

**REGULAR MEETING OF THE CITY COUNCIL**  
**April 19,2022**

The meeting was called to order by President McGee at 07:03 PM.

The Clerk called the roll. Absent members: 0 Present Members 13 (Anderson-Burgos, Bartley, Givner, Jourdain, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, I. Rivera, J. Rivera, Tallman, Vacon).

The Pledge of Allegiance was recited..

The name of Councilor Maldonado-Velez was drawn to head the roll call voting.

Councilor I. Rivera asked for a moment of silence to recognize the passing of local resident, Justin Chavez. He then stated that Mr. Chavez had been a friend to many in the community and had put Holyoke on the map in the rap industry. He then stated that Mr. Chavez had done a lot to uplift the community.

A moment of silence was observed for Justin Chavez.

President McGee stated that the 126th Boston Marathon was run the day before and that Admin Asst Jeffery Anderson-Burgos had run it in 4 hours, 57 minutes, 51 seconded, as well as having raised over \$11,000 for Dana-Farber.

**LAI D ON THE TABLE**

Motion was made and seconded to suspend the necessary rules to remove items 1 and 3 from the table as a package.

The Committee on Ordinance to whom was referred an order that the City Council amend Holyoke Zoning Ordinances Section 7.10.5.3(a) by deleting "other use as listed in Table 4.3 of Principle uses" and inserting the following language in its place: "any pre-existing public or private school providing education in pre-kindergarten, kindergarten, or any grades 1 through 12" or other such legal form sufficient to resolve any uncertainty over the interpretation of the existing ordinance as compliant with state law. Recommended that the order be adopted.

**UNDER DISCUSSION:**

Councilor Vacon stated that the committee recommended the language in a 3-2 vote to set a 200 foot buffer for marijuana manufacturing establishments from any pre-existing public or private school providing education in pre-kindergarten, kindergarten, or any grades 1 through 12. She then stated that item 3 had been filed as a suggestion to include residences in the buffer, adding that the amendment had not been approved as a recommendation.

Councilor Puello stated that he sought feedback on a potential buffer from residences and heard a lot of support for it. He then made a motion to amend the language to add residences to the 200 foot buffer. Councilor Vacon seconded the motion.

Councilor Givner noted that the order stated "residence, etc," adding that the language was too vague. She also suggested that residences added to the buffer would include a lot of the area.

Councilor Vacon clarified that the language of the order was written to permit discussion of many potential uses.

Councilor Jourdain expressed support for the amendment, adding that it had been part of the discussion in committee. He also noted that state law allows for up to 500 feet. He suggested that adding residences would not be too burdensome, and that the amendment would be sensitive to people who live in the area. He also suggested allowing establishments to open in locations below the buffer by special permit. He then suggested that if a marijuana establishment was being proposed in any other area in the city next to residents, it would never be allowed.

Councilor Murphy-Romboletti stated that there are things in place already to assure that if someone gets a special permit, they already have a public hearing. She suggested that adding another hearing should not be necessary. She then emphasized that the order was in committee specifically to fix a scrivener's error. She also emphasized that such a situation would not happen in other areas of the city specifically because city councilors in the past had made sure that marijuana establishments were only allowed in the IG zone. She also stated that she this should be revisited, noting that having a Walgreens or CVS near a house would not be any different than having a dispensary.

Councilor McGiverin expressed opposition to the amendment. He then emphasized that Holyoke was built as one of the first planned industrial communities in the country. He added that the city was planned with manufacturing, commercial, retail all built together to allow people to walk to work. He then suggested that such a buffer could hurt property owners who may seek to lease or sell their property to a marijuana manufacturer. He then recalled a past situation where residents sought came out in support of a zone change for a manufacturer because they recognized the benefit of more jobs for the people in their community.

Councilor J. Rivera stated that she had not received complaints about odor from her ward 1 constituents. She also noted that she is near Kelly School often and has never smelled the odor from the nearby GTI establishment. She then stated that odor is a much larger issue from it being smoked in neighborhoods than any of the manufacturers.

Councilor Puello offered a reminder that many people who are impacted do not tend to participate in meetings and public hearings because they do not feel their voices are heard.

Councilor Givner stated that it was the job of councilors to assure that their constituents understand there are opportunities to speak up and participate in meetings.

Councilor Jourdain offered an explanation of the technical changes that the amendment would make, noting that the changes would add residential use to several different locations of the provided legal language. He then recalled that when the ordinance was drafted, it was recognized that the change in the law was narrowly supported by the community and the intent was targeted development. He then stated that the intent of the amendment was to protect residents whose homes are abutting the IG zone.

Councilor Maldonado Velez expressed that he would not support the amendment. He noted that many of the same communities that had been hit hard by the enforcement of the war on drugs prior to legalization were now in need of more opportunities. He then stated that as the industry has been good for the city, there needed to be consideration for how to assure it benefits many of the same communities of color that were harmed and jailed due to a plant that white people were not making billions off of.

Councilor I. Rivera observed that he heard arguments on both sides of the issue in his conversations with people in the community. He then suggested that if the industry was going to be restricted to the IG zone, there should not be additional restrictions. He then echoed the sentiments of Councilor Murphy-Romboletti to consider expanding to other areas of the community.

Councilor Vacon clarified that if the amendment were adopted, it would not trigger a separate public hearing but would be a relevant part of the ordinance to be considered during a public hearing. She also noted it had a long recognized role of councilors to reach out to their constituents, adding that many in the communities would prefer to reach out to their ward councilor rather than participate in a public hearing. She then suggested that ward councilors should be given deference when communication points on

behalf of their constituents.

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

The Committee on Ordinance to whom was referred an order That the current buffer in the marijuana ordinance (200 feet from any other use...)be reviewed and revised to schools, residences etc. to ensure opportunities for new marijuana businesses and to ensure continued development opportunities for established local business in accordance with our master plan, Connect, Construct, Create.  
 Recommended that the order be adopted.  
 ---> Received.

Due to a brief technical issue with Councilor Vacon, a motion was made and seconded to lay items 1 and 3 back on the table.

The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 56 Linden St. for Hedy S. Jaundoo, Placard # PL4980420 Recommended that the order be adopted.  
 Councilor Vacon stated that the matter was straightforward, adding that the Disabilities Commission had approved of the change.

---> 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.

### PUBLIC COMMENT

(5:20)

Helene Florio, 31 Wellesley Road, stated that she was speaking as a representative of the Holyoke Taxpayers Association. She then stated that HTA was not against the Girls, Inc program and that their opposition to CPA funding of the Girls, Inc project was due to a need to abide by the rules. She further emphasized that the issue was not the programs but based on the laws of CPA funded to assure taxpayer funds are spent legally and wisely.

Anne Thalheimer, 97 Brown Avenue, stated that a member of the body made comments during a Charter and Rules meeting characterizing a constituent and engaged voters as a reoccurring nightmare. She then emphasized that the member of the body had not followed Rule 18, adding that it was unacceptable unprofessional to talk about members of the public. She then expressed concern that there was no process for censure. She also expressed concern that people would choose not to be engaged when elected officials speak about constituents in this way.

Jason Montgomery, 30 Glen Street, expressed disappointment that a council member called a constituent and opponent a nightmare. He then stated he had seen the same council person engaging in similar grandstanding on other occasions. He then suggested that a basic level of professionalism needed to take place.

Spencer Fox Peterson, 51 Portland Street, expressed concern for use of Shot Tracker technology that was to be issued to the Police Department. He suggested that it would be issues in an inequitable way that there were better ways to make the community safer. He stated that many other communities, such as

Northampton, Denver, and Amherst are doing better things to mitigate violent crime in their cities. He then invited council members to discuss his dealings with Holyoke police and others in the area. He then stated there was a complicated relationship with police and suggested they were not a legitimate institution.

Daphne Board, 197 Pine Street, read from letter emailed for public comment:

"At last week's Charter and Rules Committee meeting, Councilor Bartley referred to a constituent who has run against him as a "recurring nightmare". This isn't the first time this Councilor has demeaned or belittled specific residents of the City, and, given the history, sadly I imagine it won't be the last time. The discussion in Council Chambers should have centered on an item addressing whether the City Clerk's position should be elected or appointed, and this sidebar from Bartley should have been saved for the barstool, not City Council Chambers.

Another claim made by Bartley in the meeting was that Council should keep the ability to hire financial positions in City Hall like the Auditor. I was reminded of the fiasco in 2018, when the Council hired Auditor quit his job in a burn-it-all-down letter and a former Auditor was forced to come out of retirement (he had been acting Auditor for over a year when Council failed to find a replacement) to clean up the mess. At the same time, Council was refusing to set a tax rate and citizens received property tax bills very late, throwing off household budgets for us all. What a nightmare that was. Pales in comparison to one person running for an office against you.

I realize there are certain rules about referring to specific Councilors in Chambers, but apparently there aren't rules against demeaning or belittling specific residents."

(14:15)

### COMMUNICATIONS

(44:40)

From Mayor Joshua A. Garcia list of Historic Preservation related repairs needed on city buildings as requested by Councilor Jourdain, Councilor Bartley, Councilor I. Rivera and Councilor Vacon on order filed April 5, 2022.

Councilor Jourdain stated that the item did not appear to be what was labeled on the agenda.

Councilor Murphy-Romboletti stated that the relevant items were on the last two pages.

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

From Mayor Joshua A. Garcia, letter veto of : Order amend its zoning ordinances to allow for Front Yard pools by special permit of the City Council and to make any necessary changes to the Swimming pool Ordinance, order filed October 5, 2021.

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

President McGee stated that, regarding the mayor's veto letter in item 5, the language as drafted caused a concern. He then stated that in the Ordinance Committee meeting, it was clear the intent for changing the ordinance for pools was specific to corner lots, adding that the adopted language only referred to front yards. He then stated that the suggestion from the Law Department was to reconsider the action and refer it back to the Ordinance Committee to draft the language correctly.

Atty Bissonnette stated that the charter allows the Council to receive the veto message from the mayor and then reconsider the action, adding that it could include referring back to the committee.

Councilor Bartley asked to assure that if reconsidered, the Council would not trigger a statutory deadline. He suggested that it could be reconsidered and laid on the table, noting the amended language was likely 8-12 words.

Atty Bissonnette stated that it could be laid on the table and then take such action that the Council may

want, such as amending the ordinance.

President McGee noted, after conferring with Admin Asst Anderson-Burgos, that the Council would have 90 days to take final action, adding that it would have until mid-May since the hearing was closed in February.

Councilor Bartley questioned if it really needed to go back to the Ordinance Committee as it was relatively few words.

Councilor Murphy-Romboletti stated that she would be open to referring back to committee, if necessary. She also noted there was a late file from the Planning Board relevant to the issue.

Motion was made and seconded to suspend the necessary rules to take up Late File E out of order.  
---> Laid on the table.

From Planning Board, 2nd letter regarding front yard swimming pools

Councilor Murphy-Romboletti stated that after looking at the letter, she was not sure it was a matter of just 12 words. She suggested that while there were opportunities for it to be allowable, the Planning Board's concerns should be considered.

Councilor Givner expressed an interest in revisiting the zoning laws. She suggested that rather than needing to create another special permit, it would make more sense change the zoning ordinances to make laws that pertain to the whole city and allow people to do what they want on their property within reason.

Councilor Vacon stated that the committee's intent to specific corner lots was clear and that it should not need to go back to committee to add any more clarity regarding the intent. She stated that the closest they could come to create a level playing field was creating the special permit so that property owners could do what they want while allowing abutters to be notified and voice their objections, if any. She suggested it would be in order to lay the item on the table.

Councilor Jourdain stated that the suggestion from Councilor Givner was worth considering in order to allow pools on corner lots as of right, accounting for specific parameters relative to setbacks. He then stated that the creating a special permit was about neighbor protection, allowing the City Council to permit certain uses. He further emphasized that the City Council doesn't want to allow or ban certain things outright and that the special permit would allow residents to address potentially controversial matters.

Councilor I. Rivera expressed surprise that the Council was still talking about pools. He questioned why it was such a hot topic and who the change was benefiting.

Councilor McGiverin noted that what the Council had before them was the mayor's veto, and then asked if the suggestion was that there was a window to amend the language.

President McGee stated that City Solicitor's suggestion was that the Council could pass a motion to reconsider the action and either send it back to committee or lay it on the table to allow them to return amended language to add in language referring to corner lots.

Councilor McGiverin stated that there had not been a situation before where a vote taken at a prior meeting was reconsidered. He then suggested that the charter and the rules were clear that was not allowed. He noted that a scrivener's error with the marijuana ordinance required a new process to fix. He then asked how substantial of a change would require a new process to be started. He expressed concern that a new precedent was being set.

President McGee stated that the City Solicitor referred to section 24 of the Charter for the Council's ability to take that action.

Councilor Maldonado Velez asked about would happen after the 90 days lapsed.

President McGee stated that the process would have to start over.

Councilor Maldonado Velez expressed concern that the change was being done for a specific individual. He then suggested that the discussion should go back to committee for a broader discussion of an ordinance change to allow people to do what they want with their properties after consideration for dimensions.

Councilor Vacon clarified that by allowing the special permit process, it would allow people to do what they want with their properties. She added that this was seen as the most straightforward way to making that change.

President McGee asked what the motion would be.

Councilor Vacon made a motion to lay on the table to receive the legal language that would reflect the intent of the Ordinance Committee. Councilor Bartley seconded the motion.

Councilor Jourdain raised a point of order. He then stated that the concern raised by Councilor McGiverin should be addressed in order to understand the implications of reconsidering an ordinance that was passed at a previous meeting. He then asked if the opportunity to reconsider would exist two weeks later.

President McGee stated that it would, noting that the matter was to be tabled.

---> Laid on the table,

From Mayor Joshua A. Garcia letter appointing Thomas Wilson, Attorney, 21 Hampton Knolls Rd. to serve as a member on the Library Board of Directors for the City of Holyoke: Attorney Wilson will replace Ms. Stephanie N. Marcotte and will serve the remainder term; said term will expire in February 2024.

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

From Mayor Joshua A. Garcia, letter appointing Ms. Sarah Wedaman, 28 Howard St. to serve as a member of the Commission on Disabilities for the City of Holyoke: Ms. Wedaman will replace Mary L. Morris and will serve a three-year term; said term will expire in March 2025.

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

From Mayor Joshua A. Garcia letter reappointing Mr. Jose Correa, 8 Fairfield Ave to serve as a Commissioner of the Licensing Board for the City of Holyoke: Mr. Correa will serve a six-year term; said term will expire on June 1, 2028.

---> Received and appointment confirmed.

From Mayor Joshua A. Garcia letter reappointing Ms. Helen J. Busby, 90 Brookline Ave. to serve as a Commissioner of the Parks & Recreation for the City of Holyoke: Ms. Busby will serve a three year term; said term will expire on June 30, 2025.

---> Received and appointment confirmed.

From Mayor Joshua A. Garcia letter reappointing Ms. Kelly Curran, 230 South St. to serve as a member on the Library Board of Directors for the City of Holyoke: Ms. Curran will serve a three-year term; said term will expire on February 2025.

Councilor Jourdain asked to assure there was no issue with Ms. Curran continuing to serve on this board after having been recently appointed Personnel Director. He noted this was an uncompensated position. President McGee suggested there should not be a problem, noting that it would only require special approval if they were both compensated positions.

Councilor McGiverin suggested there may be an issue with her serving as Human Resources Director and serving on the Library Board.

Councilor Jourdain suggested that could be an issue as it was like serving as two department heads.

---> Received and referred to the Public Service Committee. Copied to the Law Department

Notice of Community Outreach Meeting for Carefully Curated LLC for a proposed Marijuana Establishment at 420 Race St. Suite 1C.

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

**PETITIONS**

(1:10:15)

Motion was made and seconded to suspend the necessary rules to take up items 12, 14, and 15 as a package.

Petition of Ivory Billiard Lounge for a renewal of 19 pool Tables and 1 Billiard table at 151 Chestnut St.

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

Petition of David Greenberg for a renewal of a Pawnbroker License at 448 Appleton St.

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

Petition of David Greenberg for a renewal of a Second Hand License at 448 Appleton St.

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

Petition of Betlai, LLC for a Zone Change from R-2 to B-L at 0 Pleasant St. ( Parcel: 092-00-112)

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

President McGee noted that former city councilor, Patti Devine, had already taken care of the proclamation. He recognized her great handwriting skill, adding that she never charges for writing out the proclamations.

**PRESIDENT'S REPORT**

(1:13:15)

President McGee thanked Councilor McGiverin for administrating the City Council Flower Fund. He noted that the fund is used for donations from the Council, ads in different programs, and that the anything remaining at the end of the year is returned to councilors who pay into it.

Councilor McGiverin thanked councilors who had given into the funds. He noted that there were 7 plaques to give out to former councilors. He also noted that the fund is also used for proclamations.

President McGee extended thanks on behalf of Admin Asst Anderson-Burgos for the contribution to his Dana-Farber fundraiser.

Councilor Bartley thanked Councilor Puello, Councilor Tallman, and former Councilor Sullivan for their participation in a community cleanup a couple weeks prior. He also thanked members of the Police Department for their help providing materials.

Councilor Jourdain expressed appreciation for many members of the community, city departments, and Linden Tree Service for their help in saving a cat that had been stuck in a tree for several days. He described the difficulty in getting some equipment to fit into the space to reach the cat, and the skill of the worker who was able to climb the tree and reach the cat.

**REPORTS OF COMMITTEES**

(1:19:35)

The Committee on Public Service to whom was referred an order that the city council review and approve

the PR cultural district resolution  
have considered the same and Recommended that the order be adopted.

Committee Members:  
Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that there was to be a state authorized cultural district. He then suggested that the resolution may need to be referred to the Ordinance Committee for properly adopting it. He also stated that the designation would likely come with some state grants.  
Councilor Bartley suggested that the resolution could be adopted that night and a new order be filed to be referred to the Ordinance Committee.

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

Motion was made and seconded to suspend the necessary rules to take up items 19B and 19C as a package.

The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia letter appointing Ms. Lyn Horan, 100 Southampton Rd. to serve as a member of the Commission on Disabilities for the City of Holyoke: Ms. Horan will serve a three-year term; said term will expire on March 2025 have considered the same and Recommended that the appointment be confirmed.

Committee Members:  
Peter Tallman  
Will Puello  
David K. Bartley

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

The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Mr. Jorge Colon, 101 St. Kolbe Dr. as a member of the Holyoke Redevelopment Authority: Mr. Colon will serve a two year term; said term will expire on November 1, 2024  
have considered the same and Recommended that the appointment be confirmed.

Committee Members:  
Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that Ms. Horan was looking to make Holyoke a more friendly place for those with disabilities, with better access to parks, other facilities, and public transportation. He also stated that she well understood the difficulties that exist for being able to get around and would be a good advocate for people. He then stated that Mr. Colon had been involved with several groups in the city, had a history with culinary work, and was very involved in the city and was always willing to help out wherever he could help people.

Councilor Bartley commended the volunteers for stepping up, noting the city cannot function without them. He then commended Mayor Garcia for putting forward very qualified individuals for various committees. He then expressed that he needed to do more, and encouraged others councilors as well, to meet commissioners that are appointed.

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

The Committee on Public Service to whom was referred an order in light or recent news reports on issues with the security of mail in votes, we request the City Clerk and Board of Registrars discuss with the City Council the vote counting and security process to ensure an accurate count and posting of each vote for our elections.



In reviewing the results of the September 1 primary, there was a significant variance between the machine totals posted on the walls at the precincts and the totals listed in the unofficial results. Traditionally, the vote totals posted at the precincts were very close to the final results but at this primary many votes were not reflected in the totals posted at the precincts.  
How are mail in votes other than absentee ballots, initially requested by the voter, counted and posted?  
How is early voting accounted for, recorded and results posted?  
have considered the same and Recommended that the order has been complied with.

Committee Members:  
Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:  
Councilor Tallman stated that the order was from a couple years back, adding that the maker said the matter had been taken care of. He also stated that the City Clerk had sent a letter answering the questions from the order.  
---> Report of Committee received and recommendation adopted.

The Committee on Public Service to whom was referred an order that a representative of the Massachusetts Division of Fisheries and Wildlife, and the Holyoke’s Animal Control Department come into the Public Service Committee to discuss a strategic plan in regards to the increasing amount of wildlife in the City of Holyoke  
have considered the same and Recommended that the order has been complied with.

Committee Members:  
Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:  
Councilor Tallman stated that much was learned from Dave Wattles of the Department of Fisheries and Wildlife as well as from the city’s Animal Control Office, Erick Velez. He then stated that with many animals being seen in neighborhoods, such as bears, coyotes, and foxes, it was usually best just to leave them alone. He also emphasized that there can be issues with animals coming into neighborhoods when people leave food and trash out. He also suggested that Mr. Velez should be contacted anytime people need to report issues with animals being hurt or becoming a danger or nuisance.

Councilor Bartley suggested that people can use SeeClickFix to address issues through many city departments, adding it was a useful tool. He also stated Mr. Velez was a credit to the city. He also stated that having Mr. Wattles in to volunteer his time with the committee was a great educational experience.  
Councilor Tallman thanked the Admin Asst for inviting people into meetings.  
---> Report of Committee received and recommendation adopted.

President McGee stated that there were no reports from the Development and Governmental Relations Committee.

(1:29:40)

The Committee on Charter and Rules to whom was referred an order 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

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

Committee Members:

Jose Maldonado-Velez  
Tessa Murphy-Romboletti  
Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez noted that the state had extended the allowance for virtual meetings through July. He then suggested that if there was remaining interest in addressing the concerns in the order, a new order could be filed. He then stated that the intention was to clean out as much as possible and be intentional about what orders remain in the jacket.

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

The Committee on Charter and Rules to whom was referred an order that the City Council, in accordance with MGL Chapter 43, Section 43, submit the following question to the voters as a binding referendum: "shall this City allow the sale of marijuana products, as those terms are defined in G.L. c.94G, 1, for consumption on the premises where sold, a summary of which appears below?  
have considered the same and Recommended that the order has been complied with.

Committee Members:

Jose Maldonado-Velez  
Tessa Murphy-Romboletti  
Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez explained that the state was still deciding whether or not to allow social consumption, adding that the order should be refiled at a later time if there was still an interest.

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

The Committee on Charter and Rules to whom was referred an order that we create a Technology Advisory Board to advise the council on the impact and implications of technological innovations on financial services, human services, infrastructure, politics, taxing of tech companies. The board will give recommendations on policy change in order to bring our systems up to date.  
have considered the same and Recommended that the order has been complied with.

Committee Members:

Jose Maldonado-Velez  
Tessa Murphy-Romboletti  
Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez expressed that this was an example of an attempt to have an order filed, heard, and then cleared out if it no longer made sense to discuss. He then stated that there were other avenues he would be pursuing for streamlining the procedures for how the City Council handles its work, including creating additional committee.

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

Motion was made and seconded to suspend the necessary rules to take up items 21D and 21E as a package.

The Committee on Charter and Rules to whom was referred an order that the City Council vote to place the following question on the ballot as a binding referendum: "Should the City Treasurer be changed from an elected position to an appointed position that combines the duties of Treasurer and Tax Collector?"  
have considered the same and Recommended that the order has been complied with.

Committee Members:

Jose Maldonado-Velez  
Tessa Murphy-Romboletti

Todd A McGee

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

The Committee on Charter and Rules to whom was referred an order The City Council review and vote on whether the City Clerk should be appointed as opposed to elected have considered the same and Recommended that the order has been complied with.

Committee Members:

Jose Maldonado-Velez

Tessa Murphy-Romboletti

Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez stated that they were considering whether two different positions should be elected or appointed. He noted that Mayor Garcia had put together an advisory committee on government restructuring, adding that their work should be allowed to continue before the Council considers putting forward these questions.

President McGee stated he would abstain from the vote.

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

### ORDERS AND TRANSFERS

(1:35:40)

VACON Ordered, that that our city solicitor draft a ballot question for the next eligible election for voters to decide if the CPA tax should be reduced from 1.5% to 0.5% in light of current financial hardship of our taxpayers.

---> Received and referred to the Charter and Rules. Copy to Law Department.

VACON Ordered, that That our city solicitor draft a ballot question to revoke the CPA tax and that it be placed on the next eligible election ballot for the voters to decide if they want to keep the CPA tax after 5 years.

Councilor Vacon stated that the CPA tax had begun by a vote of the City Council, with an authorization by the voters of 5 years. She then stated that the voters should have an opportunity to say what they want to do with the tax following the 5 years.

---> Received and referred to the Charter and Rules. Copy to Law Department.

ANDERSON-BURGOS Ordered, that Ordered that the Gas & Electric install two street lights and poles on Locust Street between Sargeant St & W. Franklin St, one on each end of the street, to illuminate the dark sections of the street.

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

ANDERSON-BURGOS Ordered, that Ordered that the police department provide the city council with a report of the intersections with the highest rates of accidents. A discussion of safety concerns would be helped by having a broader picture of problem areas instead of discussing individual issues. Refer to Public Safety and copy HPD

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

ANDERSON-BURGOS Ordered, that Ordered that we consider "do not block the box" pavement marking's at the intersection of West Franklin and Linden. This would have two benefits, not blocking cross traffic when backed up from the light and the markings would be an extra indicator of caution to traffic coming down the Linden hill.

Refer to Ordinance and copy the Engineer

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

BARTLEY, McGee, Puello, Tallman Ordered, that The city council present a Proclamation to GARY

ROME HYUNDAI at its 25TH Anniversary celebration on May 13, 2022. Receive & Adopt.

---> Received and adopted.

BARTLEY Ordered, that (Re-file from 2014) The city council and DPW amend any ordinances to allow for road improvements at Whiting Farms Rd. to allow for a dedicated Left-hand turn into K-Mart Plaza and to allow for motorists to also travel towards the Mall in a dedicated lane. Receive and refer to Ordinance. Copy to Mayor to consider an appropriation. Copy to City Engineer to review road improvements.

---> Received and referred to the Ordinance Committee. Copy to Engineer and Mayor.

BARTLEY Ordered, that The DPW and Mayor locate public spaces where trash and recycling receptacles can be placed and maintained. This should start off as a pilot program and it will require funding and management to ensure the debris/recycling bins are maintained but hopefully it will be a success and Holyoke can expand its scope. Refer to Public Safety. Copy to Mayor, DPW.

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

BARTLEY, Puello Ordered, that The City DPW, Engineer and Mayor look to remove one-half of the "double sidewalk" between Wolcott & Congress Ave for the purpose of re-installing a tree belt and/or adding angled parking. This is supported by the abutters who brought this to my attention. This would "green" the area and add additional parking crucial to this neighborhood. Copy to City Engineer, Mayor and DCR.

---> Received and referred to the Public Safety Committee. Copy to City Engineer, Mayor and DCR.

MCGEE Ordered, that Order that the city council invite in Jim Lavelle of HG & E and his representatives to a city informational session in order to update residents on general matters related to the HG&E (I.e. pole locations, moving poles, cost analysis of wires above vs underground).

Councilor Bartley suggested it should be referred to the Public Service Committee, noting there was another item in the committee to discuss green technology.

President McGee stated that there had been a ward 7 meeting with a discussion of trees being taken down, sidewalks being added, and concern about some streets having poles being moved. He then stated that the intent was to do a follow up meeting to broaden the discussion to include HG&E poles.

Councilor Bartley noted that given the background, the matter should be discussed on its own.

Councilor I. Rivera asked why it wouldn't go to Public Safety. He stated that he could put it on the committee's next agenda.

President McGee stated that the plan was to try to hold it at the High School or the Senior Center as better spaces.

Councilor Jourdain suggested that ward councilors invite at-large councilors to meetings where matters of public interest were being discussed.

President McGee clarified that the previous meeting had been a quickly arranged meeting to address an issue that had been brought up. He stated that all would be invited to the next meeting, noting it was becoming a citywide issue.

Councilor Tallman asked to be added to the order.

Councilor Puello asked to be added to the order.

Councilor Anderson-Burgos asked to be added to the order.

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

Motion was made and seconded to suspend the necessary rules to take up items 33, 34, and 35 as a package.

MCGIVERIN Ordered, that that there be and is hereby appropriated by transfer in the fiscal year 2022, TWENTY FIVE THOUSAND AND 00/100 Dollars (\$25,000.00) as follows:

FROM:			
15432-57700	VETERANS BENEFITS		\$25,000.00
		TOTAL:	\$25,000.00
TO:			
16502-52500	R&M FIELDS		\$25,000.00
		TOTAL:	\$25,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 19, 2022.

Joshua A Garcia, 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 HUNDRED FIFTY FIVE THOUSAND AND 00/100 Dollars (\$255,000.000) as follows:

FROM:			
12101-51107	PATROLMEN		\$215,000.00
12101-51105	SERGEANTS		25,000.00
12101-51201	MATRONS		15,000.00
		TOTAL:	\$255,000.000
TO:			
12102-52500	R&M BUILDING		\$245,000.00
12102-55860	PERSONNEL EQUIPMENT		10,000.00
		TOTAL:	\$255,000.000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 19, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, TWELVE THOUSAND TWO HUNDRED EIGHTY FIVE AND 45/100 Dollars (\$12,285.45) as follows:

FROM:			
11411-51101	ASSESSOR		\$12,285.45
		TOTAL:	\$12,285.45
TO:			
11412-53010	PROFESSIONAL ASSESSMENT		\$11,917.45
11412-53030	PRINTING/BINDING		368.00
		TOTAL:	\$12,285.45

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 19, 2022.

Joshua A Garcia, Mayor

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

Motion was made and seconded to suspend the necessary rules to take up items 36 and 37 as a package.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, TWENTY THOUSAND SIX HUNDRED SIXTY ONE AND 26/100 Dollars (\$20,661.26) as follows:

FROM:		
12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	6,723.80
12101-51107	PATROLMEN	10,054.24
	TOTAL:	\$20,661.26
TO:		
12101-51180	INJURED ON DUTY	\$20,661.26
	TOTAL:	\$20,661.26

To the City Council:  
 I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 19, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, TWO THOUSAND TWO HUNDRED FORTY AND 6/100 Dollars (\$2,240.06) as follows:

FROM:		
12201-51105	FIREFIGHTERS	\$2,240.06
	TOTAL:	\$2,240.06
TO:		
12201-51180	INJURED ON DUTY	\$2,240.06
	TOTAL:	\$2,240.06

To the City Council:  
 I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 19, 2022.

Joshua A Garcia, Mayor

President McGee stated that 10 employees were covered under the Police Department transfers and 1 employee was covered under the Fire Department transfer.

Councilor McGiverin stated that the transfers were an accounting measure to account for salaries paid to public safety employees while they were 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 13--Nays 0--Absent 0.

PUELLO Ordered, that That “No Engine Brakes” signs be installed at the intersection of Ingleside and Main facing south and another at the north end of Springdale Park facing north. This will allow police to cite trucks using them over the raised crosswalk. It is unlawful to utilize jake brakes in Holyoke.

Councilor Jourdain suggested that the language should be changed to “engine breaks,” noting Jake Breaks was a trademarked name and he had been advised by the maker of Jake Breaks many years ago that the trademarked name should not go on signs. He then made a motion to amend the order. Councilor Vacon seconded the motion.

Councilor Tallman recalled former councilor Jay O’Neil brought forward the issue many years back. He then asked to be added.

Councilor Givner asked if the main issue was the noise.

Councilor Jourdain stated it was very obnoxious.

Councilor Givner asked if they used them because they were moving too fast and that the speeding laws should be enforced more.

President McGee stated that they use the engine brakes because it causes less wear on their brake pads.

Councilor Givner suggested it could also deter speeding.

Councilor McGiverin noted engine brakes are also often used for emergency purposes. He also suggested that with citywide speed limits already set at 25 miles per hour, other than a couple 35 mile per hour zones, there should be a no engine brakes ordinance throughout the city.

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

PUELLO Ordered, that That a “No Parking Sign” be installed adjacent to the entrance to the parking lot at 415 Main. Drivers are blocking the entrance ramp thinking the building is still vacant.

---> Received and adopted.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, TWO THOUSAND DOLLARS AND 00/100 Dollars (\$2,000.00) as follows:

FROM:			
12401-51201	PROP MAINT/DEMO SUPERVISOR		\$2,000.00
		TOTAL:	\$2,000.00
TO:			
12401-51109	HEAD CLERK		\$2,000.00
		TOTAL:	\$2,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 19, 2022.

Joshua A Garcia, Mayor

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

**LATE FILED ORDERS & COMMUNICATIONS**

(1:51:30)

BARTLEY Ordered, that Ordered, that two entries for handicap spaces on Brown Ave be deleted. One is on the Westerly side at a point 282 feet southerly of Laurel St. The other is on the East side at a point 80 feet northerly of Willow St. The Engineer noted that these two spots do not have any signs posted and are likely legacy entries in the ordinance table.

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

From City Auditor, MassDOR free cash certification

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

From Law Department, legal opinion regarding CPA expenditures

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

From Mayor Garcia, letter regarding free cash certification

From Attorney Kathleen Degnan, Assistant City Solicitor, legal opinion regarding legal expenditure of Community Preservation Funds

Councilor Jourdain commended the law dept for returning the opinion promptly. He then suggested that the condition placed on the Girls, Inc appropriation at the last meeting meant that the matter was resolved.

Councilor Murphy-Romboletti noted that the Council had just received the opinion that afternoon. She then

asked if she could ask questions of the Law Department.

President McGee clarified that since it was a late file, the rules would have to be suspended to take it up for discussion. He then suggested it could be referred to the Finance Committee.

Councilor Jourdain suggested it be referred to the Finance Committee to allow additional questions to be addressed.

Councilor Maldonado Velez recognized that while the vote was conditioned, there were additional questions on this matter. He then asked if the legal opinion meant that the project was not funded, or if sending it to committee could allow for additional questions that would make the funding a possibility.

President McGee stated that the opinion did define the work as maintenance that would not be allowed, but that additional questions could be addressed in committee.

Councilor Bartley suggested that additional discussion needed to happen in committee since it was a late file. He also suggested that the opinion be referred to the CPA Committee as well as the Historic Commission.

Councilor Givner stated that the opinion merits more review from another attorney. She noted that the opinion basically invalidates how funds have been used in municipalities all over the state. She suggested that the matter needed to be revisited, expressing concern that the opinion could create additional trouble for the city.

Councilor McGiverin asked if the legal opinion was signed by the City Solicitor.

President McGee stated that it was not.

Councilor McGiverin emphasized that other attorneys in the department can issue advice but only the City Solicitor can issue legal opinions.

Councilor Jourdain noted that the City Solicitor has many attorneys who work in the department that can have opinions delegated to them.

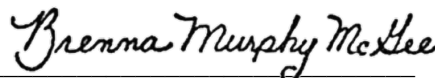
Councilor McGiverin agreed that while was true, he further clarified that the City Solicitor had to sign off on opinions according to the ordinances.

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

Adjourn at 09:01 PM.

A true record

ATTEST:



City Clerk