

REGULAR MEETING OF THE CITY COUNCIL
October 18,2022

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

The Clerk called the roll. Absent members: 0 Present Members in person 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.

Councilor Tallman made a motion to suspend the necessary rules to take up public comment first.

President McGee stated that there would be no live interpretation of the meeting due to a scheduling conflict. He then stated that the video would be sent to the interpreters to be posted later..

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

LAID ON THE TABLE

(21:10)

Councilor Vacon stated that they were still waiting on information for item 1.

The Committee on Ordinance to whom was referred an order 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. Recommended that the order be adopted.

---> Laid on the table.

The Committee on Ordinance to whom was referred an order Zone change application from DR to BH for Daniel Laflamme at 41 Temple St (085-00-012) to operate a truck repair shop in a district zoned DR so that the business can be conforming. Recommended that the order be adopted.

UNDER DISCUSSION:

Councilor Vacon noted that with some remaining questions following discussion at the last meeting, a communication was sent out from the administrative assistant regarding the speakers from the public hearings. She also stated that other councilors had planned to do further outreach in the neighborhood.

Councilor I. Rivera stated that he had also sought information regarding the Solicitor's office and the Building Department fixing the situation where it did not need to be handled at the Council level.

Councilor Vacon clarified that the option was raised during the public hearings, adding that the feedback was that the other options was not possible,

Councilor I. Rivera suggested that Atty Degnan had stated in the last meeting that it could be possible if the applicant could prove certain details. He stated that he would prefer it not to become BH. He further suggested that if it could be handled internally, it did not need to go through the Council.

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

Atty Degnan stated that in the last meeting, there was a lot of discussion around if the applicant had shown proof that they had carried on the business historically. She noted that she had heard from many councilors as well as the applicant which indicated that it had been used. She stated that if that history had existed, they did not need to get to the matter of spot zoning. She then stated that she was not aware of

any information from the Building Department.

Councilor I. Rivera expressed his understanding that they could continue their historic use and use it as they were currently.

Atty Degnan stated that people had a two year protection.

Councilor I. Rivera suggested that they did not need a vote to make it BH because they could continue operating.

Atty Degnan clarified that the zoning amendment was applied for because of issues with the owner applying for a special permit that had been given a leave to withdraw. She stated that there was not enough documentation available to be able to explain the historic background.

Councilor I. Rivera stated that there appeared to be two pieces to the matter: the issue of voting to grant the zone change as well as the question of being a preexisting nonconforming use. He asked if those were two different pieces.

Atty Degnan that they were part of the same question.

Councilor I. Rivera asked if changing to BH would still be considered a preexisting nonconforming use.

Atty Degnan stated that was not the issue, but that the question came down to if it was spot zoning. She then stated that as the special permit did not work out, the applicant was told to ask for a zone change. She then stated that there was not enough documentation to be able to say affirmatively that the prior use existed.

Councilor I. Rivera asked if the BH was justifiable because of the preexisting nonconforming use.

Atty Degnan stated that was correct.

Councilor Givner asked why they could not grandfather it in as a preexisting nonconforming use.

Atty Degnan stated that there was not enough of the background information. She added that they could only go on what they had been told historically. She noted that she indicated in her opinion that there was not enough proof. She reiterated that because they were told that there was not a break, they did not get to the question of it being a spot zone.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

--Yeas 10--Nays 3--Absent 0 (Maldonado-Velez, Murphy-Roboletti, Rivera_I.).

Approved by the Mayor

PUBLIC COMMENT

PUBLIC COMMENT

Ira Helfand, 371 Audubon Road, Leeds, offered thanks to the Council for considering the Back from the Brink resolution, and urged its adoption. He the stated that 60 years earlier, the country was living through the Cuban Missile Crisis, the closest we had come to nuclear war until perhaps the current time when the danger may be greater. He then stated that while there was little that could be done for the current crisis, we needed to make sure we were never in the situation again. He then stated that nuclear weapons policy needed to change around the world. He further noted that if Holyoke signed onto the resolution, it would

be joining Springfield, Worcester, and Boston and 17 other communities in Massachusetts and over 60 cities and towns across the country.

Cecilia Calabrese, 75 Wagon Wheel Drive, stated that she was Vice President of the Agawam City Council, spoke in favor of Back from the Brink resolution. She then stated that her Uncle Ralph had been a Master Gunnery Sergeant in the Maine Corps, fought in World War 2, Korea, and Vietnam, and was on call during the Cuban Missile Crisis. She noted that while he never really spoke about his battlefield experiences, he often said that he feared most for the country during the Cuban Missile Crisis because if everything had gone poorly, we were looking at the decimation of life. She asked for support of the resolution.

John Rivera, 125 Cabot Street, stated that he intended to address rising, sky high rent rates in the city and surrounding area, warranting a public hearing. He noted that a petition had been filed to hold a hearing. He further stated that a public hearing should be held in response to the death of an employee at Trulieve. He stated that the issue was impactful of workers in an unregulated industry that should be more regulated. He also spoke against racist and classist attempts to limit free speech in City Council chambers. He further stated that councilors had the power to object to the motion from a city councilor to suppress 1st Amendment rights. He then asked that councilors object to it.

Dannuel Rivera, 226 Lyman Street, Apt 12, stated that they had submitted a petition to raise awareness for the rising rent costs for Holyoke tenants. He added that they had issues with pests, mice, roaches, black mold that had not been addressed. He expressed his hope that a town hall would raise awareness and help get the issue addressed for the community. He suggested that banding together as a group could help make a huge change for tenants in Holyoke getting the short end of the stick.

Paul Mancinone, 1441 Main Street, Springfield, stated that he was the past chair of Mercy Hospital as well as a tax attorney. He expressed his support for the Back from the Brink initiative. He then noted that Ronald Reagan has been at odds with Mikhail Gorbachev at the beginning of his term but concluded by the end of his term that a nuclear war could not be fought. He stated that there needed to be a return to that kind of negotiation.

Nancy Capron, 72 Congress Ave, Apt 1L, expressed support for holding a town hall on housing. She then asked for a stop to characterizing Holyoke's concentration of poverty as something benevolent the city of Holyoke has done for the poor. She then stated that she saw it as a dereliction of duty for those in unions. She then stated that in 1970's and 80's, the federal government was allowed to deregulate industry, and allow factories in the north to move to the southern U.S. and then outside the country in pursuit of the lowest cost employee, leaving the industrial U.S. ravished. She then stated that during the exodus of good jobs, a war on drugs was enacted which had removed displaced workers from public life and warehousing them in jails because they had a potential to organize against federal policies. She added that others were relegated to lifetimes of poverty, adding that these people were failed. She further stated that it was patronizing to speak of the city's benevolence to the poor.

Sister Mary Caritas, Providence Place, asked for support of the resolution prepared by Dr. Helfand. She noted that she had known him for many years, adding that he had worked at Mercy Hospital and ran a fine urgent care center, and was a member of Physicians for Social Responsibility. She also suggested that she should have asked him to bring his Nobel Peace Prize. She noted that she had spoken before many other city councils that had voted to approve the resolution. She added that Congressman Richard Neal planned to cosponsor a bill in the House of Representatives. She expressed that the resolution had value.

Niki Dawson, 226 Lyman Street, Apt 3R, asked for support for tenant protections. She noted that she was out of her comfort to attend and speak but was pleading for their concerns to be listened to. She then stated that 100,000 people with disabilities would become homeless without more tenant protections.

Spencer Fox Peterson, 51 Portland Street, expressed his support for previous statements regarding classism, poverty, and the war on drugs. He added that concerns regarding rising rent costs needed to be addressed. He then stated that there was a serious issue with the City Council regarding the chilling of the

1st Amendment. He noted the Planning Board had complained of the issue of venomous language. Noting that one person had spoken who was not comfortable speaking in public, it was limiting of free speech when not everyone had training of speaking in public or enjoyed doing it. He noted that his privilege in prep school helped him learn to speak in crowds but was not attending in person because he worked all day. He suggested that participation through any means necessary should be encouraged. He then questioned the suggestion that reading emails was a waste of time.

Motion was made and seconded to suspend the necessary rules to take up item 17C out of order. The Committee on Public Service to whom was referred an order that the City Council adopt the attached resolution "Back from the Brink" have considered the same and recommended that the order be adopted.

Committee Members:

Peter Tallman

Will Puello

David K. Bartley

UNDER DISCUSSION:

Councilor Tallman noted that the resolution was a joint resolution between the City Council and Mayor Garcia. He further noted that many other communities within Massachusetts and around the country had already supported it. He asked that the Council stand behind it and send it to the city's state delegation as well as to the federal government.

Councilor Bartley stated that the resolution was well thought out and written. He emphasized that the mix of people who supported it, including physicians, housing court judges, as well as Sister Mary, and Nobel Prize winners was not something seen too often. He stated that he fully supported it.

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

COMMUNICATIONS

(29:55)

From Mayor Joshua A. Garcia letter appointing Joseph Charles Mazzola, 332 Pleasant St. to serve as a member of the Local Historic Commission for the City of Holyoke: Mr. Mazzola will serve a three year term; said term will expire October 1, 2024.

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

Motion was made and seconded to suspend the necessary rules to take up items 4 and 5 as a package. From Tanya Wdowiak, City Auditor, Supplemental Budget FY2023 Council Appropriations.

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

From Tanya Wdowiak, City Auditor, YTD Reports for General Fund and Sewer 2023.

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

From Brenna Murphy McGee, MMC & Jeffrey Anderson-Burgos, Admin. Ass't. To City Council minutes of October 4, 2022.

---> Received and adopted.

Petition for Speed Humps for Laurel Street.

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

Petition from Holyoke Citizens requesting a public meeting to discuss the conditions of our rental units and the increased rents impacting our community.

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

Motion was made and seconded to suspend the necessary rules to take up items 9 through 12 as a package.

Councilor Bartley commended the Administrative Assistant Anderson-Burgos for quickly turning around

the request for these. He then stated that he sought their referred to Public Service as part of the discussion with a candidate for the board. He further stated that minutes from the Board of Appeals should be receiving going forward.

From Board of Appelas regular and public hearing minutes of July 26, August 21, 2018 & October 28 , November 18, 2021.

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

Board of Appeals public hearing minutes for Kevin Flynn, 5 Lindor Heights from July 26, August 21 & September 19, 2018.

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

From Board of Appeals Public hearing minutes for David Urbanski, 53 Roland St. from October 28, and November 18, 2021.

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

From Board of Appeals Public Hearing Minutes for Patrick Sullivan, 555 West Cherry St. for July 26, August 21, 2018.

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

PETITIONS

(32:45)

Petition for a special permit for Valley Opportunity Council Inc. to extend and alter a pre-existing nonconforming structure at 348 Chestnut/48-52 Franklin Sts.

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

PRESIDENTS REPORT

(33:00)

President McGee stated that there would be trick-or-treating 10am-12pm on Halloween at City Hall, the City Hal Annex, and the DPW Building located at 63 Canal Street. He further stated that officers participating would have signage outside their doors. He added that the Administrative Assistant would be participating in the City Council chambers.

Councilor Tallman asked what day it would be.

President McGee stated that it would be on Halloween, Monday, October 31st.

He then stated that the previous Sunday had been the Puerto Rican flag raising as well as recognition of Anthony Soto as 2022 award winner for Puerto Rican of the year. He stated that Mayor Garcia, Councilor Anderson-Burgos, Councilor Tallman, Councilor Murphy-Romboletti, and Councilor Givner were in attendance. He also stated that a City Council proclamation was given.

Motion was made and seconded to suspend the necessary rules to take up item 24 out of order.

MCGEE -- Order the city council give a proclamation to Superintendent Soto.

“selected as Puerto Rican of the Year for 2022.”

--->Received and Adopted.

President McGee stated that Superintendent Soto had been a phenomenal person who had been doing a

great job for the kids.

He then stated that the Mayor's reception at the Volleyball Hall of Fame would be held on October 21st. He also stated that on November 1st, the mayor would be submitting a supplemental budget with updated to prepare for tax classification.

He further stated that the Chamber of Commerce would hold a Power Hour event for councilors to meet business owners on November 9th, 9am - 10am at Gary Rome Hyundai.

He then stated that Patricia Welch had sent a thank you letter to the Council and the DPW for taking care of a sign on Bassett Road. He stated that the trimming had been a phenomenal job.

He also stated that laptops for city councilors were available.

He then provided an update that the Yankees had won their game 5-1 and would be advancing.

Councilor Bartley stated that he would be staffing a table on behalf of the City Council at Morgan School on October 27th from 5pm - 7pm after being recruited to do so by Ed Caisse. He stated that students would be trick-or-treating. He asked for interested councilors to contact him or Mr. Caisse.

REPORTS OF COMMITTEES

(38:35)

President McGee stated that there were no reports from the Ordinance Committee.

The Committee on Finance to whom was referred an order From Mayor Joshua A. Garcia, letter electing to contract Cataldo Ambulance Service Inc. of Somerville, Mass., for Emergency Ambulance Services in Holyoke. The effective date of separation from Action Ambulance Service Inc, is October 1, 2022 have considered the same and Motion that 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 Mayor Garcia had decided to put out RFPs for many of the professional services provided to the city, noting that it was not something he had to do. He further stated that 3 vendors had responded to the RFP for ambulance service, the current provider, Action Ambulance, Cataldo Ambulance, as well as a third company that had pulled out their response to the RFP. He then stated that the mayor chose Cataldo after a meeting of a committee that included a representative from Holyoke Medical Center, the Fire Department, as well as the mayor's office. He then stated that Cataldo had the more stable proposal which included putting 5 vehicles within the city, including 1 to be stationed at Station 5 and the rest to be stationed on South Street. He noted that as ambulance services make their money on transportation, they wanted to make sure that they would not be using the vehicles in a way that they would not be available for emergency calls.

Councilor Jourdain stated that they had not yet seen the selection criteria that was used, and they were awaiting that information, including the scoring and the pros and cons. He also stated that there was intriguing discussion on the potential of selling the Elmwood Fire Station to Cataldo. He noted that it was a 3 year contract and found it to be an odd decision to consider selling the station. He suggested that it would give the ambulance leverage to maintain themselves in future contracts because another ambulance company could not be put into a station they may own. He suggested that there should be a discussion if it was about the building needing capital improvements.

Councilor Bartley noted that the City Council had to approve leases and requested that the Administrative Assistant ask for that from the mayor. He suggested that it could be of importance to neighbors across the street who had chronic complaints about the previous vendor.

Councilor Anderson-Burgos clarified that there was an option to sell the station, but it was not a concrete plan. He noted that he spoke with the mayor and expressed that it was a bad idea.

Councilor Tallman stated that the committee reviewing vendors also included the Police Chief as well as the City Solicitor. He noted that there had been an issue with the previous vendor honoring the lease and paying the money owed.

Councilor Jourdain noted that there was an ordinance that gave the City Council authority to approve leases.

Councilor Bartley noted that the ordinance also included licenses.
--> Report of Committee received and recommendation adopted.

President McGee stated that items 15B, 15C, and 15D remained in committee.

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 "FY2023 MUNICIPAL ROAD SAFETY PROGRAM, \$35,000, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant
(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 grant was a multiyear grant would buy 2 mobile trailer speed signs as well as 1 data tracker which would allow the Police Department to gather data on several things. He added that there were 3 existing speed signs but only 2 were currently operable. He also stated that the rest of the grant would go toward overtime. He then stated that the Main Street corridor was identified as one of the worst traffic corridors within the city and they were putting to put in extra patrols in that area.

Councilor Bartley asked if a report would be provided listing the data.

--> 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 (Jourdain).
Approved by the Mayor.

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

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "GREENING THE GATEWAY CITIES IMPLEMENTATION, \$100,000, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant
(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

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

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "GREENING THE GATEWAY CITIES PARTNERSHIP, \$20,000, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant
(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 grants would go with efforts of state’s DCR to plant new trees and getting canopies of trees across the gateway cities. He then stated that both would be used for remediation of tree stumps as well as excavating of tree pits for new planting of trees. He noted that the goal was 2,4000 new trees planted. He then stated that the tree pits would allow the DCR to plant new trees free of charge. He also stated that work labor went with the grant. He also stated that the new tree pits would include sidewalk modification, adding that they would assure that the sidewalks were passable and in good shape.

Councilor Bartley expressed that this was great news. He also asked for public to reach out to pass on concerns about stumps clogging up tree belts. He also noted that many tree pits had been covered over with asphalt. He then commended the DCR for bringing in staff to help plant thousands of trees over many years. He then noted that the grant could be used throughout the city, adding that attention was needed in other areas in addition to downtown.

Councilor I. Rivera asked if they planned to identify the tree pits that were already paved over.

Councilor Bartley stated that was the plan.

Councilor Anderson-Burgos emphasized the need to plant more trees to replenish those that had come down or were about to come down, noting their impact on air quality as well as beautification of the city.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, SIXTY TWO THOUSAND AND 00/100 Dollars (\$62,000) as follows:
FROM:
12401-51110 PAY LOCAL BUILDING INSPECTOR \$55,000
12401-51201 PAY PROPERTY MAINT/DEMO SUPER 7,000
TOTAL: \$62,000
TO:

12401-XXXXX PAY-ZONING OFFICER (NEW) \$55,000
12401-51101 PAY-BUILDING COMMISSIONER 7,000
TOTAL: \$62,000

have considered the same and Awaiting disposition.

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

---> Refer back to the Auditor

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, TEN THOUSAND AND 00/100 Dollars (\$10,000.00) as follows:

FROM:		
12401-51110	PAY-LOCAL INSPECTOR	\$10,000.00
TOTAL:	\$10,000.00	
TO:		
12401-51110	OTHER CONTRACTED SERVICES	
\$10,000.00		
TOTAL:	\$10,000.00	

(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 surplus was due to vacancies in the position in the Building Department. He then stated that the transfer was to cover the cost of paying per diem to qualified local people to do the inspections. He also stated that fees were charged for the inspections which covered much of the cost of the payments to the inspectors.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY FIVE HUNDRED AND 00/100 Dollars (\$2,500.00) as follows:

FROM:		
11522-52400	R&M OFFICE EQUIPMENT	\$2,500.00
TOTAL:	\$2,500.00	
TO:		
11522-53010	PROF SERV - EMPLOYEE TRAINING	
\$1,000.00		
11522-53180	SYSTEMS HARDWARE	1,500.00
TOTAL:	\$2,500.00	

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 Personnel office account had a surplus due to the way supplies had come in, noting that the current Director, Kelly Curran, had inherited the budget when she came into the department. He then stated that transfers were needed for employee training, including herself, as well as funding for photocopiers and toners in her department.

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

(1:01:25)

President McGee stated that there were no reports from the Public Safety Committee.

The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia letter appointing Ms. Julia Santiago, 51 Longwood Ave. to serve as a member on the Library Board of Directors for the City of Holyoke: Ms. Santiago will replace Ms. Kelly Curran and will serve the remainder term; said term will expire on February 2025

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. Santiago had been in the area for a couple years and was very interested in libraries. He noted that she would often go to the UMass library and spend entire days there. He then stated she had been involved in different boards, had been a development consultant, and in HR for many years. He then emphasized that citizens getting involved were the lifeblood, adding that it was important that people step up.

---> 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 Ms. Lizabeth Rodriguez, 193 Brown Ave. to serve as a member of the Historical Commission for the City of Holyoke: Ms. Rodriguez will replace Ms Frances Welson and will serve Ms. Welson's remainder term; said term will expire on April 16, 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. Rodriguez was born in New Jersey, had lived here for several years, and wanted to get more involved in the city. He stated that she worked as an assistant at River Valley Chiropractic for many years. He stated that they asked her to assure she had the time to put into the meetings. He further stated that she really wanted to be involved in the decisions of what historic buildings are important for preserving.

Councilor Bartley noted that the two nominees were new to Holyoke government. He then emphasized that these were important boards and that it was important for the City Council to hear from board members, and that the City Council wanted as much feedback as it can get. He commended them for coming forward, noting it was not easy to do. He encouraged any others that may want to come forward that the city needed their input.

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

The Committee on Public Service to whom was referred an order that the City Council receive and adopt the HG&E resolution to support the installation of the 5th gas tank of the LNG project. 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 the discussion centered around the 5th tank, which included Jim Lavelle and Kate Craven from HG&E. He stated that it would help get through the moratorium, particularly in helping get new houses and new businesses online. He stated that there was a spot for the additional tank at their facility on Muller Road. He further stated that while it was not the end all for getting gas, it was a step forward to help businesses and homeowners that wanted to convert to gas.

Councilor Vacon expressed that she had been in support of the new tank since becoming aware that it was a possibility. She commended HG&E's team for reaching out to the neighbors in Ward 5 so that any questions were answered early in the process and reducing any unknowns that could lead to anxiety in the community. She also expressed a hope that the timeline would be shorted than expected.

Councilor Bartley stated that while it would not be a straightforward process without controversy, it was a major step forward the neighbors were on board and that the Ward 5 councilor got ahead of it. He also emphasized that the city was being held hostage by neighboring community, noting that there was already a pipeline going through and receiving more gas would require expanding it from 8 inches to 16 inches. He further emphasized that this alternative would require liquified natural gas going through communities using diesel fuel to be stored in a storage tank for Holyoke residents and businesses through the winter. He expressed disappointment that communities such as Longmeadow, East Longmeadow, and others did not want to help the poorest community in the commonwealth. He reiterated that diesel trucks with diesel fumes would be going through the communities to bring liquified natural gas to Holyoke.

Councilor Jourdain asked to assure that the resolution was provided to applications so that those who would be the decisionmakers understand that the community wants it.

---> 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. Jesus Espinosa, 79 Lynch Dr. to serve as a Commissioner of the Soldier's Memorial for the City of Holyoke: Mr. Espinosa will replace Mr. Robert K. MacKay and will serve the remainder of his term: said term will expire on September 30, 2023 have considered the same and Recommended that the order be given a leave to withdraw.

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 Ms. Gabriela Alcantara Pohls, 589 Pleasant St. 4R, to serve as a member of the Historical Commission for the City of Holyoke: Ms. Alcantara Pohls will replace Mr. Harry Montalvo and will serve Mr. Montalvo's remainder term; said term will expire on October 1, 2023 have considered the same and Recommended that the order be given a leave to withdraw.

Committee Members:

Peter Tallman
 Will Puello
 David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that Mr. Espinosa had tried for several years to be appointed and had since moved out of state. He then stated that Ms. Gabriela Pohls back out the day before, potentially due to conflict or time constraint.

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

ORDERS AND TRANSFERS

(1:11:10)

MCGEE, Tallman Ordered, that Order that the city engineer provide the final locations for speed bumps on Bemis.

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

MCGEE, Tallman Ordered, that Order that the police radar sign be placed at Bemis
 Councilor Tallman asked to be added to the order. He noted that Bemis was often being used as a cut through street, with some vehicles going above the speed limit. He emphasized that there were a lot of kids in the area. He also stated that they had a speed sign in the area earlier in the summer, noting they had been very effective.

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

MCGEE Ordered, that Order that the legal department give an update on the Essex building.

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

Approved by the Mayor.

President McGee stated that there would be an executive session prior to the next City Council meeting for the Law Department to provide an update on pending legal updates that had been requested. Councilor Jourdain asked to confirm that it included all pending requests or just the ones they wanted to provide.

President McGee emphasized that it included all pending requests.

Councilor McGiverin questioned if it would require a separate night.

President McGee suggested that it would not.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY SIX THOUSAND SIX HUNDRED SEVENTY ONE AND 69/100 Dollars (\$26,671.69) as follows:

FROM:

12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	8,404.75
12101-51107	PATROLMEN	14,383.72
	TOTAL:	\$26,671.69

TO:

12101-51180	INJURED ON DUTY	\$26,671.69
	TOTAL:	\$26,671.69

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 18, 2022.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President McGee stated that the transfers covered 12 employees.

Councilor McGiverin stated that the transfer was for when public safety officers are injured on duty, and their salary is transferred from the salary line items to the injured on duty line item for accounting and tracking purposes. He also expressed his intent to follow up with the Chief to find out the status of the employees who may have been out long term.

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

Approved by the Mayor.

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "MASSACHUSETTS PRESERVATION PROJECTS FUND-STAINED GLASS WINDOW CONSERVATION, ADDITIONAL \$20,000, 50% MATCH (CPA FUNDED)" 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, October 18, 2022.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor McGiverin stated that this was an ongoing grant, with a match already funded through CPA grants already approved by the CPA and the City Council. He further stated that the grant would advance the work on two windows to completion.

Councilor Vacon stated that while she would usually prefer orders to go to committee, she believed the Council was well acquainted with the work.

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

Approved by the Mayor.

PUELLO Ordered, that That the Chief of Police please provide a narrative describing what happened to the previous, gray Ford Taurus mayoral issued vehicle. Please include any cost/insurance payouts to other parties and a current city vehicle use policy.

Councilor Anderson-Burgos stated that in speaking with constituents while running for office, they expressed that they cared about safer streets, speeding, and more effective services from city departments. He then stated that he had never filed an order intended to kick someone while they're down or remind them of their past mishaps. He noted that in growing up in Holyoke, he never expected to be in the City Council, making decisions that impact people in the community. He then questioned seeing orders that attack, question, or remind people was horrible. He questioned a person that would file an order that would belittle and hold judgement to colleagues. He further stated that he would never do that to other councilors no matter how much he disagreed with them.

Councilor Puello stated that he wished that speech had been given a couple orders ago but suggested that the meeting moves on.

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

Motion was made and seconded to suspend the necessary rules to take up items 28 and 29 as a package.

PUELLO, Vacon Ordered, that That all councilors update their current addresses with the administrator, that appear on the website. That the legal department please give their interpretation of section 9 "...the voters of the city at large shall elect eight councilors at large and the voters of each ward shall elect one councilor who shall be a resident therein." is a council seat vacated if a ward councilor is no longer a resident therein?

---> Given leave to withdraw.

PUELLO, Vacon Ordered, that That the legal department please give their interpretation of section 46 and provide an opinion on. "The conviction of the incumbent of any such office of a crime punishable by imprisonment shall operate to create a vacancy in the office held by him." Does this apply to convictions on incumbents prior to taking office?

Councilor I. Rivera made a motion to object to orders 28 and 29. Councilor Anderson-Burgos seconded the motion. He stated that he believed that the orders were a deflection, waste of time, and not necessary based on city business but based on personal attacks and deflections away from circumstances certain people may be going through. He further emphasized that these orders had nothing to do with city business but could be a defamation of character or attacks on those who may have convictions on their past records such as himself. He reiterated that he objected to the orders and suggested that they both be given a leave to withdraw.

Councilor Puello stated that the orders were not an attack on anyone. He suggested that if people were not supposed to be there, there could be an issue with the votes being taken and the city could be sued. He expressed surprise that anyone would have an issue with the orders being filed. He then stated that the orders were asking for a legal opinion, noting that there had not been a request for a legal opinion when he was recently removed.

Councilor Vacon stated that there was an active legal matter before the Council that spoke directly to order 29. She noted that the charter provision was acted upon with no advice from the Law Department to the Council, adding that they had not yet received it and were waiting for. She stated that she did not know what the difference would have been between getting it that evening and getting it on November 1st. She then stated that they would have benefited from an interpretation of the charter prior to action being taken that led to the City Council being sued after the judge did not agree with the Law department's interpretation of the charter. She further stated that there needed to be a common understanding of what the charter meant. She questioned calling these orders out of order, adding that the actions that happened without the consent of the Council was out of order.

Councilor Givner stated that she did not understand why these needed to go through the Council. She noted that a person who was not convicted was back on the Council and she did believe there were any other legal matters happening. She suggested that it was using a lot of the Council's time for legal matters that they may not understand.

Councilor Maldonado Velez suggested that they did not take any votes with the understanding that they were no longer a 13 member Council. He also stated that the orders were a waste of time.

Councilor Murphy-Romboletti suggested that the orders could have been emails. She further suggested that the fact that they were filed as orders felt spiteful, like an attack, like it was not a productive use of the Council's time. She also suggested that everyone understood who item 29 was talking about and that it was a personal attack. She further emphasized that was not why she ran for City Council, adding that she ran to get things done. She then expressed that she was discouraged by the way the City Council treated each other, treated the public, and department heads. She reiterated that it could have been an email.

Councilor Jourdain suggested that with the timing, it would be naïve. He then stated that if he were a member who was removed, there would be feelings of not feeling the love when you're removed, and a judge had to put an injunction into your elected seat. He stated that had occurred, had not yet been discussed, emphasizing that he had not seen anything like it in his 25 years on the Council. He then reiterated that it would be naïve not to say that it could look like retaliation based on other things that had happened. He then stated that procedurally, a councilor should not be emailing the Law Department for an opinion on behalf of the body. He stated that if the Council wanted a legal opinion, a councilor should file an order that the Council would then adopt. He then noted that the question in item 28 had been asked before. He suggested that if someone wanted to legal opinion, they should be able to ask them within reason. He then questioned the justification for giving these a leave to withdraw being based on the idea

that councilors can ask for legal opinions on their own. He then asked how else a legal opinion can be sought if councilors want to have a legal interpretation of charter provisions. He then questioned rhetorically why anyone would not want these questions answered.

Councilor Anderson-Burgos noted that Councilor Jourdain made a good point that it could seem that one of the councilors felt attacked. He then stated that with the timing, it could look like some kind of retaliation, that there could be a feeling of not being supported, and the orders were filed as a way to get back at people. He then stated that he had done things in the past, over 21 years ago, had done his time, corrected his wrong, got through college, and worked hard to make things right. He then stated that the difference with these orders, specifically the language, "Does this apply to convictions on incumbents prior to taking office" clearly were directed at specific councilors such as himself and Councilor I. Rivera. He further stated that they were malicious and a waste of the body's time. He stated that he was mentioning it now because it needed to be addressed. He then questioned if the perception in the community would be of a City Council making sure the streets were safe, that the city departments were taken care of, that the Police Department and Fire Department were taken care of, or that orders were being filed to take jabs at each other and remind people of their mistakes.

Councilor Vacon expressed that she had heard the same passion in defense of due process when everyone had been in the room and two police officers outside the chambers to keep a duly elected councilor from entering based on actions not endorsed or even know by the Council. She further emphasized that it was supposed to be addressed in executive session that evening. She further stated that this was why she signed onto the orders. She then stated that she did not want to hear about how unfairly someone was being treated when another person was accused and had not even have a trial, adding that it did not meet the bare minimum of legal due process. She then suggested that it amounted to a modern day lynching without the rope. She then emphasized that she had listened and not objected while others spoke. She then questioned others bringing up their record during meetings, adding that she had never personally brought up anyone else's record. She then stated that the questions regarding the charter needed to be answered so that the Council could be on solid ground going forward. She then suggested that the issues could impact anyone on the Council if something happened and someone was convicted. She stated that they needed to understand what would happen next. She further stated that it was fine to have compassion for those who had done their time, redeemed themselves, and were participating constructively in society. She further stated that it was also fine to ask questions. She added that if the interpretation of what it meant to vacate a seat had been provided prior to an action being taken, the Council would have been able to bring he questions up and the whole matter could have been avoided. She also emphasized that nobody objected when Councilor Givner filed an order seeking another councilor's resignation because he had missed a few meetings. She noted that it was sent to the Law Department for a legal opinion.

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

Councilor Puello stated that this was the process, adding that he was open to hearing it there was another process to get legal opinions. He further stated that this could apply to him or anyone else in the future, adding that it was not an attack on anyone. He stated that anyone convicted and later wanted to sit on the Council had a right to know if they could sit on the Council. He further suggested that the hypocrisy by some was unbelievable.

Councilor I. Rivera stated that since he had won his election the previous November, he did not recall an order being filed to address the situation where he was forced to resign, determining whether or not he could sit on the Council while working for the schools. He noted that former acting mayor, Terry Murphy, took it upon himself to ask. He suggested there was another way in addition to filing orders. He then suggested that veteran councilors used the mechanisms to their advantage because they knew how to because they had done it for so long. He suggested that it was unfair to the city to use mechanisms to gain advantage. He then emphasized that he had to resign a full time position to keep his seat and had been

getting attacked since day 1. He questioned the suggested that this order was not an attack. He then emphasized that he brought up his record because he used it to build up his community, noting that poor communities face a lot of strife growing up. He stated that while he went to prison for 5 years, when he got out, he went to HCC, UMass, was getting his Master's, and others had failed to mention that. He noted that his situation happened over 10 years ago, adding that he had never hidden anything. He further emphasized that he had done his time, was no longer living in subsidized housing, no longer receiving food stamps, and was paying for everything out of his own pocket. He then questioned why this was being brought up, further asking if it was about someone being caught and wanting to throw everyone else under the bus. He stated that the legal opinion was given because the department was doing their job to the best of their ability. He also suggested that since he had been there, more people had been watching than in the 20 years prior. He reiterated that his motion was to object to consideration of the orders. He further stated that people should know who they were voting for, adding that he had always led with who he was to show residents could change their lives and do more.

President McGee clarified that the Law Department wanted an executive session for what was discussed that evening, noting that it had taken up an entire hour, they asked for a second executive session. He then stated that the process was that an order had to be filed to ask for a legal opinion, adding that these orders would need to be referred to Charter and Rules to be taken up when a legal opinion was provided.

Councilor Jourdain reiterated that councilors could choose not ask for the legal opinions through the orders but that there was not another process such as sending an email. He also noted that Terry Murphy had an exception in that he was the mayor and could ask for legal opinions.

Motion was made, seconded, and thirded to ask for a roll call vote.

Motion to give leave to withdraw passed on a call of the roll of the yeas and nays--Yeas 7--Nays 6 (Bartley, Jourdain, McGee, Puello, Tallman, Vacon).

---> Given leave to withdraw.

PUELLO, Vacon Ordered, that That recall provisions be established for every elected official in the city. These provisions should be fair and equitable to allow citizens a path to recall but also protect the system from nuisances.

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

PUELLO Ordered, that That a flashing beacon signal be installed by the Fire dept. at Springdale and Main for pedestrians crossing into the park. This will provide a fix as we await the results of a traffic study to address the traffic light. Fire already has them available and this would have zero cost on the city as Fire install themselves. Fire has been excellent in dealing with this issue.

---> Received and adopted. Copy to DPW, Public Safety.
Approved by the Mayor.

RIVERA_I Ordered, that That the city explore using cannabis impact fee funds to improve sidewalks on the following streets: Main Street, North Bridge St., Lyman Street, and center St.

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

RIVERA_I Ordered, that That the city engineer and or DPW add Willow st in the list of sidewalks to be redone.

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

RIVERA_I Ordered, that That the city engineer and or DPW add gates St. on the list of sidewalks to be redone.

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

RIVERA_I Ordered, that That the city engineer and or DPW add St. Jerome Street to the list of sidewalks to be redone.

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

Approved by the Mayor.

RIVERA_I Ordered, that That the parks and recreation and DPW give us an update on the project and remodeling of Springdale Park.

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

RIVERA_I Ordered, that That the police department provide an update on what steps and systems are being put in place to ensure that shot spotter will work effectively and efficiently when the new technologies installed.

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

RIVERA_I Ordered, that That the disabilities commission come into public safety and explain the process of a resident applying for a handicap space, as well as how the spaces are identified to the particular resident that was granted the space.

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

VACON, Puello Ordered, that modify rule 6D to add. The use of profanity is prohibited and a member will no longer be permitted to speak on the question under debate when a member uses profane language.

Councilor Maldonado Velez stated whiffle waffles.

Councilor Puello asked to be added to the order.

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

Motion was made and seconded to suspend the necessary rules to take up items 40, 41, and 43 as a package.

BARTLEY Ordered, that The DPW, Mayor, and any relevant city official appraise city council on the city's recycling program. Please provide any data including costs paid by Holyoke and recycling tonnage diverted from the landfill. Please send a communication to the clerk within the next 60 days.

---> Received and adopted. Referred to the Mayor Garcia, DPW and Auditor.

BARTLEY Ordered, that The DPW, Mayor, and any relevant city officials appraise city council on Holyoke's solid waste (trash) disposal efforts. Please provide data including tonnage disposed and disposal costs. Please send a communication to the clerk within the next 60 days.

Councilor Bartley stated that information regarding statistics on these matters had been brought to his attention by a colleague.

---> Received and adopted. Referred to the Mayor Garcia, DPW and Auditor.

GIVNER Ordered, that With Community support, Order to increase trash can minimum to 50 gallons for municipal pickup service, as our DPW accommodates piles of trash bags en lieu of required current 35 gallon size. This in an effort to increase can use participation in order to mitigate the health hazards of torn and rummaged through piled bags for pickup.

-To Ordinance; copy to Health dept; copy to DPW

President McGee suggested sending the order to Ordinance.

Councilor Jourdain suggested copying it to the union, noting they had a 35 gallon weight limit in their contract.

Councilor Vacon suggested it should go to Public Safety.

Councilor Jourdain suggested that it was not an ordinance but an agreement.

Councilor I. Rivera stated that DPW told him it was an ordinance that had to be changed but would be open to hearing it out in Public Safety first.

---> Received and referred to the Public Safety Committee. Copy to Ordinance, Law Department, Union and DPW.

JOURDAIN Ordered, that Ordered, that the DPW please provide the City Council a copy of our current agreement for the receipt of our recycling materials with the Materials Recycling Facility (MRF)? Please also provide the City Council with the statistical data on our recycling program. How much recycling plastics/glass/metal vs paper in CY 2018, CY 2019, CY 2020, and CY 2021 has the city received in and recycled with the MRF during these time periods. Please also provide these statistics for any of our recycling that has been brought to places other than the MRF such as another vendor, straight into the landfill as trash, or other possibilities if any? Please provide us the statistics of regular trash we have collected during these time periods by way of comparison to see what percentage recycle is vs the total volume of all collections. Please provide these reports the City Council and come in to City Council and discuss the current state of the city's recycling program.

---> Received and adopted. Referred to the Mayor Garcia, DPW and Auditor. Copy to Public Safety. Approved by the Mayor.

MALDONADO-VELEZ, Givner Ordered, that Ordered that the City Council add a Section for Battery Storage Facilities to the Zoning Ordinance (Section TBD) to reflect technology advancements and future need for such installations; new facilities will be reviewed through Section 10.0, Major Site Plan Review.

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

LATE FILED ORDERS & COMMUNICATIONS

(1:59:35)

From Flynn Financial, City of Holyoke Stabilization.

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

Holyoke Public Schools, Food Service Management Agreement.

---> Received and referred to the Finance Committee. Councilor Jourdain abstain.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, FOUR HUNDRED TWO THOUSAND AND 00/100 Dollars (\$402,000.00) as follows:

FROM:

8812-10400	SEWER ENTERPRISE STABILIZATION	\$293,000.00
8811-10400	CAPITAL STABILIZATION	109,000.00
	TOTAL:	\$402,000.00

TO:

60402-53011	SEWER PROFESSIONAL SERVICES	\$402,000.00
	TOTAL:	\$402,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 18, 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 2023, FOUR HUNDRED TWO THOUSAND AND 00/100 Dollars (\$402,000.00) as follows:

FROM:

8815-10400	CANNABIS IMPACT STABILIZATION	\$402,000.00
	TOTAL:	\$402,000.00

TO:

60402-53011	SEWER PROFESSIONAL SERVICES	\$402,000.00
	TOTAL:	\$402,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 18, 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 2023, TWO HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$250,000.00) as follows:

FROM:

12101-51104	LIEUTENANT	\$15,000.00
12101-51105	SERGEANT	35,000.00
12101-51107	PATROLMEN	200,000.00
	TOTAL:	\$250,000.00

TO:

12101-51300	OVERTIME	\$250,000.00
	TOTAL:	\$250,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 18, 2022.

Joshua A Garcia, Mayor

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

VACON Ordered, that that when ballot drop boxes are used in any election, live streaming cameras shall be in place 24/7 to prevent any irregularities. There shall be a notice posted that it is illegal to deposit multiple ballots.

Councilor McGiverin asked if there was a cost associated with the request.

Councilor Vacon expressed her understand that the Police Department could install cameras without any special orders or need an appropriation.

Motion was made and seconded to suspend the necessary rules to take final action.

Councilor McGiverin reiterated his question on if there was a cost, also asking what the cameras would be looking at.

President McGee suggested that it could be sent to the City Clerk to report back that on it police could do it.

Councilor Vacon stated that was her understanding based on conversation with the mayor.

President McGee stated they could address it if it came back that there was a cost.

Councilor Vacon stated that she was not sure drop boxes were required by the state but that the Clerk may not have had a chance to find the answer to that.

Councilor McGiverin asked where the drop box was.

Councilor Vacon stated that they were sharing it with the Tax Collector's office.

Councilor McGiverin asked to clarify that the intent was to have a camera on the drop box.

Councilor Vacon confirmed that was accurate, adding that it was to be sure that things weren't being put in that shouldn't be, just as had been done in other areas for safety.

Motion was made and seconded to suspend the necessary rules to allow the City Clerk to address the Council.

City Clerk Murphy McGee asked what was being referred to in saying things being put in that shouldn't be.

Councilor Vacon stated that it could be anything, noting that it was not protected like a mailbox would be.

Councilor Jourdain suggested it could include vandalism.

Councilor McGiverin expressed his intent to vote against it without answers to his questions. He then stated that he could not support policing people by camera without more information and more thought put into it.

President McGee suggested referring it to Finance.

Councilor Vacon asked if the Clerk was able to find out if drop boxes were required by the state since mail in ballots were free and there was early voting.

City Clerk Murphy McGee stated that they were not required but were highly recommended by the Secretary of State's office. She added that a lot of residents utilized them, preferring to put them in the drop box instead of the mail, potentially due to concerns about mail delays. She stated they check it multiple times every day. She noted that surveillance cameras were not placed at every mailbox throughout the city. She also stated that nothing fraudulent could happen with ballots because everything taken out had already been scanned out of the office and had to be scanned back in, preventing any duplicate ballots being accepted. She added that a ballot accidentally dropped off from another community would show that it wasn't a registered voter from Holyoke. She emphasized there were a lot of procedures in place.

Councilor Vacon stated that she had no question about internal controls within the office but that there had been things over the years reported to her about people bringing in bunches of ballots. She suggested that an unintended drop box over night would lend itself to that. She expressed that her intent was to assure the integrity of elections that had been good in the city.

Councilor Jourdain stated that he was more concerned that a ballot drop box could be more of a target for vandalism than a mailbox, leading to someone breaking into the box or throw something into the box, light it on fire, or otherwise put something in there that could do damage to the ballots. He asked how it could be protected from vandalism and be able to catch someone who may vandalize the drop box. He suggested that someone at 2 in the morning could throw something in, leading to people being disenfranchised, and then being put in the position of trying to figure out who had dropped their ballot off.

City Clerk Murphy McGee expressed that she understood the concern. She suggested that a camera

would not stop someone from throwing something in. She noted that when they first got the drop boxes a few years prior, they were recommended to lock them overnight on Halloween due to a scavenger hunt taking place and the fear related to that. She then stated that she did not want to lock them overnight all the time because that may be the time when most people may put their ballots in there.

Councilor Jourdain stated that he liked having the drop box but wondered if an unattended spot behind City Hall was the best place, or if it should be in a place where more people would be walking by.

City Clerk Murphy McGee stated that her office had discussed different locations. She noted that when they had their own box, it started leaking, and had it taken out. She suggested that if they were to get a new one, placing in front of City Hall on High Street may be an alternative since it was busier. She suggested it may take time due to DPW being unstaffed. She added that they would need to get one of better quality to avoid it leaking.

---> Received, copy to Finance and City Clerk.

Adjourn at 09:15 PM.

A true record

ATTEST:


City Clerk