

**REGULAR MEETING OF THE CITY COUNCIL**  
**November 16,2021**

The meeting was called to order by President Pro Tem. McGiverin at 07:10 PM.

The Clerk called the roll. Absent members: 1 (McGee) Present Member 12 (Anderson-Burgos, Bartley, Greaney, Hernandez, Leahy, Lebron-Martinez, Lisi, McGiverin, Murphy, Sullivan, Tallman, Vacon).

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

The Pledge of Allegiance was recited.

Acting President McGiverin stated that President McGee was traveling and would not be joining the meeting. He then stated that he, as the most senior member, would open the meeting to allow the body to vote on an acting chair.

Motion was made, seconded, and approved that Acting President McGiverin would chair the meeting.

Acting President McGiverin stated that many special guests were in attendance resulting from an order to recognize and give a proclamation to the B-17 Memorial Committee.

Members of the committee were invited into the Chambers.

Councilor Bartley recalled a discussion with Councilor Tallman and Mark Chattel of the need for the City Council to honor the B-17 Memorial Committee's work. He noted that the 75th anniversary of the plane crash at Mt. Tom had passed in July. He then recalled that a meeting proximate to Veterans Day would be appropriate.

Councilor Tallman noted that the 75th anniversary of the event had also been the 25th anniversary of the memorial. He then emphasized how young the victims of the crash had been, noting that most had been between 17 and 20 years old. He then expressed the importance of the work of the committee to maintain the monument throughout the years. He then read a proclamation presented on behalf of the City Council to the B-17 Memorial Committee and presented it to Rick Lee.

R. Lee thanked the Council for the honor. He then introduced fellow committee members in attendance, Bud Shuback, Jesus Pereira, Brian Farrell, and John Borowski. He then thanked the late Norman Cote, explaining that Mr. Cote had advocated for creation of the memorial after noticing a small collection of rocks and a card marking the location and story many years prior. He then described that the soldiers had been stationed in Greenland during World War 2 to prevent German U-Boats from destroying U.S. and British ships. He then described that 25 soldiers had been on their way home to the base at Westover when their plane hit the side of Mt. Tom, emphasizing that the soldiers were likely anticipating their return home to families.

Motion was made and seconded to suspend the necessary rules and take item 25 out of order:  
MCGEE Ordered, that Ordered that the City Council invite in all the newly Councilor Elects.

Acting President McGiverin stated that it had been typical to invite new elected officials into the Chambers for November and December meetings prior to them taking office. He stated that the purpose was to allow for asking procedural questions and get a feel for what it would be like, noting that they could not yet participate in debate. He then recognized Councilors-Elect Kevin Jourdain, Kocayne Givner, Israel Rivera, Tessa Murphy-Romboletti, Will Puello, and Jose Maldonado Velez were in attendance. Councilor-Elect Jenny Rivera had not been in attendance.

---> Received and adopted.

(15:40)

**LAI D ON THE TABLE**

The Committee on Development and Governmental Relations to whom was referred an order License Agreement between City of Holyoke and Edward A. Owen Recommended that the order has been adopted.

**UNDER DISCUSSION:**

Councilor Bartley made a motion to refer the order back to committee. Councilor Leahy seconded the motion. He then stated that the committee would take the order up at their December 1st meeting. He stated that he spoke with the petitioner and the Law Department to confirm and would plan for an in depth discussion in committee.

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

The Committee on Ordinance to whom was referred an order Petition from residents on Michigan Ave. for speed bumps Recommended that the order be adopted.

**UNDER DISCUSSION:**

Councilor Lisi stated that after reports of traffic issues from residents and observations done by the City Engineer, an intervention was merited. She noted that residents had done the work to collect petition signatures. She then clarified that there would be two speed humps.

Councilor Bartley noted that the data showed that two temporary speed humps showed tremendous reduction in speed and volume on the street. He commended the residents of the neighborhood for their advocacy. He also commended former Acting Mayor Murphy for his visits to the area. He also noted that a bond on the evening's agenda would pay for the speed humps.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

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

The Committee on Ordinance to whom was referred an order that section 4.6.3.2 be amended to allow for increased fence heights by special permit. Recommended that the order be adopted.

**UNDER DISCUSSION:**

Councilor Lisi stated that many businesses in the city had sought to build fences that were higher than allowed in the city. She noted that current ordinances allowed fences of up to 6 feet by right or up to 8 feet by special permit. She then stated that the committee decided to eliminate the cap in order to allow each project to be considered as the situations would call for.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

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

The Committee on Ordinance to whom was referred an order that That city council thru the appropriate committee consider a drop & pick up for 2 parking spots for the van that will pick & drop off the participants that attend the Vcare Adult at the addresses 200-210 High Street This program serve a population of 60 and older and is necessary to assure their safety. Enclosed letter of company request. Recommended that the order be adopted.

**UNDER DISCUSSION:**

Councilor Lisi stated that the order had been filed at the request of the VCare adult daycare program . She stated that many participants had limited mobility issues , adding that picking them up and dropping them off at the front would be safer. She then stated that the committee recommended creating one space with no parking between 8:30-9:30 AM and to 2:30-3:30 PM.

---> 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 10--Nays 2 (Bartley, McGiverin)--Absent 1 (McGee).

The Committee on Ordinance to whom was referred an order Updating to the Holyoke ordinances of Uses - Defining restaurant adding to SEC 2 Under Appendix A

Restaurant - a business establishment where meals or refreshments may be purchased

Restaurant Sit down: A building, or portion thereof, containing tables and/or booths for at least two-thirds of its legal capacity, which is designed, intended and used for the indoor sales and consumption of food prepared on the premises, except that food may be consumed outdoors in landscaped terraces, designed for dining purposes, which are adjuncts to the main indoor restaurant facility . The term "restaurant sit down" shall not include "fast food establishments" but may also include "drive in - or take out" and food delivery services .

Restaurant, drive-in or take-out: Premises and building for the sale, dispensing, or serving of food, refreshments, or beverages. for Consumption in vehicles temporarily parked on the premises , or at tables, benches, counters and the like the majority of which are out-of-doors; or for consumption off the premises, may also offer drive-in or take-out and food delivery services. Recommended that the order be adopted.

UNDER DISCUSSION:

Councilor Lisi stated that the order would amend the restaurant ordinance , noting that the previous ordinance defined restaurants by sit down or take out and had no basic definition . She stated that the change would allow for more variety in types of restaurant service .

Councilor Murphy stated that the order had been an attempt to assure that businesses trying to open could do so without several hurdles. He noted that a business had sought to open an ice cream shop but could not get a license because they were not classified as a restaurant .

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

The Ordinance passed its second reading .

The Ordinance was passed to be enrolled .

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

Report of Enrollment received .

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

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

The Committee on Ordinance to whom was referred an order Zone Change Application for Ivan Troshchiy to change from RA to RO at 405 Ingleside Street to rezone in a manner consistent with development patterns in the area. Recommended that the order be adopted.

UNDER DISCUSSION:

Councilor Lisi stated that the request was to rezone from RA to RO for residential office space . She stated that RO would be contiguous to other zones in the area and would not create a spot zone . She stated while the plan for a location wouldn't be pertinent to granting a zone change , it was beneficial to know how the p. She noted that the intent of the applicant was to open a call center for medical appointments as well as coordinating transportation to and from appointments. She also clarified that only employee vehicles would be parked at the location .

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

Motion was made and seconded to suspend the necessary rules and take item 21A out of order

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.

UNDER DISCUSSION:

Councilor Bartley suggested there should be two amendments to the special permit , followed by a referral to the Law Department, and that the matter be laid on the table. He then made a motion to amend to clarify

Councilor Tallman seconded the motion .

Councilor Bartley stated his intent was to assure that the City Council had oversight on the use of the billboard if the business was to be sold in the future .

The amendment was passed.

Councilor Bartley made a motion to amend to state

2. that the petitioner shall comply with all state rules and regulations .

Councilor Tallman seconded the motion .

Councilor Bartley observed that the recipients receiving the notice for the public hearing had included the Commonwealth of Massachusetts Department of Conservation and Recreation and the Mount Tom Board of Reservation Committee. He then noted that none of the noticed groups attended the public hearing. He then stated that it had been brought to his attention that the billboard may barely be within a buffer zone . He emphasized that there was an opportunity to attend the meeting to bring this issue forward . He stated that the amendment was to assure the city was covered going forward .

The amendment was passed.

Motion was made and seconded to refer to the Law Department. Motion was passed.

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

### PUBLIC COMMENT

(34:10)

Acting President McGiverin noted that public comment was adopted to allow members of the public to share thoughts about what may be on the agenda. He stated that each person would have a minute and a half to speak.

Kevin Jourdain, 18 Raymond Avenue, stated that he had been disappointed to see an attempt to weaken the ethics ordinance, adding that the change would be an act of public corruption and suggesting that the matter should be given a leave to withdraw. He noted that section 23 of the Charter stated that "no councilor shall have the expenditure of any money appropriated by the City Council ,," adding that a 2017 ordinance stipulated that no councilor may be simultaneously employed by the city . He emphasized that city council members should put the city's interest above their own and be independent of outside influence. He suggested that a councilor could not be independent in overseeing departments while earning a salary from them. He stated that candidates should have known of the ethics rules . He also suggested that jobs could be offered as a form of bribery .

Pres Macy, 72 Shawmut Avenue, noted that he had to resign as chairman of a political action committee when he decided to run for office. He stated that the individuals would have a choice between stepping down from a job from the city and choosing not to serve on the City Council . He stated that changing the ordinance to allow city employees to serve on the City Council would not result in good outcomes .

Jose Gonzalez, 245 Walnut Street, stated that the rules were archaic. He then stated that it would be

ridiculous to ask someone to give up their income to serve on the City Council. He suggested that if conflicts of interest arise, they could be handled from there. He then expressed support for changing Columbus Day to Indigenous Peoples Day. He noted that those referred to as Puerto Ricans refer to themselves as Boriqua or Taino, emphasizing their indigenous ancestry. He then stated that Columbus sold their ancestors into slavery and committed murder. He then stated that a city with indigenous ancestry of over half the population should have the day to be celebrated.

Steve Rosenbush, 1155 Northampton Street, noted that Holyoke's population had declined by around 2,000 people in the 2020 census, adding that there had been a projection of a small increase. He suggested that a housing shortage had been caused by college students returning home due the pandemic but maintaining their apartments. He also suggested that enumerators may have been afraid to go into apartment buildings, leading to an undercount.

Elizabeth Ramirez, 205 Bemis Road, expressed support for recognizing Indigenous Peoples Day. She noted that the matter was before the City Council for a third time and questioned if there were attempts to block the change on technicalities. She then expressed concern about the agenda item to require councilors to attend meetings in person, noting that the pandemic had not ended and members may have concerns about compromising their health.

Guy O'Donnell, 367 Apremont Highway, stated that much of the country had been moving toward recognition of Indigenous Peoples Day. He noted there had been discussion of the history of Columbus, including genocide committed on Native Americans. He suggested it should not be controversial to choose to recognize victims of that genocide. He then expressed support for allowing public employees to serve in city government when the people have chosen them. He suggested that people who serve children should be encouraged to run for office, not prevented from doing so.

Linda Pratt, 39 Saint Kolbe Drive, stated in an email,

"Although I am not able to speak at tonight's meeting, I fully support item 17H on the agenda, changing the name of Columbus Day to Indigenous Peoples Day. It is my hope that the full City Council endorses this change as a small step toward recognizing the importance and value of people who lived here prior to the arrival of Europeans and who continue to contribute much to our communities today."

Susan Van Pelt, 246 Walnut Street, stated in an email,

"On the agenda for this evening are two items on which I ask specific action :

Please refer 21A (a sign for The Delaney House) to the Law Department for a full opinion before taking further action. The sign would appear to violate local ordinance, and creating a special permit out of air would seem to violate state laws re: zoning and procedures. Proceeding without a full legal opinion might put enforcers like the Building Department in a Catch-22 and leave the City open to lawsuit(s). Surely the City, and the city's residents and businesses, would be better served by full legal review first and by fair and equal processes through clear regulations (and procedures for exemptions or special permits) that apply to all rather than ad libbing on the rules any time someone thinks they can come up with nine votes. Also, please support 17H, Indigenous People's Day in Holyoke.

Thank you for considering my views."

## COMMUNICATIONS

Settlement Agreement By and Between The City of Holyoke and the UFCW, Local 1459 Council on Aging employees.

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

From Office of Planning and Development, letter re: Cannalive Genetics LLC, at 532 Main Street, Suite 301.

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

Communication from OPED in regards to Census data for Holyoke

Councilor Bartley stated that the committee would recommend finalizing ward and precinct lines. He noted that the Council had until December 15th to approve a final decision.

Acting President McGiverin noted that realigning maps following the census was a part of the Council's

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

Letter of Resignation from Chief Assessor Anthony Dulude effective December 1, 2021

Acting President McGiverin commended Anthony Dulude for his years of service in the Assessor's office . Councilor Murphy thanked Anthony Dulude for his service , adding that Mr. Dulude had assisted him many times during his tenure as Acting Mayor. He also stated that the department would be in good hands with Deb Brunelle.

Councilor Leahy observed that Mr. Dulude had worked tirelessly for the city and had always been ready to answer any questions.

Councilor Bartley stated that he had always looked up to Mr. Dulude and had earned respect. He then noted that the City Council appoints the Assessor and expressed hope to have a referral soon to interview applicants.

Councilor Tallman offered thanks for his years of work , noting that Mr. Dulude had always been available to answer questions.

Councilor Greaney thanked Mr. Dulude for his work, adding that everyone in the city appreciated him.

---> Received.

Letter from a Citizen of Holyoke , requesting a crosswalk be placed at the Whiting Street Reservoir .

Acting President McGiverin read the letter into the record , noting it was the best letter he had seen on the agenda:

"Hello.

My name is William O. I am 8 years old and I live in Holyoke. I am writing to ask you to consider putting a crosswalk at the Whiting Street Reservoir because I love that park but is scary to cross the road .

William O.

Thank you!!!"

Councilor Murphy suggested meeting with the Water Department, the DPW, and Engineer to address the matter.

Acting President McGiverin stated it may need to be referred to Ordinance Committee at a future date .

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

From Board of Fire Commission minutes of September 23, 2021.

---> Received.

From Board of Public Works, Sewer Commission and Stormwater Commission minutes of October 18, 2021.

Councilor Murphy thanked the Commission for assuring that minutes were provided .

Councilor Bartley commended Commissioner Devine and rest of the Board , noting that it helps the Council understand what is happening in the third largest department in the city .

---> Received.

From Johnson, Sclafani & Moriarty letter re: Notice of Intent to sell, Lot 2 on Mountain Road, Holyoke, MA Pursuant to Massachusetts General Laws Chapter 61A, Section 14 Portion of 50 Mountain Rd; Assessors ParcelID 206-00-065.

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

From Mensing Group LLC letter re: Holyoke Zoning Ordinance, Section 7.10, Marijuana Establishments; request to Council to correct or rescind the Council Vote of May 20, 2021 due to errors in the ordinance.

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

### PETITIONS

(1:07:25)

Petition of Cannalive Genetics, LLC for a Marijuana Manufacturing Establishment at 532 Main St.

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

### **PRESIDENT'S REPORT**

(1:07:50)

Acting President McGiverin observed that the President's Report was added to the meeting to allow the president to update the body on activities taking place outside the Chambers that members participated in, as well as to provide information on upcoming events.

He stated that the photo session for council members would take place prior to the Council meeting on December 7th.

Councilor Greaney asked for a moment of silence in honor of Mark Chatel's mother.

A moment of silence was observed in honor of Mark Chatel's mother.

Councilor Bartley stated that he had attended the Holyoke High School Hall of Fame banquet. He noted that there had many numerous inductees with participation from many graduates of HHS. He offered congratulations to the inductees. He also acknowledged the hard work of the committee that put on the event.

Councilor Leahy offered his congratulations to the inductees. He also congratulated John Brunelle and the rest of the team that put on the event. He also offered the Holyoke Children's Museum for a successful Fancy Feet event.

Councilor Tallman wished his wife a Happy Birthday.

Councilor Leahy wished his wife a Happy Birthday.

Acting President McGiverin observed that many councilors and Councilor -Elect attended the Veterans Day celebration at the War Memorial the previous Saturday. He stated that the City Council gave proclamations to three award recipients: Veteran of the Year, Edwin Colon; Citizen of the Year, Michael Falcetti; and Public Safety Employee of the Year, Larry Roberson.

### **REPORTS OF COMMITTEES**

(1:13:30)

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.

#### UNDER DISCUSSION:

Councilor Lisi stated that there had been issues with having residents complying with the snow and ice ordinance, noting it had not referred to residential areas specifically, adding that this presented difficulties for police to require residents to clear ice and snow from their area. She stated that the change would give enforcement authority the ability to enforce for residential areas.

Acting President McGiverin stated that the legal form would add a section labeled (c) that would establish a penalty for violations. He added that the Department of Public Works would be responsible for enforcement.

Councilor Greaney asked to clarify that in section (a), it should read as more than 24 hours "from the end of the storm."

Councilor Lisi clarified that the order language was not the legal form, adding a request that Acting President McGiverin check the legal form for section (a).

Councilor Bartley stated that it appeared the order language was the current ordinance and that what was proposed was a new section (b), reading "All snow and ice shall be removed from the entire width of the sidewalk within eight hours after the cessation of any snowstorm."

Acting President McGiverin clarified that the legal language was striking section (b) and replacing it with new language.

Councilor Bartley observed that the order appeared to be well-intentioned but expressed a desire to hear from the Law Department on case law relative to how long a landlord must remove snow and ice. He stated that the law was settled at 24 hours. He expressed concern about the consequences of the proposed change, suggesting that it may subvert Supreme Judicial Court precedent.

Councilor Murphy observed that the intent was to assure that the entire width of sidewalks would be cleared. He then noted that the amended part related to areas with parking meters, requiring an 8 hour time limit. He suggested that the Law Department rework to state that all snow and ice shall be removed for the full width within 24 hours for residential areas while keeping the 8 hour language for areas with meters.

Councilor Leahy stated that while he understood the intent, he had concerns about the time to clear sidewalks if snowstorm ended in the morning and someone had to work and would not have time within 8 hours to clear it. He also suggested a need to clarify responsibility for privately owned buildings. He also noted that the city needed to take better care of city owned sidewalks.

Councilor Hernandez stated that the intent of the discussion in the Ordinance Committee was to maintain 24 hours for residential areas. She also stated private landlords needed to be held accountable, noting that access for people with strollers or wheelchairs was impacted. She then asked if the amendment could be made without a need to refer it to the Law Department.

Acting President McGiverin stated that it would depend on the breadth of the changes, noting that the Council needed ordinance changes in legal form before voting on them.

Motion was made and seconded to suspend the necessary rules to allow the Atty Degnan to address the Council.

Atty Degnan stated that she understood the intent was to address section (b) to remove parking meters so that all areas would need to be cleared the entire width. She then recognized the concerns with requiring all areas to be held within 8 hours. She also noted that section (c) was being added to address the lack of a penalty for enforcement. She noted the fines were grounded in state statute.

Councilor Hernandez made a motion to amend 8 hours to 24 hours in section (b). Councilor Vacon seconded the motion.

Councilor Bartley expressed concern that enforcement would be handled by DPW employees. He stated that it should be the responsibility of the police.

Councilor Lisi suggested that it should be referred back to committee, noting that many issues remained to be worked out.



The amendment was passed.  
Motion was made and seconded to refer back to the Ordinance Committee.

The Committee on Ordinance to whom was referred an order That the City Council review the Fire Department plan review fee for monitored fire alarm systems have considered the same and Recommended that the order has been complied with.

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

UNDER DISCUSSION:

Councilor Vacon stated that the Fire Department representatives attended and described police and procedures relative to the review fee, explanations on pricing, and information on compliance increases. She then stated that the policies and procedures continued to be followed.

Councilor Lisi stated that the intent of the order was to understand the assessment of fees, noting that the Fire Department assessed fees in a different way than other departments. She noted that some were by square footage, some by the equipment installed, and others by the size of the building. She expressed a need to avoid creating excessively high fees. She stated a possible intent to file a new order based on a conversation with the Fire Chief.

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

The Committee on Ordinance to whom was referred an order Ordered that the city file a home rule petition with Representative Duffy and Senator Velis allowing the Holyoke Police Department the authority to confiscate and destroy illegal dirt-bikes and OHV's similar to the petition filed for Springfield and currently pending in the state legislature. have considered the same and Recommended that the order has been adopted, as amended, replacing "destroy" with "manage".

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

UNDER DISCUSSION:

Councilor Lisi stated that the order intended to file a home rule petition with the state delegation to mirror Springfield law and be in line with how the state legislature adopted that city's home rule petition. She noted that one major issue discussed in committee was that the language of "destroy" was believed to be excessive. She noted that Atty Bissonnette conveyed that similar sentiments were expressed among the state legislature and that provisions for due process were added, along with describing the role of the confiscating authority.

Councilor Murphy stated that Springfield had passed an ordinance to prohibit gas stations from selling gas to dirt bike operators, noting that the Ordinance Committee had been working on a similar order. He also noted that Chicopee had filed a similar slate of orders. He stated there was an effort to have a regional response to the issue.

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

Motion was made and seconded to suspend the necessary rules to take up items 17D and 17E as a

package

The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 122 Brown Ave. for Norma Rivera.  
have considered the same and Recommended that the order has been 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 12--Nays 0--Absent 1 (McGee).

The Committee on Ordinance to whom was referred an order That a handicap sign be removed from the front of 580 South Summer St. placard #P03205121 the person has moved.  
have considered the same and Recommended that the order has been adopted.

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

UNDER DISCUSSION:

Councilor Lisi stated that the items were straightforward changes to the handicapped parking schedule .

---> Report of Committee received and the Ordinance passed its first reading .  
The Ordinance passed its second reading .  
The Ordinance was passed to be enrolled .  
The Committee has considered the same and find that it is truly and properly enrolled .  
Report of Enrollment received .  
The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays  
--Yeas 12--Nays 0--Absent 1 (McGee).

The Committee on Ordinance to whom was referred an order That Chapter 66 "Secondhand Goods," Article II "Junk and secondhand dealers," Section 66-39 "exemptions from article" be amended to add "fabric" after "automobiles."

The purpose of the current ordinance is to prevent the resale of goods such as electronics and other collectables that may be stolen. Secondhand fabric appears to not fit within the spirit of the ordinance and the requirements of the ordinance would present unnecessarily burdensome restrictions on business owners receiving and selling second hand fabric .  
have considered the same and Recommended that the order has been adopted.

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

UNDER DISCUSSION:

Councilor Lisi stated that the ordinance for junk and secondhand dealers had requirements for documenting and keeping a log of those who bring in items to prevent stolen goods from being resold. She stated the intent was to add fabric to the exemptions so that residents seeking to open a business selling secondhand fabric would not be required to maintain records, noting the requirements would be onerous.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

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

The Committee on Ordinance to whom was referred an order that the Ordinance Committee review and look to the change the residency requirement for the DPW Director. have considered the same and Recommended that the order has been adopted,.

Committee Members:

Rebecca Lisi

Juan . Anderson-Burgos

Linda L. Vacon

Terence Murphy

Libby Hernandez

UNDER DISCUSSION:

Acting President McGiverin clarified that during the Ordinance Committee discussion, they realized that language in the Charter would need to be amended in order for the change to be allowed.

Councilor Lisi stated that the order was to widen the talent pool of potential candidates, noting the difficulties of filling other department head vacancies in the past year. She noted that Massachusetts Municipal Association had recommended relaxing residency requirements for positions in the city.

---> 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 9--Nays 3 (Bartley, Greaney, Jr., McGiverin)--Absent 1 (McGee).

Motion was made and seconded to suspend the necessary rules to take up item 22A out of order.

The Committee on Charter and Rules to whom was referred an order that the Ordinance Committee review and look to the change the residency requirement for the DPW Director.

have considered the same and Awaiting disposition.

Committee Members:

Linda L. Vacon

Howard B Greaney, Jr.

Todd McGee

Linda L. Vacon

Rebecca Lisi

UNDER DISCUSSION:

Acting President McGiverin stated that it did not appear the legal form for the charter change had been received.

Councilor Vacon stated that during the Ordinance Committee discussion, it was determined that it would also require a Charter change. She noted that there had been a recent change to remove the residency requirement for the City Solicitor by amending sections 45 and 46 to add the position to exemptions. She then asked for clarification of the receipt of the legal form.

Atty Degnan stated that it had been drafted and should have been submitted. She then stated that the home rule petitions for the Solicitor and the DPW Director would likely be handled together by the state legislature, according to Representative Duffy.

Acting President McGiverin clarified that the form had been attached to the form for the ordinance change.

Councilor Greaney asked what would happen if the ordinance was passed but the home rule petition was denied.

Acting President McGiverin stated that the charter trumped the ordinance, noting the agreement with the state legislature is the charter.

Atty Degnan stated that the ordinance language included a section stipulating that the ordinance would take effect upon approval of the corresponding amendment to the charter.

Councilor Bartley expressed his opposition, stating that as one of the three major department heads, the department should maintain a residency requirement.

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 10--Nays 2 (Bartley, McGiverin)--Absent 1 (McGee).

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. have considered the same and Recommended that the order has been adopted, as amended by adding ",formerly known as "Columbus Day" at the end..

Committee Members:

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

UNDER DISCUSSION:

Acting President McGiverin expressed his recollection that the matter had been referred to the Law Department for a legal question to be answered. He also noted that the legal form had not been received.

Councilor Lisi expressed her understanding that they should have had legal form, adding that they planned to address legal questions that evening if there were any. She stated the question was whether or not it was a federal holiday. She expressed her understanding that Indigenous Peoples Day had been recognized as a federal holiday, adding that two states recognized it.

Acting President McGiverin reiterated that legal language had not been attached.

Atty Degnan clarified that there had been a proclamation from President Biden stating that Columbus Day should be changed to Indigenous Peoples Day. She then noted that other cities in Massachusetts had changed the holiday by executive order. She suggested that Holyoke could enact the change by executive order.

Councilor Bartley asked if Columbus Day was a federal holiday.

Atty Degnan confirmed that it was.

Acting President McGiverin asked if legal form was available for the ordinance change.

Atty Degnan suggested that ordinance should not pass, reiterating that the change could be done by executive order.

Councilor Lisi stated that the intent was not to overturn Columbus Day but to recognize Indigenous Peoples Day. She then noted that there had been many questions regarding contracts, adding that there had been language clarifying it was formerly known as Columbus Day to respect the language in

contracts. She then noted that until March, there had been an executive order recognizing Indigenous Peoples Day. She also noted there a resolution had been adopted to recognize Indigenous Peoples Day and that advice had come in clarifying that the ordinance had to be changed in order for the day to be recognized as a paid holiday.

Councilor Hernandez noted that it had been the first time a U.S. President had acknowledged the contributions of indigenous peoples. She then suggested that there needed to be more reflection of biases. She noted that the School Department had already recognized Indigenous Peoples Day and had implemented it into the curriculum. She then asked for the same support that had been given to the resolution in June.

Councilor Greaney asked for clarification that the Law Department's position was that the change should be enacted by executive order. He then suggested that if the change passed, it should be by proclamation by the mayor, noting his Puerto Rican heritage.

Councilor Murphy clarified that the executive order rescinded in March had been related to Juneteenth, not Indigenous Peoples Day.

Councilor Vacon stated that while it would be fine to recognize Indigenous Peoples Day, she objected to the erasure of Columbus Day, noting that the holiday was more about exploration than the character of Columbus. She suggested that recognition of many historical figures could be erased based on the same concerns.

Councilor Hernandez emphasized the need to amplify voices. She noted that Columbus Day would remain a federal holiday even if the city adopted Indigenous Peoples Day. She then emphasized that the symbolic resolution had already passed. She then questioned the advice that the matter had to be done by executive order after being advised that it had to be done by ordinance change. She then stated that the effort was not about erasing anyone but about amplifying truth.

Councilor Greaney stated that the land did not belong to anyone but the creator. She also noted that one of the most benevolent and respected organizations in the world was the Knights of Columbus.

Councilor Lisi offered an apology to Councilor Murphy for erroneously stating that Indigenous Peoples Day had been removed by executive order. She also noted that Juneteenth had to be adopted as an ordinance for it to be recognized as a paid holiday by the city. She then suggested that the matter be tabled to receive the legal form. She then emphasized that recognizing Indigenous Peoples Day was to correct erroneous history, noting that Columbus did not discover the land, emphasizing that people had already been here.

Councilor Anderson-Burgos stated that Columbus had discovered opportunity to steal and to kill. He then questioned celebrating Columbus, drawing comparisons to the idea of celebrating Hitler. He then stated that the distinction was that documentation of what Columbus had done was not as easily available due to many years of history since that time.

Atty Degnan expressed her understanding that the legal forms for paid holidays generally as well as for officers had been submitted on September 3rd.

Motion was made and seconded to lay on the table.

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

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "2021 BJA FY21 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANT GRANT (JAG) PROGRAM-LOCAL SOLICITATION, \$38,060" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

have considered the same and Awaiting disposition.

Committee Members:  
Joseph M. McGiverin

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

UNDER DISCUSSION:

Councilor Tallman stated that the grant would cover various equipment items for the Police Department , including mobile cameras , computer towers, laptops, copiers and printers, and batteries. He noted that the reimbursable grant had been received annually . He also noted that they department had improved reporting procedures to avoid losing reimbursement .

Acting President McGiverin stated that nothing had been purchased until the grant was approved

Councilor Bartley asked for more information on the mobile cameras .

Councilor Tallman stated that there would be 3 cameras totaling \$8,500, adding that HG&E would help with the installation on poles and sides of buildings . He also stated that they would be to help with addressing drug trafficking and other issues in the community .

Councilor Bartley asked if they would be recording all the time .

Councilor Tallman confirmed, adding that the recordings were transmitted to the Police Department

Councilor Bartley stated that it had been passed into ordinance an expectation that feedback is received to understand what is received from grants and how the funds are spent. He noted that many grants had led to deficits in past years, noting that many grants had not been administered appropriately in the past.

---> 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 (McGee).

The Committee on Finance to whom was referred an order that the sum of \$770,000 is appropriated to pay the costs of the War Memorial Replacement (\$750,000) and the installation of speed humps within the vicinity of Michigan Avenue(\$20,000) and the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1)of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefore; that the Mayor is authorized to contract for and expend any state aid available for the project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project .

Further Ordered: That any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes , may be applied to the payment of costs approved by this vote in accordance with Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Further Ordered: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order , and to provide such information and execute such documents as may be required for such purposes .

Further Ordered: That in order to reduce interest costs, the City Treasurer, with the approval of the Mayor, is authorized to refinance any bonds issues pursuant to this Order and in connection therewith , to issue refunding bonds in accordance with Chapter 44, Section 21A of the General Laws.

Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council .

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:

Acting President McGiverin clarified for the benefit of the councilors -elect that a clause had been added to orders for bonds that there could be no change in the purpose of approved bonds without additional City Council approval.

Councilor Tallman clarified that the order would be for the roof replacement . He observed that the roof was in dire need of replacement, noting that they were regularly emptying buckets during heavy rain . He also stated that the issue had resulted in standing water building up in the basement . He then stated that the plan was to have the work take place the following summer . He emphasized the importance of taking care of the War memorial as a gem of the city .

Councilor Murphy thanked Michael Falcetti , Jesus Pereira, and Chris Sims for bringing these issues to the attention of his office. He also commended City Engineer Bb Peirent for arranging for an estimate from a roofing company. He emphasized that ignoring the issues would result in millions of dollars of extra cost and potential loss of the building .

Councilor Greaney expressed his support for the bond , noting that the War memorial was one of the centerpieces of the downtown area.

Councilor Sullivan urged approval , noting that these leaks will lead to additional damage of many systems of a building if not addressed .

Councilor Bartley offered thanks for funding of the Michigan Avenue speed humps . He also noted that the issues had been ongoing since the summer of the previous year . He then emphasized the value of reading the debt statement provided by the Auditor. He also stated that perimeter and the walls of the building deserved attention for preservation of history . He then noted that the War Memorial Commissioners had an interest in greater use of the building for the community .

Councilor Lisi expressed her support for the funding , noting the vital importance of securing the roof and preserving the history of the building . She then stated that the building should be utilized more , more accessible, and include pursuing potential revenue opportunities .

Councilor Anderson-Burgos expressed support for the bonding. He emphasized that the building honors veterans. He then echoed the concerns of Councilor Sullivan , noting the extra future cost is the repairs were not done soon. He also emphasized the impact on the air quality and health risks associated with standing water and the buildup of mold.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays --Yeas 11--Nays 0--Absent 1 (McGee). Councilor Leahy did not vote or participate in discussion on this item.

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 SEVENTY FIVE THOUSAND AND 00/100 Dollars (\$175,000) as follows:

FROM:

12101-51107 PATROLMEN	\$75,000
12101-51117 E911 DISPATCHER	100,000
TOTAL:	\$175,000

TO:

12101-51300 OVERTIME	\$175,000
TOTAL:	\$175,000

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 Tallman stated that the department had been spending around \$38,000 per pay period for overtime. He then stated that some of the surplus funding in the Patrolmen account was due to vacancies. He also stated that the surplus in the Dispatcher account had been due to dispatchers being covered under grant funding. He also confirmed that there would be enough funds to cover the dispatchers pay through the end of the fiscal year.

Councilor Murphy stated that the amount of the request had been intended to cover the expected needs through January to avoid needing to submit a request right after several new members will have joined the Council. He also noted that the overtime expenses had been down significantly from the same period the previous year.

Acting President McGiverin stated that the department had 89 officers at that time, including 8 at the academy and not available for duty. He also noted that the number of reserves had been unusually low at that time. He suggested that there have been a lack of motivation at the time to go into this field.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays  
--Yeas 11--Nays 0--Absent 1 (McGee). Councilor Lisi did not vote or participate in discussion on this item.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, THREE THOUSAND AND 00/100 Dollars (\$3,000) as follows:

FROM:

12401-51110 PAY-LOCAL BUILDING INSPECTOR	\$3,000
TOTAL:	\$3,000

TO:

12401-51300 OVERTIME	\$3,000
TOTAL:	\$3,000

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 Tallman stated that the surplus had been due to a vacancy in one inspector position, adding that the one inspector in the department had needed to perform extra work. He also emphasized that the department had difficulties hiring another inspector due to the salary.

---> 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 (McGee).

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 ONE THOUSAND SEVEN HUNDRED EIGHTY FIVE AND 00/100 Dollars (\$21,785) as follows:

FROM:

14251-51104 HEAVY MOTOR EQUIPMENT OPERATOR	\$21,785
TOTAL:	\$21,785

TO:

14252-54221 SUPPLIES TRAFFIC LINES	\$21,785
TOTAL:	\$21,785

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 Tallman stated that there were bills to be paid for the paint and other supplies for traffic lines . He also stated that the surplus had been due to there being three vacancies in the department , emphasizing the low salary for the positions . He also stated that there would be continued conversations to repaint lines more on a more regular basis .

Councilor Sullivan emphasized for the benefit of councilors -elect that many salary accounts had surpluses due to not being able to hire for those positions , noting that the city was not competitive with the market . He also emphasized that the contracting out to perform work was resulting in more costly work due to prevailing wage requirements .

Councilor Bartley expressed concern for utilizing salary funds to pay for supplies . He then emphasized that this was not a satisfactory way to manage a budget . He expressed a hope that the new DPW Superintendent still to be hired would have experience with managing a large budget .

Councilor Tallman recalled having a conversation with a DPW worker while picking up trash and recycling , hearing that many in the department had been overworked due to a workforce constantly in transition . He suggested that their work should not be taken for granted . He expressed a hope that the new DPW Superintendent would take god care of their workers ,

Councilor Bartley recalled that many departments had been combined under Public Works in the 1990's , and then suggested that the decision be revisited . He suggested that splitting up departments would give them more authority and allow the DPW Superintendent to better direct their focus .

Councilor Murphy stated that he had been in discussions to combine the Parks and Recreation Department with Forestry to have a dedicated service for maintaining parks . He noted that the DPW Superintendent had nine budgets to oversee . He then suggested that regularly having to move funds from one area to another could often lead to ineffective service . He also offered an update that new wheeled trash barrels would be purchased using ARPA funds , allowing trucks to lift the barrels , likely leading to fewer workers compensation claims .

---> 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 (McGee).

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

have considered the same and 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.

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

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

Councilor Anderson-Burgos informed the Council that he had learned Michael Siciliano had just passed away that evening.

A moment of silence was observed in honor of Mr. Siciliano.

Councilor Anderson-Burgos emphasized the humanity that Mr. Siciliano had illustrated in his interactions with him.

Acting President McGiverin recalled that conversations with Mr. Siciliano were always energized.

Councilor Greaney stated that hearing the news had been crushing, noting that he had known Mr. Siciliano for over 30 years.

### ORDERS AND TRANSFERS

(3:02:20)

Acting President McGiverin stated for the benefit of the Councilor-Elect that no rule barred debate on the items in this section, but that common sense dictated that items planned for referral to committee are better left for debate in committee.

LEAHY Ordered, that the Holyoke City Council give a proclamation to Holyoke Sporting Goods and owner Betsy Frye as recognized by the Commonwealth of Massachusetts that Holyoke Sporting Goods is an outstanding Woman owned small business.

Councilor Bartley asked to be added to the order.

Councilor Leahy offered his congratulations to Ms. Frey for the recognition.

All councilors asked to be added to the order.

Councilor Tallman noted that the last name should read as Frey.

---> Received and adopted.

MCGEE Ordered, that Order that the public safety committee invite in the water dept to discuss and address the water issues on Michelle lane.

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

MCGEE Ordered, that Order that the city engineer review and determine if a four way stop sign(s) can be placed at Fairfield and Nonotuck.

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

MCGEE Ordered, that Order that the city council appoint a new assessor.

---> Received and referred to the Public Service Committee. Copy to Personnel Department.

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

Councilor Vacon expressed her understanding that three Councilor-Elect were employees of the city. She then suggested that those three should work on addressing their conflicts prior to being sworn in. She suggested that it was late to seek a change to a local law that was adopted through an override of the previous mayor's veto, noting that the maker of the current order supported the override.

Councilor Lebron-Martinez asked if a stipend received from a city department qualified someone as a city employee. She noted that a previous member of the Council had a role with high school football games.

Acting President McGiverin stated that such persons are considered special employees.

Councilor Lebron-Martinez recalled that the person was receiving a stipend while serving on the Council . She suggested that councilors were not getting rich on their Council stipend .

Councilor Greaney stated that the way the proposed ordinance was written made it appear that the Police Chief could serve as a city councilor .

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

Motion was made and seconded to suspend the necessary rules to take up items 30, 31 and 33 through 37 as a package.

MCGIVERIN Ordered, that to accept funds from the Holyoke Gas & Electric and to enter into the escrow agreement to pay off their 2012 General Obligation bonds .

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 2021.

Terence Murphy, Mayor

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

MCGIVERIN Ordered, 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 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 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 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 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 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, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 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 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 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, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 2021.

Terence Murphy, Mayor

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, ONE HUNDRED 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 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, FOUR THOUSAND FIVE HUNDRED THREE AND 74/100 Dollars (\$4,503.74) as follows:

FROM:			
12201-51105	FIREFIGHTER		\$4,503.74
		TOTAL:	\$4,503.74

TO:			
12201-51180	INJURED ON DUTY		\$4,503.74
		TOTAL:	\$4,503.74

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 16, 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 (McGee).

MURPHY Ordered, that Ordered, 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.

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

VACON Ordered, that That City Councilors will attend City Council and City Council Committee meetings in person. Exceptions can be made for remote attendance by the City Council President and/or Committee Chair as long as the Chair and a quorum is present in person

Councilor Vacon noted that as a nurse, she had engaged in safe practices while working through the pandemic. She stated the intent was to protect those who have concerns and risks while addressing a decline in civility and an increase of instances of disruptions during Zoom meetings . She then objected to assertions that her order was cruel or creating a danger for anyone . She stated her intent was to return to a natural order of business.

Councilor Bartley recalled a situation when his ethics had been attacked several months prior and had not had any members stand up for him. He then expressed his support for Councilor Vacon against personal attacks directed at her. He emphasized that the members of the body needed to do better to prevent and stand up against personal attacks.

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

ANDERSON-BURGOS Ordered, that Ordered, that the City Engineer work with the Public Safety committee to discuss and attempt to mitigate traffic concerns near the Ridgewood and Summit intersection that are a concern for residents, particularly during the winter months. A constituent stated that with the Community Field gate open where vehicles exit onto Summit and turn onto Ridgewood, visibility going up or down the hill is marginal with the potential of a tragic incident. There was a request to add caution signage or even a stop sign at the exit.

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

BARTLEY Ordered, that The City Council review and vote on whether the City Clerk should be appointed as opposed to elected. Refer to Charter and Rules

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

BARTLEY Ordered, that That a policy be implemented as to if and when any city vehicle, including police cars, may be rented for non-city related business. Refer to Ordinance.

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

BARTLEY Ordered, that That the Auditor report to the city council on collection efforts for police detail work. Refer to Finance, copy to Auditor.

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

BARTLEY Ordered, that 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.

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

BARTLEY Ordered, that That speed hump be placed on Fenton St.

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

BARTLEY Ordered, that That speed humps be placed on Mackintosh Terrace.

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

BARTLEY Ordered, that That speed humps be placed on Memorial Dr.

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

BARTLEY Ordered, that That a handicap sign be placed in front of 107 Brown Ave for Elizabeth Delgado.

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

**LATE FILED ORDERS & COMMUNICATIONS**

(3:21:00)

Councilor Greaney expressed that verbal assaults against city councilors on Zoom needed to stop .

Acting President McGiverin clarified that there was a distinction between meeting participants attacking councilor and people engaging in Zoom bombing .

Councilor Vacon stated that the evening's personal attacks had been a small representation of the nasty City Council campaign had recently taken place . She then referred to a flyer that had been distributed which named and vilified many candidates running for City Council . She then suggested that calls for unity and diversity had been hypocritical . She questioned her Council colleagues who had been silent . She then expressed a hope that members of the new Council would encourage good public discourse .

Councilor Hernandez stated that people have a right to express themselves . She noted that many members of the Council had been attacked . She then questioned the suggestion that councilors need to call out others for what they say .

HERNANDEZ Ordered, that Remove handicap sign from in front of 136 Beech street. Constituent passed away.

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

From Michael A. Bissonnette, Associate City Solicitor and Lisa A. Ball, Acting City Solicitor legal opinion re: City councilors also holding employment with the City of Holyoke .

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

From Deborah Brunelle, Assessor, letter re: Delaney house and other Billboards.

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

Councilor Lisi noted that in discussion of Zoom meetings , zoom bombs and bullying were different from people expressing their opinions and calling forward the public record .

Adjourn at 10:40 PM.

A true record

ATTEST:

*Brenna Murphy McLee*

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City Clerk