

REGULAR MEETING OF THE CITY COUNCIL
May 3,2022

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

The Clerk called the roll. Absent members: 1 (Maldonado-Velez) Present Members 12 (Anderson-Burgos, Bartley, Givner, Jourdain, McGee, McGiverin, Murphy-Romboletti, Puello, I. Rivera, J. Rivera, Tallman, Vacon)..

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

President McGee recognized and congratulated Councilor Murphy-Romboletti for being honored as part of the Business West 40 under 40 awardees for 2022. He also recognized and congratulated Kelly McGiverin, daughter of Councilor McGiverin, for being awarded the same honor.

Councilor Bartley made a motion to suspend the necessary rules to take up item 24 out of order. BARTLEY Ordered, that The Holyoke City Council grants a proclamation to David Kidwell, Maestro of the Holyoke Civic Symphony, Holyoke's own college/community orchestra, on his 25th anniversary of leading this prestigious ensemble.
---> Received and adopted.

Councilor Bartley offered thanks to former Ward 6 Councilor, Patricia Devine, for providing calligraphy skills in writing out proclamations for City Council over many years. He then stated he was presenting this proclamation to Mr. Kidwell for leading the Holyoke Civic Symphony for 25 years. He added that the symphony with many accomplished musicians had been running for 53 years, hosting 3-4 events a year at the forum at Holyoke Community College.

Maestro Kidwell offered his thanks for the honor. He then stated that he had received a similar honor 10 years prior at his 15th anniversary but that this one was more meaningful because he had since become a resident of Holyoke. He noted that he often hears that people do not know Holyoke has a symphony orchestra when telling them what he does. He stated his goal was to help spread the word of what they do. He added that the orchestra had been around since 1967, featured local soloists and composers, collaborated with the school chorus and high school theater productions. He stated that while they often perform at Holyoke Community College, they had also given performances at several downtown locations such as Heritage Park, the War Memorial, and United Congregation Church. He stated that they try to make their shows accessible by performing free of charge for 3 out of 4 annual performances. He also emphasized that they strive for a welcoming and unpretentious experience, adding that attendees do not need to dress up, children are welcome, and nobody will give you an evil eye for clapping between movements. He then expressed his gratitude for the honor and the opportunity to spread the word about the orchestra.

LAI D ON THE TABLE

Motion was made and seconded to take items 1 and 2 off the table.

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.

---> Laid on the table.

From Office of Planning & Development letter re: Holyoke Zoning Ordinances, Swimming Pools in a front yard.

---> Laid on the table.

UNDER DISCUSSION:

President McGee stated that an updated legal form had come in that day.

Councilor Bartley stated that while he would be ready to proceed, he would prefer to respect any councilors that hadn't been given an opportunity to read the draft.

Councilor Murphy-Romboletti expressed appreciation for that sentiment.

Councilor Bartley suggested leaving items 1 and 2 on the table.

Councilor McGiverin made a procedural point. He then asked that if the mayor vetoed the original ordinance, would this change be for what the mayor was looking for.

President McGee recalled that the draft that had been adopted allowed for front yard pools, adding that the intent of the Ordinance Committee had been specific to allowing them on corner lots. He stated that the new draft took out the requirement of a special permit according to a request of the mayor. He stated that the change would allow pools on corner lots as a right without a need for special permit. He then stated that the Law Department suggested that the veto would allow the Council to make a motion to reconsider and make the intended change.

Councilor McGiverin asked to clarify that the Council had tabled the original ordinance.

President McGee confirmed that it had been tabled, adding that there had not been any vote to reconsider. He then stated that it was tabled in order to fix a drafting mistake. He reiterated that it had been vetoed because the adopted language would have allowed a front yard pool by special permit.

Councilor McGiverin expressed concern about setting a precedent by reconsidering a vote at a previous meeting.

President McGee clarified that the Council can make a vote to reconsider, take up the adopted the language, and that changing the language would make the previous language and the veto moot points.

Councilor Jourdain asked for a clarification of the process to assure that the procedure was clear. He noted that making the change would require a two-thirds vote of the body as it had in the previous vote. He also recognized that the mayor pointing out the error in the language was correct. He then asked that if it would be appropriate to make a motion to reconsider and then lay it on the table as a courtesy to councilors who sought more time to review the corrected language.

President McGee recalled there had been a question at the last meeting on whether they were making a motion to table or a motion to reconsider. He added that the motion had been to table, adding that once a motion to reconsider was made, it could not be reconsidered another time.

Councilor Jourdain added that a motion to reconsider can be tabled.

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

Atty Bissonnette suggested considering the matter a veto of an ordinance passed by the Council, which would then follow procedures outlined in section 24 of the charter. He stated that the charter directs the Council to reconsider its action. He stated that the motion to reconsider would be in order at this or another meeting if the matter was tabled. He then emphasized that reconsidering was a one time option.

Councilor Jourdain asked if a motion to reconsider would still be in order at a future meeting if the matter remained on the table during this meeting.

Atty Bissonnette stated that it would be correct, allowing time for other councilors to review the revised language of the proposed ordinance change.

Councilor Jourdain suggested that would be the preferable step to take.

Councilor Anderson-Burgos noted that his initial vote to deny had been due to the language allowing pools in front yards until it had been explained to him that it was specific to corner lots.

PUBLIC COMMENT

(18:10)

Owen Broadhurst, 1328 Northampton Street, stated that the prospect of Holyoke PD using Shot Spotter technology should be alarming. He noted it had been determined to be unreliable by various judge, adding that people had been falsely convicted using the technology when gunshots had not been fired. He added that one study found it offered no reductions in serious violent crimes but increased demands on police resources. He suggested that the problems were systematic, adding that the company admitted they altered computer calculated evidence on a semi-regular basis. He added that additional research shows that it does not have a significant impact on gun violence, rarely finds actual evidence of a gun crime, increases high stress interactions with police, and wastes millions of taxpayer dollars.

Linda Pratt, 39 St Kolbe Drive, spoke in opposition to reducing or revoking the Community Preservation Act in Holyoke. She then stated that many wonderful projects that CPA had helped to fund. She also stated that the first \$100,000 of property valuation was exempted from the tax. She added that the CPA funds were a combination of local and state funds. She then stated that the state portion comes from a fee that goes into the state CPA from every sale of property in the state. She then emphasized that the only communities that can use the CPA funds are those with a CPA. She noted that without one in Holyoke, people in the city would be paying into it but would not benefit from the funds.

Meagan Magrath-Smith, 7 Wyckoff Avenue, stated that as CPA had hit its 5th year in the city, state law allowed it to be challenged. She then stated that they had been proud of the work done in the city, funding projects that includes, parks, trails, historic preservation, and affordable housing throughout the entire city. She also emphasized that it was a source of investment that was needed for projects in the community that would have no other funding otherwise. She then stated that projects such as Mayer Field and the Lady Liberty statue had been funded through CPA funds. She also noted that there was a lot of work to be done in City Hall.

Spencer Fox Peterson, 51 Portland Street, echoed the sentiments about Shot Tracker, adding that while the funding came from grants, the city should hire a grant writer that would look for grants more customer fit to Holyoke, not militarize police, invest in signage and other new technology for traffic control, as well as food and housing for people of Holyoke.

President McGee read an emailed public comment:

“My name is Gary LaPlante and I reside at 57 Dillon Avenue. I am not able to come to public comment Tuesday May 3. I would like to voice my opposition to installing Shot Tracker technology. I am aware that it is coming via a grant or some other funding program and may not cost the city upfront cost, but that is not my concern. The technology is questionable at best, has an equity concern and has been linked to racial profiling and gentrification results. My opposition is simple: no to Shot Tracker.”

COMMUNICATIONS

(26:50)

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Ass't. to City Council minutes of April 5, and April 19, 2022.

---> Received and adopted.

From Anthony Dulude, Executive Director Holyoke Retirement Board, letter stating Jack McCarthy as being nominated for the Trustee position of the Board.

---> Received.

From Parks and Recreation minutes of February 17, 2022.

---> Received.

Speed hump petition from Citizens of Mackintosh Terrace.

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

PETITIONS

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

Petition of First Congregational Church of Holyoke for a zone change at 474 Pleasant St. from R-2 to B-H. ---> Received and referred to the Ordinance Committee.

Petition of Delivered, Inc. for a new special permit for a Marijuana Establishment at 101 North bridge St. ---> Received and referred to the Ordinance Committee.

Petition of Steven Chen for a new special permit for a Marijuana Establishment (MME) at 20 Hadley Mills Rd. ---> Received and referred to the Ordinance Committee.

PRESIDENT’S REPORT

(29:45)

President McGee stated that Gary Rome was celebrating his businesses 25th anniversary, and that there would be an order to present a proclamation.

He then stated that there would be a memorial service for Jim Jackowski at the Merry-Go-Round on May 13th.

He also stated that he has sent in information to the vendor for the previous term’s Council pictures, adding that it should allow for their to be a print prepared.

He stated that the Public Safety Committee would be holding a meeting on May 9th at the Senior Center to discuss information about trees and sidewalks with the HG&E.

He stated that Holyoke Community College would begin celebrating their 75 anniversary the following day.

He then announced that Holyoke would hold its fireworks display on June 24th at 6pm, with a rain date of June 25th.

He then stated that the mayor was finalizing the budget and would plan to give a State of the City address as well as present his budget to the City Council on May 12th.

Councilor Bartley asked for the Public Safety Committee hold off on taking up any of his orders until a following meeting that would be held at City Hall. He asked if the meeting the following week was only to discuss the topics with HG&E.

President McGee clarified they were only meeting for the one order.

Councilor Jourdain recognized Sister Mary Cecilia from the Sisters of Providence who had just celebrated her 95th birthday. He stated that she spent her life serving the people of Holyoke in various capacity's, including records room at Providence Hospital, ministry at Out Lady of Guadeloupe, as well as at Providence Place.

Councilor McGiverin stated that the service for Jim Jackowski would be a celebration of his service at the Merry-Go-Round for 25 years. He then stated that the Merry-Go-Round would be the recipient of the Holyoke Bar Association’s golf tournament to be held on August 15th. He noted they had done wonderful work for many organizations throughout the city.

REPORTS OF COMMITTEES

(33:50)

The Committee on Ordinance to whom was referred an order From Megan Seiler, Director Wistariahurst Museum regarding Office Assistant Position reclassification from W-2 to W-7

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

Committee Members:

Linda L. Vacon
 Jose Maldonado-Velez
 Kocayne Givner
 Kevin A Jourdain
 Israel Rivera_I

UNDER DISCUSSION:

Councilor Vacon stated that she had learned the position was not set in the ordinances. She then stated that it had been referred to the Ordinance Committee with the belief that it was. She then asked what the proper way to proceed would be.

President McGee stated it would be a vote of the Council to change the reclassification from W-2 to W-7.

Councilor Vacon stated that the change had already been negotiated and approved by the mayor. She stated she understood matter was closed unless an order for a transfer to cover the salary was to be filed at a future meeting.

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

Atty Bissonnette stated that the position under contract would be best handled by receipt of a memorandum of understanding. He stated that would satisfy the obligation to notify the Council.

Councilor Vacon made a motion to receive the MOU.

Councilor McGiverin stated that it had been a tradition to put classification in ordinances for the purposes of perpetuity. He then stated that MOU's were traditionally referred to Finance, adding that it would still be subject to an appropriation vote due its impact on future budgets.

Councilor Vacon stated that prior to the communication that day, the committee had recommended adopting the reclassification.

President McGee noted that in looking in the budget book, the position was not listed as an ordinance position.

Councilor McGiverin suggested putting the position into ordinance form, adding that there would still need to be an appropriation.

President McGee stated that such an appropriation was not yet before the Council.

Councilor McGiverin stated that the Council does not vote on an MOU.

President McGee suggested that the motion would be to receive.

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

Motion was made and seconded to suspend the necessary rules to take up items 10B, 10C, 10D, and 10E as a package.

The Committee on Ordinance to whom was referred an order Petition of 876 Grow Inc. for a Marijuana and Cultivation Establishment at 360 Race St.

have considered the same and Recommended that the order be adopted with the following conditions:

1. That the owner of the building always pay the commercial property tax rate to the extent allowed by federal, state, and local laws for the duration of the Special Permit.
2. That the business retains a minimum 30% Holyoke residents for non-security jobs.
3. That the hiring preference be given to security personnel that are retired Holyoke police or are a retired member of another police department that now lives in the city of Holyoke.
4. There shall be no marijuana consumption allowed on site.
5. That the hours of operation be set according to City ordinances.
6. That the applicant must abide by Massachusetts General Laws and guidance's from the Cannabis Control Commission.
7. That the petitioner/applicant shall conform with city and state health laws, rules, and regulations,

including odor nuisance controls, for the duration of the permit. .

Committee Members:
Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 11--Nays 0--Absent 1 (Maldonado-Velez). Councilor Murphy-Romboletti did not vote or participate in discussion on this item.

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order Petition of GreenGrab, Inc. for a special permit to operate a Marijuana Delivery Operator at 620 Beaulieu St have considered the same and Recommended that the order be adopted with the following conditions:

1. That the owner of the building always pay the commercial property tax rate to the extent allowed by federal, state, and local laws for the duration of the Special Permit.
2. That the business retains a minimum 30% Holyoke residents for non-security jobs.
3. That the hiring preference be given to security personnel that are retired Holyoke police or are a retired member of another police department that now lives in the city of Holyoke.
4. There shall be no marijuana consumption allowed on site.
5. That the hours of operation be set according to City ordinances.
6. That the applicant must abide by Massachusetts General Laws and guidance's from the Cannabis Control Commission.
7. That the petitioner/applicant shall conform with city and state health laws, rules, and regulations, including odor nuisance controls, for the duration of the permit.
8. That the applicant be in compliance with the March 22, 2022 letter from the Planning Department.

Committee Members:
Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 11--Nays 0--Absent 1 (Maldonado-Velez). Councilor Murphy-Romboletti did not vote or participate in discussion on this item.

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order Petition of River Grove LLC, for a new Marijuana Establishment at 475 Canal St have considered the same and Recommended that the order be adopted with the following conditions:

1. That the owner of the building always pay the commercial property tax rate to the extent allowed by federal, state, and local laws for the duration of the Special Permit.
2. That the business retains a minimum 30% Holyoke residents for non-security jobs.
3. That the hiring preference be given to security personnel that are retired Holyoke police or are a retired member of another police department that now lives in the city of Holyoke.
4. There shall be no marijuana consumption allowed on site.
5. That the hours of operation be set according to City ordinances.
6. That the applicant must abide by Massachusetts General Laws and guidance's from the Cannabis Control Commission.
7. That the petitioner/applicant shall conform with city and state health laws, rules, and regulations, including odor nuisance controls, for the duration of the permit.
8. That the applicant be in compliance with the March 22, 2022 letter from the Planning Department
9. The condition of the existing piping in the building is to be verified as well as the condition of the

existing sewer service outside the existing building. This is to be completed along with testing to confirm that all existing roof and/or storm drains have been separated from the sewer service prior to application for a building permit. .

Committee Members:
Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 11--Nays 0--Absent 1 (Maldonado-Velez). Councilor Murphy-Romboletti did not vote or participate in discussion on this item.

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order Petition of WTM-SB LLC for a Marijuana Establishment at 120 Middle Water Street

have considered the same and Recommended that the order be adopted with the following conditions:

- 1. That the owner of the building always pay the commercial property tax rate to the extent allowed by federal, state, and local laws for the duration of the Special Permit.
- 2. That the business retains a minimum 30% Holyoke residents for non-security jobs.
- 3. That the hiring preference be given to security personnel that are retired Holyoke police or are a retired member of another police department that now lives in the city of Holyoke.
- 4. There shall be no marijuana consumption allowed on site.
- 5. That the hours of operation be set according to City ordinances.
- 6. That the applicant must abide by Massachusetts General Laws and guidance's from the Cannabis Control Commission.
- 7. That the petitioner/applicant shall conform with city and state health laws, rules, and regulations, including odor nuisance controls, for the duration of the permit. .

Committee Members:
Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 11--Nays 0--Absent 1 (Maldonado-Velez). Councilor Murphy-Romboletti did not vote or participate in discussion on this item.

Approved by the Mayor.

UNDER DISCUSSION:

Councilor Vacon stated that each application had an average of 3 public hearings. She then stated they were all vetted and that the Planning Department did a thorough review of each.

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 1 (Maldonado Velez)--Abstain 1 (Murphy-Romboletti).

(44:00)

Councilor McGiverin stated that items 11A, 11B, 11C, and 11E stayed in committee.

The Committee on Finance to whom was referred an order From Mayor Joshua A. Garcia, letter regarding free cash calculations for fiscal year 2022 have considered the same and Recommend the order has been complied with.

Committee Members:
Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan . Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the free cash was one of the better amounts in the last few years. He also stated there were no new deficits to report, adding there were some from previous years. He then stated the amount for certification was \$2,382,098. He then stated that the mayor provided some plans for use of the funds, adding that this discussion would come at a later date when requests for appropriation come before the Council. He noted that nothing can be done with the funds until the state gives their approval of the figure. He also emphasized that there had been an effort by the School Department to correct many of the past issues with their deficits. He also emphasized that there were additional questions to be asked about the accounting explanations. He also noted that they learned deficits do not actually go away until funds are appropriated.

Councilor Jourdain stated that there would be another procedural step to bring in an appropriation from the general fund to pay into the deficit, otherwise it would remain on the books the following year. He then commended the mayor for attending all of their meetings. He then stated that the mayor discussed adding a comptroller to help reconcile the several hundred grant funds the city has and improve the internal control structure. He also noted that the mayor was planning to start making principal appropriations into the general stabilization fund, adding that this was welcome to those who have been advocating for this for many years. He noted there had not been deposits into this fund since 1999.

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

The Committee on Finance to whom was referred an order From Tanya Wdowiak, City Auditor, Free cash certification calculations for fiscal year 2022 have considered the same and Recommend the order has been complied with.

Committee Members:
Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan . Anderson-Burgos
Peter Tallman

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

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 "AUTOMATED EXTERNAL DEFIBRILLATOR EQUIPMENT PROGRAM, \$2,420.42, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant (Recommended by the Mayor) have considered the same and Awaiting disposition.

Committee Members:
Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan . Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the no match grant would buy one automated external defibrillator, adding that it would be the first for the department.

---> 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 (Maldonado-Velez).
Approved by the Mayor.

The Committee on Finance to whom was referred an order that the city council work on developing a system similar to how CPA funds are collected and disbursed with Host Community Agreement monies related to the cannabis industry. Ideally composed of residents, service providers and businesses located within wards 1 & 2.
have considered the same and Awaiting disposition.

Committee Members:
Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan . Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated that the maker was planning some replacement orders and other steps to be put in place.
---> Given leave to withdraw by maker.

The Committee on Finance to whom was referred an order That the Office of Planning and Economic Development be invited to discuss the reasons behind the absence of medical marijuana providers in the city, the original intended reason for cannabis legalization. The goal of this discussion is to come up with a viable pathway to provide this service for residents so they may enjoy their tax benefits and have their medical needs fulfilled. If a plan is already underway this discussion will inform residents of their upcoming benefits
have considered the same and Recommend the order has been complied with.

Committee Members:
Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan . Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:
Councilor McGiverin stated the intent of the order was to get the status of medical marijuana in the city. He stated that they learned that one of the members of the state boards that oversees marijuana is a Holyoke resident. He added that one company was about to open for medical purposes that summer. He noted that medical and recreational marijuana products must be separated, call a flexible counter. Councilor Puello expressed appreciation for the explanation, adding that the key takeaway was the medical marijuana establishment opening over the summer.
---> Report of Committee received and recommendation adopted.

Motion was made and seconded to suspend the necessary rules to take up items 11I and 11J as a package.
The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, ONE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$150,000.00) as follows:
FROM:
8815-59710 CANNABIS STABILIZATION \$150,000.00
TOTAL: \$150,000.00
TO:
19442-57805 CANNABIS SCHOLARSHIPS \$150,000.00
XXXXX-XXXXX HOLYOKE COMMUNITY COLLEGE XXXXX
XXXXX-XXXXX HOLYOKE RESIDENTS SCHOLARSHIPS XXXXX
XXXXX-XXXXX TO THE CANNABIS EDUCATION PROGRAM XXXXX

XXXXX-XXXXX & UP TO 15% FOR MARKETING XXXXX
TOTAL: \$150,000.00

have considered the same and Recommend the order be referred back to the Auditor.

Committee Members:
Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan . Anderson-Burgos
Peter Tallman

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, TWELVE THOUSAND SIX HUNDRED NINETY AND 00/100 Dollars (\$12,690.00) as follows:

FROM:
8815-59710 CANNABIS STABILIZATION \$12,690.00
TOTAL: \$12,690.00
TO:
19441-51101 CANNABIS LIAISON \$12,690.00
XXXXX-XXXXX SUPPORT OPEd STAFF COORDINATING XXXXX
XXXXX-XXXXX INTERNAL OPERATIONS, TRACK CURRENT XXXXX
XXXXX-XXXXX STATE LAW & MONITOR SPECIAL LICENSE XXXXX
XXXXX-XXXXX HOLDERS 3/28/2022 TO END OF FY2022 XXXXX
TOTAL: \$12,690.00

have considered the same and Recommend the order be returned to the Auditor.

Committee Members:
Joseph McGiverin
Kevin A Jourdain
Will Puello
Juan . Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that on the use for scholarship, there was pending advice from the Law Department and the state on the proper use of the funds. He then stated that on the topic of paying for a liaison, the Planning Department was working on changing the descriptions of one of the department's positions and possibly using impact money to pay for part of the salary. He stated that the current amount was around \$2 million, adding that there would be a request from the mayor to add around \$1.5 million from the general fund into the impact fee stabilization fund to pay back what should have gone in there. He stated that the orders were being returned to the Auditor because the funds would have to be spent in the same fiscal year as when they are appropriated.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 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
 (Recommended by the Mayor)
 have considered the same and Awaiting disposition.

Committee Members:
 Joseph McGiverin
 Kevin A Jourdain
 Will Puello
 Juan . Anderson-Burgos
 Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the position of Chief Assessor needed to be filled, noting that Deb Brunelle had moved up into the position when Tony Dulude left. He then stated that the assessment of property was ongoing, adding that overall certification had transitioned from being every 3 years to every 5 years. He also stated that the office was using Mayflower to help with the assessment. He then noted that questions were asked on the ability of Mayflower to help with abatement, such as with the mall. He noted that it was a major issue to reckon with locally and nationally. He then stated that the surplus was due to the position being vacant and was used to cover a shortage in the printing and binding line item.

Councilor Jourdain emphasized that the valuation of the mall had gone down by over \$100 million, with a loss of \$4 million in tax revenue to the city. He then commended the plan to hire professional services to assure the city is fairly represented in abatement requests from the mall and make sure the city's financial interests are protected. He noted that large companies such as the mall have large firms supporting their positions going up against the assessors of the city without the same level of representation. He questioned the validity of a 50% decrease in the valuation of the mall. He then emphasized that the city needed to have adequate backup in abatement requests and potential appeals.

---> 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 (Maldonado-Velez).
 Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, TWENTY 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

(Recommended by the Mayor)
 have considered the same and Awaiting disposition.

Committee Members:
 Joseph McGiverin
 Kevin A Jourdain
 Will Puello
 Juan . Anderson-Burgos
 Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin noted the transfer was an unusual transfer from one department to another. He then stated that the Veterans Services line surplus was due the current year's budget having been based on the previous when there was a greater demand for the types of veteran benefits covered by the budget line, adding that the greater need was related to Covid as well as an influx of qualified veterans. He then stated that the request for a new field conditioner to work on city parks.

Councilor Tallman emphasized that some of the decrease in the need for veterans benefits was due to

qualified veterans either moving out of the area or finding resources through other means.
 ---> 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 (Maldonado-Velez).
 Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, 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: \$255,000.00
 (Recommended by the Mayor)
 have considered the same and Awaiting disposition.

Committee Members:
 Joseph McGiverin
 Kevin A Jourdain
 Will Puello
 Juan . Anderson-Burgos
 Peter Tallman

UNDER DISCUSSION:
 Councilor McGiverin stated that the surpluses were due to ongoing vacancies in the department as well as reimbursed grants that are used to cover some salaries. He also stated that during the height of Covid, many arrestees were transferred to Ludlow leading to less need for per diem payments to matrons. He then stated that the funds would purchase cell upgrades, cameras in the cells for the safety of officers and arrestees, as well as updating of keypads. He also stated that the evidence room was very high with storage on the top shelves requiring an elevator to reach those shelves safely. He also noted that the cost of the equipment were on a state list of vendors, meaning that the city was not required to put out an RFP.
 ---> 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 (Maldonado-Velez).
 Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, 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	

(Recommended by the Mayor)
 have considered the same and Awaiting disposition.

Committee Members:
 Joseph McGiverin
 Kevin A Jourdain
 Will Puello
 Juan . Anderson-Burgos

Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the reason for the surplus was due to the position being vacated. He then stated that if filled, there would be enough to pay the salary for the rest of the fiscal year. He then stated that such vacancies were an ongoing issue throughout the state. He then stated that the head clerk was a part time position and that the transfer was to allow that clerk to work extra hours to compensate for the department's vacancies.

---> 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 (Maldonado-Velez).

Approved by the Mayor.

The Committee on Finance to whom was referred an order TO EXPLORE THE CREATION OF A CANNABIS LIAISON TO COORDINATE INTERNAL OPERATIONS BETWEEN THE OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT AND THE CITY OF HOLYOKE'S CANNABIS INDUSTRY have considered the same and Recommend the order has been complied with.

Committee Members:

Joseph McGiverin

Kevin A Jourdain

Will Puello

Juan . Anderson-Burgos

Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that they were still looking into whether cannabis impact funds could be voted on in the current fiscal year for use in the next year. He also recommended that councilors read the financial narrative on the cannabis industry that had been provided by the Planning Department.

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

ORDERS AND TRANSFERS

(1:17:45)

Councilor Jourdain announced that the governor signed a law announcing Holyoke's dinosaur, Podokesaurus holyokensis, as the Official Dinosaur of the State of Massachusetts. He noted the dinosaur fossils were found at Mt Tom roughly 112 years prior. Councilor McGiverin offered a moment of levity by stating that his daughter worked in films and had expressed rumors that the next Jurassic Park would be filmed in Holyoke.

ANDERSON-BURGOS Ordered, that That a handicap sign be placed in front of 439 Beech St. for Luis A. Figueroa, placard #PL4620943.

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

ANDERSON-BURGOS Ordered, that a DO NOT BLOCK DRIVEWAY be placed in front of the driveway located at 11 Columbus Ave. Receive and adopt. Copy DPW.

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

Approved by the Mayor.

ANDERSON-BURGOS Ordered, that a blinking stop sign be placed on Linden St at the intersection of Mac Kenzie Ave and Anderson Ave. Refer to Public Safety, Copy DPW and City Engineer.

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

ANDERSON-BURGOS Ordered, that we consider adding a left turn signal to traffic lights for southeast bound traffic at the intersection of West Franklin St and Beech St. It is often difficult for vehicles making a left from West Franklin St on to Beech St. This will also address the safety of our residents on the

crosswalks. Refer to Public Safety copy to the City Engineer and Mass DOT.
 Councilor Anderson-Burgos noted that this was one location that MassDOT was considering addressing
 ---> Received and referred to the Public Safety Committee. Copy to City Engineer and MassDOT.

ANDERSON-BURGOS Ordered, that SLOW CHILDREN AT PLAY signs be placed on at both ends of Locust St between West Franklin St and MacKenzie Ave. Receive and Adopt. Copy to DPW.
 Councilor Anderson-Burgos clarified that the order should be referred to the Public Safety Committee instead of being adopted right away, noting that the City Engineer sent him documentation suggesting a greater conversation should be had.
 ---> Received and referred to the Public Safety Committee.

ANDERSON-BURGOS Ordered, that the Ordinance Committee discuss alternatives to address vehicles parking in front of driveways. Although there is a city wide ordinance addressing the matter, it is often ignored and creates inconvenience to residents when enforcement takes time. Refer to Ordinance. Copy to DPW, City Engineer, HPD.
 ---> Received and referred to the Ordinance Committee. Copy to DPW, City Engineer, HPD..

Motion was and seconded to suspend the necessary rules to take up items 23, 25, and 35 as a package.
 BARTLEY Ordered, that The Holyoke City Council present a proclamation to the United Way of Pioneer Valley on its 100th anniversary of helping residents in Greater Holyoke. The celebration is June 2, 2022.
 ---> Received and adopted.

BARTLEY, McGee Ordered, that The Holyoke City Council congratulates Holyoke Community College on its 75th Anniversary with a proclamation. HCC has educated thousands and stands today as a pioneer in higher education.
 ---> Received and adopted.

MCGEE, Bartley Ordered, that the city council give a proclamation to Chief Przekopowski for his dedicated service to the Holyoke Fire Department and the city of Holyoke.
 ---> Received and adopted.

President McGee offered thanks to Patti Devine for already taking care of writing out the proclamations. Councilor McGiverin stated that the councilors paying into the Flower Fund had agreed to reimburse Ms. Devine for the cost of ink.

BARTLEY Ordered, that That speed humps be placed on Mackintosh Terr.
 ---> Received and referred to the Ordinance Committee.

BARTLEY, Tallman Ordered, that The mayor, DPW, HR and city forester work to find a staff person on at least a 20 hour per week schedule to maintain and plant city trees. Receive and adopt.
 ---> Received and adopted. Referred to the Mayor, DPW, Human Resources, Forester.
 Approved by the Mayor.

GIVNER Ordered, that Remove existing handicapped sign at 402 Pleasant St by request of a new resident at the same address.
 ---> Received and referred to the Ordinance Committee.

GIVNER Ordered, that In an effort to streamline service to residents: create language that eliminates the need for ordinance to review, and for city council to vote on, installation and removal of handicapped signs for residents with required residential and handicapped parking qualifications.
 ---> Received and referred to the Ordinance Committee. Copy to Law Department.

GIVNER Ordered, that Per constituent request: Please repaint lines where School St. meets Hampden, directing drivers to make a left and right turning lane. They have faded beyond usefulness. "When they were first installed they made a very positive difference.
 Please update the City Council on the painting of all lines for the next City Council Meeting on May 17,

2022.

Councilor Vacon made a suggestion to amend the order to request that DPW send an update to the City Council providing a schedule for repainting all lines.

---> Received and adopted.

MALDONADO-VELEZ Ordered, that we add the following committees to the City Council:

Zoning Committee - dealing with zoning changes and language

Public Way Committee - dealing with handicap spots, parking, and traffic ordinances

Development Committee - focusing on grants and economic development

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

MALDONADO-VELEZ Ordered, that Order that we rename the Joint School / City Council Committee to Youth Services Committee (or something similar) which would give that committee additional responsibilities such as making sure we comply with our CC Rule 65 that requires a Youth Ambassador to the City Council and creating opportunity for youth to be more civically involved.

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

MALDONADO-VELEZ Ordered, that Order that we create an ordinance to allow backyard hens in residential zones.

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

MCGEE Ordered, that Discussion on Michelle Lane that the city/DPW post truck restriction signs at the front of Michelle Lane.

---> Received and referred to the Ordinance 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, 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, May 3, 2022.

Joshua A Garcia, Mayor

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

Approved by the Mayor.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2022, NINETEEN THOUSAND THREE HUNDRED THIRTY TWO AND 23/100 Dollars (\$19,332.23) as follows:

FROM:			
12101-51104	LIEUTENANT		\$3,883.22
12101-51105	SERGEANT		8,068.56
12101-51107	PATROLMEN		7,380.45
		TOTAL:	\$19,332.23
TO:			
12101-51180	INJURED ON DUTY		\$19,332.23

TOTAL: \$19,332.23

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, May 3, 2022.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President McGee stated that the Fire Department transfer covered 1 employee. He then stated that the Police Department transfers covered 7 employees.

Councilor McGiverin stated that the transfers were a regular accounting step to account for public safety employees earning their salary while being out of work due to being injured on duty.

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

Approved by the Mayor.

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "DCR URBAN & COMMUNITY FORESTRY GRANT AWARD-PUBLIC TREE INVENTORY, \$30,000, 25% IN KIND MATCH," grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, May 3, 2022.

Joshua A Garcia, Mayor

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

MURPHY-ROMBOLETTI Ordered, that That the Committee on Development & Government Relations be provided a list of all special permits issued by the Council. Please include a 5 year look-back on how many permits have been issued, and a rough estimate of the total amount of staff time required to review and process these permits. Refer to the City Clerk, OPED, the Council's Administrative Assistant and Law Department.

---> Received and referred to the Development and Governmental Relations Committee. Copy to City Clerk, OPED, the Council's Administrative Assistant and Law Department. .

MURPHY-ROMBOLETTI Ordered, that That OPED and the Holyoke Redevelopment Authority attend an upcoming D&GR meeting to update the council on the Urban Renewal Plan and ongoing projects related to the plan.

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

PUELLO, Bartley Ordered, that That "No Engine Brakes" signs be installed at all city gateways. This will allow citing. Engine break use is not permitted in Holyoke.

Councilor Jourdain expressed that while he was supportive, he suggested proceeding with care as fire trucks use engine brakes. He suggested consideration for specie hours or locations. He noted that in coming down hills with homes, late at night, drivers should be a lot more judicious with slamming the engine brakes. He added that it may not be as big of an issue on a main road in the middle of the afternoon. He suggested sending it to committee to set up parameters for such a restriction.

Councilor Bartley asked to be added to the order.

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

PUELLO Ordered, that That parking and other traffic lines be repainted from 598 South Summer street to 500. This will help resolve parking/spacing disputes.

---> Received and adopted.

Approved by the Mayor.

PUELLO Ordered, that That a request be made to school receiver Anthony Soto and Morgan school leadership to please issue a communication requesting that employees and staff prioritize parking on the school lot before on street. Residents are not allowed to park in the school lot. This will help resolve parking/spacing disputes. This communication should also state full appreciation on behalf of the council and community for employee commitment to Holyoke youth.

---> Received and adopted. Referred to the Anthony Soto.

Approved by the Mayor.

PUELLO Ordered, that That Mary Nathan, disaster program manager for the Western MA Red Cross be invited to discuss available resources and programs for displaced families as a result of fires or other disasters.

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

RIVERA_I, McGee, Puello Ordered, that Order that all parking meters have access for someone to pay for them electronically. As well as allowing the public to park in a space where the meter isn't functioning, it is no fault to the public that we have a meter not functioning properly.

Councilor I. Rivera asked to be added to the order, noting he had been the filer.

---> Received and referred to the Parking Advisory Committee.

RIVERA_I Ordered, that Order that the city solicitors office begin drafting a ballot question for next election cycle around marijuana Social consumption sites such as bars and cafes for residents to vote on next election cycle similar to the language below. "The sale of marijuana products, as those terms are defined in G.L. c.94G, 1, for consumption on the premises where sold, is permitted when the sale occurs at Restaurants, Bars, Cafes, or any establishment in which food or beverages are served."

Councilor Jourdain suggested asking the Law Department if residents can collect signatures for ballot questions.

Councilor Murphy-Romboletti noted there was a bill in the House addressing this matter, and suggested that the Law Department research the impact of that bill.

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

RIVERA_I Ordered, that Order that committee chairs limit the amount of public hearings added to an agenda. It is not fair and undemocratic to have the public wait until 10:30 - 11:00 pm so they can be heard.

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

Motion was made and seconded to suspend the necessary rules to take up items 48 and 49 as a package.

RIVERA_I Ordered, that Order that the mayor set aside education and training funds for city council preferably no more than \$1,000. What doesn't get used goes back into general fund.

---> Received and adopted.

Approved by the Mayor.

RIVERA_I Ordered, that Order that the mayor set aside funding to purchase electronic devices such as iPads or a laptop for the use of Council chambers vs having our administrative assistant spend countless printing out packets that cost more in paper and ink than a onetime purchase of an electronic device would. The goal is to save trees, money and our administrative assistants time.

---> Received and adopted.

Approved by the Mayor.

RIVERA_I Ordered, that Order that parks & rec department come up with a uniform system around flying patriotic flags. Different parks fly different flags which is totally understandable, I would just like to see a system that is equitable to all.

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

RIVERA_I Ordered, that Order that the honorable city council add the following committee:

Communications Committee

Senior citizen quality of life Committee

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

TALLMAN, Anderson-Burgos, Bartley, Givner, Jourdain, Maldonado-Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman, Vacon Ordered, that following the adoption of a resolution in support of the district, that the Ordinance Committee work with the mayor and the appropriate city and state departments to adopt an ordinance creating a Puerto Rican Cultural District within the City of Holyoke.

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

VACON, Anderson-Burgos, Bartley, Givner, Jourdain, Maldonado-Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman Ordered, that the City Council approve a resolution opposing the closure of the VA Hospital in Leeds MA. This would lead to extreme travel hardship and denial of care for veterans in Holyoke & Western MA.

---> Received and adopted.

Approved by the Mayor.

VACON Ordered, that our legal department send a letter to Waste Management outlining the allowed times to empty dumpsters as written in our City Ordinance. Constituents are reporting early morning disruptions before 7AM in the neighborhood near McMahan School.

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

Approved by the Mayor.

LATE FILED ORDERS & COMMUNICATIONS

From Lisa Ball, Acting City Solicitor, letter re: Fire Chief's Contract

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

MCGEE Ordered, that Ordered, that the City Council agrees that they would like the MSBA to invite the district to use the MSBA's model school program to explore if this option would have some financial benefit to the Peck Middle School Project

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

MCGEE Ordered, that Ordered, that the City Council agrees to proceed with using the previously selected consultants in accordance with the letter of attorney general's office, letter dated, Feb. 10, 2021 unless a model school is selected

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

MCGEE Ordered, that Ordered, that the City Council agrees to use the district's prior feasibility study conclusion to proceed with new construction for the Peck Middle School

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

BARTLEY Ordered, that The city amend its ordinance by ADDING the following language affecting the East-side of Russell Terrace as follows:

Russell Ter. East South St. running in a northerly direction Point 134 feet more or less No parking

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

BARTLEY Ordered, that The city DELETE the following two ordinances affecting the west-side of Russell Terrace as follows:

*Russell Ter. West from Carlton St. running in a southerly direction to a Point 292 feet more or less

*Russell Ter. Westerly Beginning of Russell Ter. End of Russell Ter. No parking any time
---> Received and referred to the Ordinance Committee.

From Mayor Garcia, letter regarding Historical Commission Proposal
---> Received and referred to the Ordinance Committee.

Language for City Council re: MSBA & Peck middle school building project
---> Received and referred to the Finance Committee.

VACON, Jourdain Ordered, that Establish a City Council rule to allow one City Councilor to call for an end to debate on a spending/bonding issue with referral to the auditor to review the matter and report back to the City Council. This rule is in effect when debate continues for more than 30 minutes, each City Councilor who wishes to be recognized has spoken and the matter has not yet been voted to approve or deny the motion.
---> Received and referred to the Charter and Rules Committee.

Adjourn at 08:51 PM.

A true record

ATTEST:


City Clerk