSAND AND 00/100 Dollars (\$10,000.00) as follows:

FROM:

16501-51109	PARKS MAINTENANCE MAN	\$8,400.00	
14251-51104	HEAVY MOTOR EQUIPMENT OPERATOR		1,600.00
	TOTAL: \$10,000.00		

TO:

14222-52504	R&M PELLISSIER BLDG	\$10,000.00	
	TOTAL: \$10,000.00		

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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, TWENTY FIVE HUNDRED AND 00/100 Dollars (\$2,500.00) as follows:

FROM:

14251-51104	HEAVY MOTOR EQUIPMENT OPERATOR	\$2,500.00	
	TOTAL: \$2,500.00		

TO:

14222-52512	R&M FIRE STATION NO. 3	\$2,500.00	
	TOTAL: \$2,500.00		

To the City Council:

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

Terence Murphy, Mayor

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

Presentations from HPS from last Tuesday's Joint Committee meeting

---> Received.

Office of Sheriff's Department Agreement

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

UFCW Local 1469 Council on Aging Contract

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

Adjourn at 11:15 PM.

A true record
ATTEST:

Brenna Murphy McLee
City Clerk