

REGULAR MEETING OF THE CITY COUNCIL

October 4, 2022

The meeting was called to order by President McGee at 7:05 PM

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

The Pledge of Allegiance was recited.

President McGee asked for a moment of silence for Bernie Lavelle, former Clerk of Committees, as well as a teacher. He noted he had been part of an outstanding family for the city of Holyoke. He also asked for a moment of silence for friend of his own family, Dorothy Taupier. He stated that she had passed away the day before.

A moment of silence was observed for Mr. Lavelle and Ms. Taupier.

PUBLIC HEARING

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

To the CITY COUNCIL of Holyoke, Massachusetts.

The GAS AND ELECTRIC DEPARTMENT requests permission to locate a line of wires, cables, poles and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way or ways:

- One (1) 35' pole in the Essex St alley way between Beech St & Oak St, Holyoke MA

Motion was made and seconded to suspend the necessary rules to allow a member of the HG&E to address the Council.

Vincent O'Connell, Electrical Engineer for the Holyoke Gas & Electric, stated that a single pole would be used as a structure for stability for upstream poles. He stated they planned to install the pole in the tree belt area, off of Essex Street in an alleyway between 215 Essex and 209 Beech Street. He stated that the abutters were in agreement with the pole installation. He then stated that the reason for the pole was due to a gentleman living at 203 who was handicapped and had a wheelchair. He noted that current equipment was obstructing his backyard access to his gate. He then stated that as there were poled own by Verizon, the best the HG&E could do was move some of their own equipment. He stated that this required installation of the new pole.

Councilor Bartley noted his personal feelings about Verizon. He then expressed his gratefulness for the HG&E's work to find a reasonable solution.

President McGee recognized Spencer Fox Peterson, who clarified that his hand had not been raised for this public hearing but to speak during the public comment section.

Motion was made and seconded to close the public hearing.

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

Councilor Maldonado Velez made a motion to allow Public Comment to take place in the meeting before items laid on the table. Councilor Anderson-Burgos seconded the motion.

Councilor McGiverin asked for the rules of public comment to be stated.

President McGee stated that it would require a vote to suspend the rules if someone from outside Holyoke wished to speak, speakers had a minute and a half to speak, and that he would give a warning at one minute.

Councilor McGiverin suggested holding firmly to 15 to 20 minutes for public comment, noting that the agenda had close to 130 items.

President McGee stated that the rule allowed for ten people to speak unless the rules were suspended to open it up to more. He noted 7 were listed on the signup sheet, plus others on Zoom may speak. He also noted 3 emails had been sent.

Councilor McGiverin suggested not reading the emails, noting the councilors would be given copies.

President McGee stated that the letters would be put into the record.

Councilor I. Rivera asked if emails received but not read into the minutes still counted as public comment.

President McGee stated that being received and put into the minutes would still count as being read.

Councilor I. Rivera stated they would not be read.

Councilor McGiverin stated that they could be read but it could take up to 15 minutes for them to be read.

Councilor I. Rivera stated that it needed to be understood what public comment meant.

President McGee stated that the emails could be read, and he would time them for a minute and a half.

Councilor I. Rivera stated it was fine if they were not read but it needed to be understood what the definition of public comment was for transparency to the community.

Councilor Vacon asked to hear from the speakers in the Chambers first.

Councilor Jourdain stated that when the rule was adopted, emailed had not been allowed, emphasizing that public comment meant that people attended and spoke at the meeting to say what they needed to say. He questioned how reading emails became a part of it.

President McGee clarified that it was due to Covid.

Councilor Jourdain stated that they had reached a point where people were attending in person. He suggested that if people wanted to share emails, they should be sent to all councilors or include them in the record. He also expressed that it did not do justice to those who appeared at City Hall to speak.

Motion to take up Public Comment prior to Laid on the Table passed on a voice vote.

PUBLIC COMMENT

(10:15)

John Rivera, 125 Cabot Street, stated that he was one of the persons who had sent an email and would read from his email.

"My name is John "J.R." Rivera, I reside in 125 Cabot St in Ward 1. I am speaking today on behalf of two things. I am in complete opposition of the Shotspotter technology being implemented. I would also add I would not like to see ARPA funds being put to use on this. I'm under the impression that it is unfortunately legal but legality does not bring in just morality. I'm urging councilors to vote yes but speak in opposition to this detrimental waste of money.

I am also speaking on the basis of the right to recall. I urge city councilors to implement the right to recall. In these past months we have had a lack of representation in one of the wards that he was choosing not to call out. This cannot continue. In light of the events it is your civic duty to implement a recall for city officials that cannot commit to the responsibilities of these chambers if something occurs. Whether criminal, lack of representation amongst the community, or founded corruption and conflictual interests. Thank you for your time and have a good night."

Lauri Solomon, 192 Walnut Street, read from the August 2021 executive summary of the city of Chicago's Office of the Inspector General's report, titled the Chicago Police Department's Use of ShotSpotter Technology,

"Office of the Inspector General concluded from its analysis that Chicago Police Department responses to ShotSpotter alerts rarely produce documented evidence of a gun-related crime, investigatory stop, or recovery of a firearm. Additionally, the Inspector General identified evidence that the introduction of ShotSpotter technology in Chicago has changed the way some Chicago Police Department members perceive and interact with individuals present in areas where ShotSpotter alerts are frequent."

She then stated that she lived near the corner of Walnut and Appleton, noting it was a great neighborhood. She then stated that she had experienced a lot of gunshots and gun violence, including a bullet in her living room window. She added that she called the police, that they responded quickly and competently, and that nothing about ShotSpotter would have made that situation better or different. She then asked that the Public Safety Department be adequately funded to investigate. She also suggested that they would have more time for public comment if councilors spoke more quickly.

Manuel Rivera, 226 Lyman Street, stated that he had lived in the city his whole life and was wearing a suit and tie because he refused to be a product of his environment. He noted that many of the people he had met on the same block often ended up on MassLive on in the grave. He stated that public schools and afterschool programs helped save him from ending up being another statistic in the community. He further stated that he did not think ShotSpotter was the answer to what some thought was a solution. He suggested that the funds should be invested in something more worthwhile, such as a Public Safety Department, Health Departments, etc. He stated it would save many youths from becoming statistics. He then stated that he wanted to raise awareness of the conditions he had heard about from many residents

in the Lyman Street area, including holes in walls, rat, mice, roaches, and mold while spending money on expensive rent bills. He stated that the Board and Health and all councilors needed to get involved.

Orlando Rivera, 193 Chestnut Street, stated that he was a single father or two and had been a resident of Holyoke for almost 5 years, with 3 of those spent in shelters. He then stated that he had grown up in New York City and understood living in drug infested neighbors full of crime. He stated that he noticed that those distributing drugs stayed in the same place for 4 years straight. He suggested that funds needed to go to addressing homelessness, to recovery centers, to helping the youth, the schools, and that there needed to be better communication and a better relationship with the police. He also suggested that police needed to show up at schools to avoid what happened in Texas. He added that when police show up, addicts would not shoot up in front of those schools. He further stated that kids were being taught that the police were bad and developing a better relationship would break that stigma. He then suggested that a homeless man, Kevin Ventulett, who had been recently shot, may have gone to a shelter instead of the gas station where he was murdered if one was available to him. He emphasized that all of the recent murders were drug related, adding that the issue needed to be cut from the root.

Motion was made and seconded to suspend the necessary rules to allow members of the public from outside Holyoke to address the Council.

Katie Talbot, 87 Highland Avenue, Westfield, stated that she believed Councilor Maldonado Velez when he expressed that his view and relationship to the police while growing up felt similar to that of a gang. She suggested that it was naïve to assume that police officers never used their badge to bully, intimidate, or harass the community. In noting that one of the reasons for the city pursuing ShotSpotter was that people don't call the police when they hear gunshots, she suggested that it would not be the case of the relationship between the police and the community were better. She further suggested that the relationships would improve if the trauma imposed by the Holyoke Police Department was acknowledged, emphasizing that it would be a free option. She then asked for the Public Safety budget to be expanded to \$500,000 a year to research community response models that would address root problems that create increased gun violence.

Maribel Ortiz, 101 Saint Kolbe Drive, stated that she agreed with the ShotSpotter technology. She then stated that she experienced two incidents in the 26 years she lived in Holyoke. She further stated that while looking at cars at Williams Auto Sales, two cars starting shooting at each other. She noted she was so scared that she had not called the police. She then stated that in another situation, she was with her kids in her house on Beech Street, and that a shooting happened in front of her house, forcing her and her children to lay on the floor. She stated that she hears gunshots but does not call the police because she does not know where the shots come from. She suggested that the technology would allow the police to know where the shots come from. She further suggested that the city should try it out while it was being funded by a grant for two years.

Paola Ferrario, 180 Michigan Avenue, spoke as the Chair of the Historical Commission. She stated that she was reinforcing the letter sent by the Commission to thank the Council for 8 votes to adopt an update to the Preservation Ordinance. She then asked for President McGee, as the ward councilor for the area that included a historic and beautiful district, to reconsider his vote. She also asked Councilor Murphy-Romboletti to reconsider her vote. She noted that there had been increased interest in development in the city to preserve historic buildings, including a motorcycle dealership at a historic church as well as interest on High Street.

Meg Bossong, stated that she represented a group called Invest in Pittsfield, a citizen organization that looks at their city's budget and how to most effectively invest it for a just, safe, and thriving city. She stated that their city had ShotSpotter since 2016 and she would be sharing their experience. She noted that their use also began with private and grant funding that had since run out, leading to them being on the hook for \$240,000 a year for the subscription for the past 5 years. She added that they had to also seek a grant of \$233,000 because of the technology causing monitor popups that disrupted their dispatch system's ability to function. She also noted that one of their city councilors collected data showing that ShotSpotter had a 70% false positive rate. She added that the valid shots were also being called in by citizens. She further stated that only 7% of the confirmed gun shots were not also called in by citizens. She suggested that Holyoke would be wasting a tremendous amount of money on the technology.

Spencer Fox Peterson, 51 Portland Street, stated that he was in opposition to ShotSpotter, adding that he had sent many emails to councilors regarding this and other police issues. He also expressed concern that it was ableist and classist to require people to show up for public comment in person. He noted that many people work until 7:30 or 8:00 and the best people might be able to do is attend online. He also stated that some people are unable to leave the house and emailing should be appropriate for public comment. He also suggested that there were first amendment issues with the Police Department's suggestion that Councilor Maldonado Velez step down in the wake of him calling the department a gang, adding that asking for this fealty is what a gang would do. He noted there was court case precedent suggesting that officers are held to a higher standard when dealing with public criticism. He also suggested that the police do not do enough to keep people safe.

Jose Adastra, 139 Hillside Avenue, asked that the city not waste more money to over-police more. He then suggested that ShotSpotter was more likely to cause his kids' father murdered than a murdered being caught. He further stated that they were more likely to be harassed as a result of its use. He then urged the Council to invest in recovery and peer support, more shelters, as well as more food and cash assistance. He then suggested that even if people were caught, people were poor and were likely to cycle through the same system. He also asked that the police stop being glamorized. He then stated that they had assaulted a minor, concussed him, and offered his family a pathetic settlement to silence them. He then stated they brutalized a 90 year old, operated vehicles while drunk, and can't keep track of firearms. He suggested that the DOJ needed investigate Holyoke. He further suggested that telling his kids they were keeping them safer was <expletive>.

President McGee stated that such language could not be said and called for order.

Councilor Jourdain stated that it warranted further discussion if people who violate the rules speak at every other meeting, emphasizing the need to follow rules and decorum.

Joanna Mae Boody, Montague, stated that she had lived in Pittsfield and frequently visited Holyoke. She then stated that she wished to echo much of the sentiment of previous speakers, particularly the previous speaker who spoke eloquently even if some did not like the way it was expressed. She then suggested that civility politics was a way of policing people of color. She then suggested the need to consider the ShotSpotter experience of those from Pittsfield. She stated it was a faulty and useless technology and that Holyoke had many other issues that funds should be invested in.

Victor Machado, 40 Suffolk Street, stated that he was in support of ShotSpotter. He further stated that Holyoke was the most dangerous city in Massachusetts, with a lot of drug dealers and other things happening in the streets.

Beth Gatzounas Gonsor, 236 Michigan Avenue, stated that she had lived in Holyoke for 68 years. She then stated the comment about police being gang members was troubling and upsetting. She then noted that the names of her husband, James Gatzounas, as well as her brother-in-law, John DiNapoli, were on a monument in the city and were not gang members but people who wanted to serve the residents of the city. She recognized that there not so good people in all professions but the majority needed to supported with the tools they needed. She then asked for support of ShotSpotter. She then reiterated that police officers were gang members and did not deserve what they were getting.

Public comment emails not read aloud to be added into the record:

Owen R. Broadhurst, 1328 Northampton Street

Dear Councilors,

City Hall in a very recent bulletin noted intent to pursue funding of ShotSpotter with ARPA funds regardless of how the City Council addresses the question of the grant now before it; and City Hall also noted in this same bulletin that if the City Council declines the grant, then City Hall intends to use ARPA funds to fully fund what the grant would award for implementation of ShotSpotter.

This I regard as an extortion attempt, where City Hall- in pursuit of a corrupt bargain with a fraudulent enterprise that historically has utterly failed to meet expectations advertised- has threatened to not only divert ARPA funds in general towards an effort only boasting a 9.0% accuracy rate, but also divert ARPA funds towards the dollar amount of the grant if declined.

A great many city services, from our fire department and municipal schools to housing and library services, have desperate need of these ARPA funds - funds intended to mitigate pandemic related harms, and help communities in seeking relief from economic injuries pertaining. To make use of ARPA funds for purposes beyond this to me seems the moral equivalent of thievery.

Councilors have long been in receipt of information and documents noting how ShotSpotter could be best described as fraudulent and a hoax, with very clearly dangerous repercussions in how the wild inaccuracy to this service has lent itself to the service's nationwide reputation for facilitating racial profiling and overpolicing of disadvantaged communities in struggle.

It is my hope that Councilors may yet table the pertinent motion before them again, at least until such point as Council has ascertained if City Hall can indeed unilaterally dictate ARPA disbursements without Council input. If City Hall indeed has power to determine itself alone how these funds are disbursed, this invites its own questions of accountability pertaining.

Bridget Kearney, 51 Portland Street

As I am unable to be present for the city council meeting on 10/4/22 I wanted to email my comments on the adoption of Shot Spotter technology in Holyoke.

I understand that the citizens of the city, myself included, are worried about the ongoing violence. We all want a safer community and can agree that something needs to change. But the violence and crime that emerges from poverty and lack of opportunity cannot be policed away. For all of their overtime spending over the past few years, HPD has been unable to stop violent crime. Because that is not how policing functions.

The Shot Spotter will not stop violent crime. And is in fact going into an area of the city in which most of the recent shootings did not even happen. This technology has been proven elsewhere in the country to be ineffective and a waste of resources. Moreover, it will serve as increased surveillance on a predominantly Latinx community in Holyoke that already faces discrimination from the police.

I thought it important to remind the Council that, despite Mayor Garcia already unilaterally deciding to purchase this tool, we will be following up with this issue in a year and a half. We will request the data to prove or disprove its effectiveness and utility before the grant funding runs out. The city should not be spending money from the budget to fund a surveillance state when we could be diverting funds to actually

address the root causes of poverty and crime.
Thank you for your time & consideration

LAID ON THE TABLE

(33:40)

Motion was made and seconded to suspend the necessary rules to remove item 3 from the table out of order.

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 "FFY19 PROJECT SAFE NEIGHBORHOODS PROGRAM, \$64,850, 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 recommended that the order be adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that he voted against ShotSpotter at the September 1st meeting because he had reports online from Pittsfield, Fall River, as well as Springfield's comments about having issues for 2 years. He then stated he had an issue with a for-profit company taking advantage of state grant funds. He further stated that in the time since, he was called a racist, that he hates cops, and that he love criminals. He further stated that was told in an email, go "F" yourself, Rican. He added that another email stated the following, "here's your pronouns: spic, porkchop, welfare monger," "what's the most confusing day in Holyoke for Ricans? Father's Day," "longest bridge in the world: Fall Bridge. It connects Puerto Rico to South Hadley.," "see ya, spic." He then emphasized that he has always supported cops, adding that it could be seen in how he voted for cops when it comes to budget and in communicating with them. He further emphasized that his uncle was a well-respected sheriff in Seminole County, Florida, and had become one of the top private investigators in Florida. He added that he had a long history of friends and family in Florida. He then expressed concern about the response he was receiving because he had done research as he should as an elected official. He stated that he believed what he was doing was what was best for Holyoke. He then stated that while he would not have called the cops a gang, it was not his experience, but he could not say that it was not the experience of his colleague on the Council. He suggested that if officers believed they were wrong, two wrongs did not make a right. He questioned why councilors should have to be trashed and subjected to racist and disgusting comments. He further emphasized that they were elected to do what they believed was best for the community. He then questioned why some councilors failed to respond in light of the comments, instead jumping immediately to protecting the cops.

Councilor McGiverin emphasized the item was about a request to accept a grant earmarked for ShotSpotter only and could not be used for anything else. He then stated that Mayor Garcia intended to go forward with ShotSpotter and would use ARPA funds if the grant was not accepted. He further stated that the Finance Committee initially met with the department and heard about the grant, adding that there were additional questions and a request that there be a presentation about the technology before the committee would make a recommendation. He then stated that the item was discussed at the next meeting, with a lengthy presentation provided by a representative of ShotSpotter. He further stated that when this was discussed at the September 1st special meeting, there had been a 2 hour debate on the item where every fact was discussed. He noted most of the discussion was about whether or not each person believed in ShotSpotter. He emphasized that voting for or against the grant would not prevent ShotSpotter from coming into the city but voting for it would save some money. He suggested moving to the final vote unless anyone planned to change their vote or didn't have a chance to speak at the last meeting. He also stated that the matter had been tabled, noting that Mass General Laws are clear that appropriations pass on a simple majority. He further noted that the Charter provided one distinction in that both readings could not be passed on the same night unless passed by a two-thirds majority. He emphasized it would now take a simple majority to pass the appropriation.

Councilor Murphy-Romboletti stated that any councilors in the room should be given an opportunity to speak on their own character, especially given the hateful things that have been brought to light during the meeting. She then stated that she would stick to her vote in support of the grant, noting that she had long taken issue with the City Council rejecting a previous grant from the Barr Foundation. She suggested that it was not the City Council's purpose to block grant opportunities that city departments had applied for or to micromanage. She stated that she was not in favor of taking that path of blocking grants. She then stated that if the public was being talked to about decorum, members of the Council needed to look at themselves.

Councilor Jourdain stated that there needed to be more civility in politics. He noted he had been one of the victims of anonymous hit pieces that had been discussed earlier in the year. He expressed that he empathized with those who received the recent comments. He stated that there did need to be more decorum and it did need to start with everyone there. He emphasized that a lot of people contribute to it, adding that people tend to be silent when it is coming from people they agree with. He further emphasized that anybody doing that job had to be civically minded because it was a glamorized, below minimum wage job, adding that it was nothing but heartache and hard work. He then took issue with the notion that the Council should just approve any grant application. He then expressed respect for anyone opposing ShotSpotter, and suggested that anyone against ShotSpotter should vote no. He noted that he had occasionally opposed grants that he had concerns about. He emphasized that the state gave that authority to elected bodies for good reason. He then stated that on the merits of ShotSpotter, he believed it was good technology and was better than the alternative. He then analogized the use of an X-Ray machine by a dentist to determine if there is a cavity instead of just looking at someone's mouth. He stated the ShotSpotter technology did not rely on someone hopefully calling a gunshot in, adding that a technology that could pinpoint where a gunshot was coming from was superior to someone hearing a shot. He further suggested that everyone on the Council should be in favor of catching anyone shooting a gun in the city. He also emphasized that the installation of the technology in Springfield allowed a man who had been shot to be found and saved. He suggested that this man certainly would feel that the cost was worth it. He then asked councilors to consider that in a representative democracy, the vast majority of citizens in Holyoke were likely in favor of it. He also suggested that the U.S. Attorney's office would be less likely to give the city grants in the future if this one was turned down.

Councilor I. Rivera stated that there was irony in the Council expressing that it wanted to be tough on crime. He then expressed concern that while there was a lot of research that contradicted the ShotSpotter

research, the seller of the product was not being questioned but taken as gospel. He noted that many who are brought in for questioning of the city's accounting and finance are grilled for information and not just trusted. He emphasized that there were many peer reviewed articles on ShotSpotter's use in many other cities. He further noted that the officer from Springfield expressed belief in the ideology and concept of the technology but did not believe in the ShotSpotter company themselves. He added that when they tested the technology by firing guns around the city, it was to calibrate them system because ShotSpotter was not calibrating it themselves. He then questioned the plan to review the system after two years, noting that it takes much longer to implement and get used to it. He then questioned his character being attacked. He stated that the job had caused more stress than anything else he had done, including when he had been incarcerated. He further stated that he had friends looking at him differently because of ways he had voted. He stated he would not go back on where he stood, adding that people voted him in knowing where he stood and what his background was. He then stated that this was not about ideology but that people were tired of the same <expletive>.

President McGee stated that he needed to be more careful.

Councilor I. Rivera questioned calls for civility and suggested that it was a matter of who it oppresses.

President McGee asked for order.

Councilor Jourdain stated that the meeting was not the Dr. Phill show or a bar room.

Councilor I. Rivera expressed that Councilor Jourdain had just spoken for 45 minutes.

Councilor Jourdain stated that he did not swear.

President McGee called for order.

Councilor Jourdain stated that Councilor I. Rivera needed to stop insulting people and swearing, adding that it might be okay at the jail but not here.

President McGee called for order. He then stated that Councilor I. Rivera had the floor.

Councilor I. Rivera stated that this was the story of his life in Holyoke, adding that he always rises.

President McGee called for order. He reiterated that Councilor I. Rivera had the floor but asked for order.

Councilor I. Rivera stated that he would refrain from using vulgar language. He then stated that in regards to his character, he was a Holyoker. He stated it was about what was best for his people, adding that he did not need to be there, had two babies at home that his wife was raising by herself more or less, but that he was there for his people as long as the people allow him to be there. He further stated that he was open to talking to anyone who wanted to talk to him.

Councilor J. Rivera stated that she was keeping her vote as a no. She then stated that she has also been receiving hate emails, adding that she did not care, and they did not bother her. She then stated that she pulled papers to run for office because she wanted to represent Ward 1. She further stated that she was

not going to be a yes person just because other people wanted it. She added that she had done her research. She also stated that while she was new to the Council, she had family and friends in various law enforcement jobs, was not against cops, had done her research, talked to cops in several communities, and was hearing that the technology was not effective. She further emphasized that anytime there is a tragedy in the communities, even before she was a councilor, she was there to help. She also emphasized that a majority of the emails she was receiving were not from the wards where the ShotSpotter was going to be installed.

Councilor Maldonado Velez, in referring to sentiments from Joanna during public comment, noted that using specific vulgar words was not against any of the City Council rules. He then suggested that if those words are not being used against anyone, people should have a right to speak in their language. He then emphasized that sometimes those are the only words someone can use to express themselves and their emotion. He added that if profanity is being used against someone, that should be called out. He also noted that very disrespectful comments had followed that needed to be addressed. He then stated that he would still vote no, noting that 5 people who lived in the neighborhood had spoken up against the use of it. He also stated that there was data, there was the experience in Fall River, Pittsfield, and Chicago. He then noted that it still took officers 45 minutes to show up in Springfield. He added that he was voting based on what he was hearing. He then stated that if the city wanted to make something happen, it was clear that the money will come. He added that what we don't have is time, adding that it was a precious resource and that this was a waste of time. He further suggested that the Police Department did not have the time to implement this technology.

Councilor Anderson-Burgos stated that he would be changing his vote to a yes. He then stated that emails did not scare him and those would not change his mind. He further stated that he was not confident ShotSpotter would work, but was changing his vote because he refused to allow the mayor to use ARPA funds for a technology that he did not have confidence in.

Councilor McGiverin stated that there was no room for hate, negativity, and racism against councilors who were voting as they saw fit. He then questioned the twisting of comments that presented the numbers as wrong. He then stated that they did not just listen to ShotSpotter but from reports on accuracy rates from 135 cities around the country. Noting that he had initially been skeptical, he stated that the technology would give police officers an opportunity to respond to gunshots. He further stated that shooting was not allowed anywhere in the city other than a shooting range for police officers. He stated that this tool would allow officers to know where the shots were fired and understand the topography of the area, bringing safety for those who respond and those in the area. He recalled a past situation when teachers at Lawrence School had to meet with police officers because they were not responding to calls and people were fearful of even walking out of their front doors to allow their kids to go to school.

Councilor Maldonado Velez stated that during a meeting that week with police officers, the question came up of whether the police would actually show up. He then questioned the narrative of people not calling the police. She noted one person saw shots fired in front of her house in Springfield, called the police, and even with ShotSpotter in place, it took an hour for police to show up. He then suggested that people get tired of calling when calls are made and police did not show up. He further suggested that it would leave the impression that the police don't have the capacity to show up or don't care.

President McGee read sections of rules 4 and 19 from the City Council rules:

"The President shall preserve order and decorum. They may speak to points of order, in preference to other members." "No person shall be interrupted while speaking but by a call to order." He then stated that the matter was about a request for money, to accept or not accept the grant. He added that it was about voting for a tool, and that people can be for or against it. He noted that when appointed as

president, he stated that councilors vote up or down, and it is over after leaving the meeting. He stated that what is said in Chambers have an impact throughout the community. He then stated that the police officers do a phenomenal job, adding that he did not believe the words used to describe them were meant the way they were taken. He also implored the Council to focus on and promote the positive things happening in the city. He also noted several other tools the city had attempted to use in the past that hadn't worked, including ticket pens, cameras, and Segways. He also stated that the tone of letters between department heads and city councilors had not been acceptable. He emphasized that everyone had to work together to keep positive momentum going.

---> Report of Committee passed the second reading and Adopted on a call of the roll of the yeas and nay--Yeas 9--Nays 3 (Maldonado Velez, I. Rivera, J. Rivera)--Absent 1 (Givner).

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to remove item 2 from the table and take it up with item 38A as a package, and to take up 38A first.

The Committee on Ordinance to whom was referred an order That an ordinance be created to allow for a Fire Chief contract and that this ordinance also establish a salary range for the position (Min/Mid/Max) have considered the same and recommended that the order be adopted, as amended to include the language that "any contract awarded under this ordinance is subject to appropriation by the City Council."

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that they had learned that Fire Chief was a civil service position and was noted as such in the legal form.

Councilor Jourdain commended Atty Kathy Degnan for her work and research on the matter.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

The Committee on Finance to whom was referred an order From Lisa Ball, Acting City Solicitor, letter re: Fire Chief's Contract have considered the same and recommended that the order is in compliance pending passage of the budget

Committee Members:

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

UNDER DISCUSSION:

Councilor Jourdain asked if the contract needed to be approved.

President McGee stated that it was approved as a package with the ordinance.

Councilor Jourdain asked if needed two readings on the contract, or if It was just receiving it.

President McGee stated it was just receiving it because with passage of the ordinance, it allowed the funding because the funding was already there in the budget.

Councilor McGiverin stated that while he agreed, he disagreed with the City Solicitor. He noted that passage of a budget without a contract or MOU was against the ordinance. He further stated another order should resolve it.

---> Report of Committee received and Adopted.

Councilor Vacon stated that they were waiting on an update from the state on item 4.

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. 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

Motion was made and seconded to remove item 5 from the table.

The Committee on Ordinance to whom was referred an order that the City Council consider updating the Demolition Delay ordinance with changes proposed by the Historical Commission 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 there was communication from the Historic Commission and the mayor on this matter. She then stated that it was tabled after reconsideration. She then stated that the result was a compromise between two sides of the debate. She further stated that this was an opportunity to do some modification. She suggested that the need for a demo delay may be largely avoided with the Historical Commission working with the building and property group earlier in the process. She encouraged support of the provisions in the interest of preserving historic properties, adding that further revisions should be proposed later.

Councilor McGiverin expressed his opposition to the modifications. He stated that while he was not against preserving historic properties, there was a component of private property, of developers and business owners, that this was anti-development and anti-business. He noted the same discussion took place 18 years prior. He noted that with the Historic Commission holding a public hearing of up to 90 days, after adding everything up, the development of a property being demolished if being delayed when there may be someone who wants to invest. He also questioned the political nature of picking and choosing which properties to preserve. He noted that there was no attempt to save the Old Bud, for example. He stated that he supported the original demolition delay but the new compromise makes the delay too long.

Councilor Maldonado Velez expressed his support for the changes. He noted that with the city's 150th anniversary celebrations coming the next year, the city had a lot of history to highlight. He suggested that the delay included a lot of work to find funding and other resources, not just delaying to prevent demolition for another 6 months. He further stated that it was good economically and ecologically to have fewer buildings coming down, instead fixing them and maintaining the historical component of Holyoke.

Councilor Jourdain stated that the ordinance was not used often. He further stated that changing the name from demolition delay to historical preservation appropriately put the focus on the historical aspect of it. He then stated that the matter essentially added another 3 months, noting that the request had been for an additional 6 months to make it 12 months. He noted it was also cleaned up to stipulate how long the hearing had to be, capped at 90 days. He stated that a more concerted effort needed to be made and appreciate and preserve historically significant buildings when they can be saved. He added that the ordinance would be used judiciously.

Councilor McGiverin suggested that if someone wanted to tear down the church on Hampden and Pleasant to build a gas station, likely everyone would be in favor of a demolition delay to preserve it. He then suggested that if someone came in and wanted to demolish a building that was caving in, the city should take the project that makes sense if someone has the funding to invest. He further stated that the changes would essentially bring the delay to 12 months between adding 3 months to the delay plus the 90 days allowed for a hearing.

Councilor Vacon noted that amending the ordinance does not mean that in every instance the Commission would invoke the demo delay. She suggested everyone was in agreement most of the time that a building could not be saved. She stated that the demo delay was utilized only in the instances when there was disagreement, adding up to only twice in her memory. She then expressed that she did not believe any harm would come from it.

Councilor I. Rivera suggested that the narrative being presented to people outside of the community was to promote Holyoke as a tourist community. He then stated that the city should try to keep its historic look as much as it can. He noted that in regard to the nonprofit he worked for, most of his supervisors lived in Boston. He added that much of what we know of and love about Holyoke is the infrastructure and historic look of the city. He suggested that voting for this would help push that narrative in the future.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--
Yeas 10--Nays 2 (McGee, McGiverin)--Absent 1 (Givner).

Councilor Vacon asked for item 6 to remain on the table as they were still looking for additional funds to complete the work.

The Committee on Public Safety to whom was referred an order that the lines on Rt 202 on the closed right hand lane going toward Westfield be painted ASAP. Two lanes are being used as travel lanes creating a safety hazard. have considered the same and recommended that the order has been complied with

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A McGee

COMMUNICATIONS

(1:35:45)

From Mayor Joshua A. Garcia letter of Veto regarding following order:

That until residents are offered an opportunity to meet IN THE NEIGHBORHOOD with public officials and public board members, who are making decisions with little to zero neighborhood input, the City shall not spend any funds or incur any costs for any new buildings including any school.

Councilor Bartley made a motion to override the veto. Councilor Vacon seconded the motion.

Councilor Bartley stated that there was a lot of discussion on this matter that the mayor had not participated in. He noted that the letter stated that the mayor did not believe the intent needed to be made into a law. He noted that the mayor went on to say that he encouraged city councilors to continue public dialogue with residents. He then stated that this was put into ordinance because public dialogue was not happening. He emphasized that the ordinance was passed with only one dissenting vote. He then questioned the veto when the ordinance appeared to do exactly what the mayor suggested, adding that he had not offered an alternative.

Councilor Vacon suggested that the veto did not appear to disagree with the intent but a difference of opinion in whether or not it needed to be a law or if it was an administrative function. She suggested that it was a good government ordinance for better transparency, especially when the city may be spending millions of dollars.

Councilor I. Rivera stated that he respected the veto and that councilors have the liberty to host community meetings to educate the wards. He added that there was already a process in place, noting that there was many community meetings when the city was proposing building a new school. He reiterated that councilors can host their own meetings without being obligated by law.

--->Vote to override the Mayor's veto Failed on a call of the roll of the yeas and nays--Yeas 5 (Bartley, Jourdain, McGee, Puello, Vacon)--Nays 7--Absent 1 (Givner).

From Mayor Joshua A. Garcia, letter of veto regarding Councilor Jourdain's order from February 15, 2022: That the City Council adopt an ordinance that requires all department heads and employees to electronically track (i.e. Munis or other such system as determined by the Personnel Department) all time off accrued and used on a monthly basis. They are also required to report all time off requests, approvals, denials and usage tracking centrally to the Personnel department on a monthly basis. The personnel department shall ensure compliance with city time off policies. Any employee or department head who knowingly provides false information on the reporting of time shall be subject to discipline up to and including termination. They shall also be subject to restitution and/or other civil fine as may be established by ordinance.

Councilor Jourdain made a motion to override the veto. Councilor Vacon seconded the motion.

Councilor Jourdain stated that this was an innocuous proposal that he has spoken with the mayor on at length. He added that the mayor never appeared to have an issue with it. He then stated that an order was filed to get the house in order to get an electronic system in place for the tracking of time. He further stated that the mayor pursued a grant to get that in place. He then stated that the intent was to create a rule that would say department heads would have an electronic system to track vacation so that management can know who has how much sick and vacation leave just as every other business in America. He suggested that the city currently had an honor system. He noted that it had been suggested for years after noting the weakness in the system. He noted that in the veto, the mayor did not want a law created that influenced the day to day management decisions that are the responsibility of the mayor. He emphasized that he had been very transparent about he was planning to do and that the mayor had not spoken against it. He also noted that Personnel Director, Kelly Curran, had expressed support for the ordinance. He then questioned that this was being perceived as a power grab. He further emphasized that this was just about establishing a system and creating a rule requiring it to be used.

Councilor Anderson-Burgos suggested that the mayor was not suggesting that it was a power grab as much as he was stating he was capable of running the departments. He further noted that the mayor was already working on what the order was asking.

Councilor Murphy-Romboletti suggested that the mayor did not appear to disagree with the intent of the order. She then suggested that it was about the fine line between who handles the day to day management of City Hall and considering the City Council's role in that. She then challenged the mayor to look into it further, suggesting that overtime needed to be better tracked to account for the extra hours many employees put in to attend evening meetings. She suggested that the mayor should be encouraged and supported in his work to manage this.

Councilor Vacon stated that the Council had a fiduciary responsibility of approving the budget. She then suggested that the area where cities lose a lot of money are in arenas that do not show in the budget, such as paid time off not being accounted for. She recalled that there a move to accomplish this ten years prior. She also emphasized that while each councilor's role was temporary, ordinances are passed to sustain the stability of the city. She noted that one mayor has no interest in tracking of time while the current mayor was interested, adding that he would not be there forever. She further emphasized that the intent was to set a framework for how the city was managed going forward.

Councilor McGiverin noted that there was support for something like this from former mayors, Bill Hamilton and Danny Szostkiewicz, but nothing had happened. He then stated that at the end of Mike Sullivan's tenure, he designated someone in the Law Department to implement the Munis system and to work with department heads, who may have felt inadequate to use the system or were against using it, who needed encouragement and enforcement from the mayor's office. He added that Mayor Pluta continued it but it hadn't completed when her term ended. He then noted that Mayor Morse fired that person, who later was reconciled after winning her court case. He suggested that while Mayor Garcia wanted this, the city had waited for decades. He then suggested that it should not be by ordinance but sometimes that is the only way to assure something gets done.

Councilor Jourdain stated that he had been extremely supportive of the mayor, the history showed that the city needed a basic framework that transcends everyone in office at that time. He noted that it was a very basic ordinance, adding that it shouldn't be left up to the whim of whoever is in office. He added that this would be in the best interest of the taxpayers as well as providing a benefit to employees who would know their time was being accurately tracked.

--->Vote to override the Mayor's veto Failed on a call of the roll of the yeas and nays--Yeas 7--Nays 5 (Anderson-Burgos, Maldonado Velez, Murphy-Romboletti, I. Rivera, J. Rivera)--Absent 1 (Givner).

Motion was made and seconded to suspend the necessary rules to take up items 9 through 13 as a package.

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.

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

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.

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

From Mayor Joshua A. Garcia letter re-appointing Mr. Joshua Knox, 40 Morgan St. to serve as a member of the Board of Appeals for the City of Holyoke: Mr. Knox will serve a three year term; said term will expire on July 1, 2025.

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

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.

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

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.

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

From Mayor Joshua A. Garcia letter expressing Support for Holyoke Gas & Electric proposed LNG Infrastructure & Resiliency Project in West Holyoke.

--->Received.

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.

Councilor Jourdain noted that the letter stated, "please be advised that after completing the RFP process we have elected to contract with Cataldo Ambulance." He then asked for a copy of the agreement, as well as an explanation of the changes that the citizen can expect.

Councilor Bartley stated that it would also be helpful to receive a copy of the current contract for comparison.

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

From Mayor Joshua A. Garcia, Executive Order for Sec. 18-35 Regulation of blighted and vacant buildings.

--->Received.

From Brenna Murphy McGee, MMC and Jeffery Anderson-Burgos, Admin. Ass't. to City Council minutes from August 2, & September 1, 2022.

--->Received and Adopted.

Motion was made and seconded to suspend the necessary rules to take up items 18 through 21 as a package.

From Tanya Wdowiak, City Auditor, Purchase Agreement for Police Cruisers, Lease Schedule No 1 and Master lease purchase agreement.

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

Memorandum of Agreement Between City of Holyoke and the Professional Supervisors Union (PSA), and Damian Cote, employed as the Building Commissioner effective July 1, 2022 to June 30, 2023.

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

Memorandum of Agreement between the City of Holyoke and Professional Supervisors Union (PSA) to add Zoning Official Position effective July 1, 2022 - June 30, 2023.

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

Agreement between The Board of Public Works of the City of Holyoke and United Food and Commercial Workers Local 1459, effective July 1, 2022 - June 30, 2025.

Councilor McGiverin stated that there would be transfers coming out of the Finance Committee later in the meeting that were connected to one of these MOA's. He added that there was some confusion because the language had not been in front of the committee at that time. He suggested they could be put back into committee for connecting them to the discussion. He noted the committee's next meeting would be on October 17th.

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

Motion was made and seconded to suspend the necessary rules to take up items 22, 47, and 48 as a package.

From David R. Pratt Chief of Police letter regarding remarks made on the September 1, 2022 City Council meeting.

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

MALDONADO-VELEZ, RIVERA_I -- Ordered, that the Mayor create and fund a Public Safety Department, suggesting a beginning budget of \$500,000 for FY24. Refer to Mayor, Public Safety.

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

MALDONADO-VELEZ, RIVERA_I -- Ordered, that an RFP be created to study a community responder model type program that is outside of the Police Dept but works in collaboration with that department as one of several contributing partners. Refer to Public Safety.

Councilor Maldonado Velez stated that he sought to take these up together was partly in regard to the letter from the Police Chief, item 22. He further stated that one of his pet peeves was when people complain without offering solutions, adding that the two orders were a part of him offering solutions. He then stated that in response to the letter, he thanked Chief Pratt for the letter. He emphasized that he believed in co-governance and that if statements do not land in the way they are intended, it should be called out so that everyone can learn and move forward better together. He then noted the specific requests of the letter, the first request being that he recant his statements of the September 1st meeting and apologize to the officers of the Police Department, and the second request being that he recuse himself from any conversation regarding the police. He then expressed his intent to modify the requests. He further stated that in regard to his comments, following the meeting and press conferences that stemmed from the comments, as much as he and other councilors had been receiving criticism and hate filled emails, he had also heard from people thanking him for the comments because that perception of the police was a reality for many people in the city. He then clarified that he did not intend to say that every individual in the Police Department was "bad apple," adding that he made that clear in the meeting. He further stated that he had a duty to represent those people whose reality that is, and as such he could not take back those words because they meant something for a lot of people in the community. He then stated that on the request that he recuse himself going forward, everyone knew where he stood on that department and how it can improve going forward. He noted that the Chief himself knew where he stood. He then expressed regret that the past 9 months of progress and working together had seemed to have been erased because of one comment. He then noted that in conversations with the former Chief Scott, there had been drawings on his desk of dinosaurs, which served to him as a reminder that we don't want to be dinosaurs in what we do. He stated that part of not being a dinosaur was not trying to do better. He then stated that he would not recuse himself. He then stated that he could offer an apology, noting that he ran on unity and that if a comment led to a divisiveness that would prevent them from doing what they needed to do to keep the city going, he apologized for that. He also apologized that 9 months had not been enough time to dismantle the systems that had been in place for decades and centuries. He further apologized to the people of Holyoke. He then stated that he would not be silenced by taking back what he

said or not to participate in future discussions.

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

Motion was made and seconded to suspend the necessary rules to take up items 23 and 38D as a package.

From Office of Planning and Development letter re: Zoning text change 50% living space follow up.

--->Received.

The Committee on Ordinance to whom was referred an order Amend the zoning ordinance to read any home construction in a residential zone shall be greater than 50% living space. A special permit from CC is required if the home construction will have 50% or less living space.

Recently home plans have been approved and it has been communicated from the Building Commissioner that our current residential zoning allows for construction of a home that is 80% garage and 20% living space. have considered the same and recommended that the order be Denied.

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that they learned that interior space cannot be regulated according to state law. She then stated that the Law Department and Building Department should work together to look at alternative ways to prevent industrial appearing buildings being built in residential agricultural zones.

Councilor McGiverin asked to assure that the record showed the reasons for denial.

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

From Office of Planning and Economic Development letter from Holyoke Historical Commission thanking the City Council for the Majority vote in favor of the new Preservation of Historic Building Ordinance, on August 2, 2022.

--->Received.

From Office of Planning & Economic Development letter regarding Incident during Ordinance Committee and Planning Board Joint public hearing on August 23, 2022.

--->Received.

From Holyoke Public Schools. Middle School Update from August to October 2022.

Councilor McGiverin suggested that this was likely the beginning of what would eventually be a City Council vote. He noted that they were still in the transitional design stage of the proposed middle school.

He then suggested that they needed to begin looking at what the city could afford.
--->Received and referred to the Finance Committee.

Petition for Speed hump for Hillside Ave

Councilor I. Rivera asked why this would not go to the Public Safety Committee.

President McGee stated that to put in speed humps, measurements have to be done, and it was ultimately pursuant to an ordinance.

Councilor Vacon stated that the Engineer had to determine if it met the requirements to be installed.

Councilor I. Rivera asked to clarify that it could not go through Public Safety.

President McGee clarified that while it was a public safety issue, it had to go through Ordinance in order to install the speed humps.

Councilor I. Rivera stated that it appeared many orders that should go through Public Safety did not.
--->Received and referred to the Ordinance Committee. Copy to DPW.

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

From Blossom Flower LLC notice of Community Outreach Meeting for a proposed marijuana product manufacturer at 1 Cabot St.
--->Received and referred to the Ordinance Committee.

From Evergreen Industries LLC, 1 Cabot St. notice of a Community Outreach Meeting on September 16, 2022.
--->Received and referred to the Ordinance Committee.

From Holyoke Parks & Recreation minutes of April 5 and May 9, 2022.
--->Received.

From Board of Fire Commission minutes of July 21, and August 30, 2022.
--->Received

From MassDOT letter re: removal of application for electronic billboard permit from September 8, 2022 agenda from Lamar Central Outdoor LLC.
--->Received.

PETITIONS

(2:14:50)

Petition of Chevonne Ann Machuca, 47 Hitchcock St. for a street vendor license on Race St.
--->Received and referred to the Ordinance Committee.

Petition for a new Marijuana Manufacturing Establishment at 109 Lyman St. for Small Wonder Cultivation LLC.
--->Received and referred to the Ordinance Committee.

Petition for a new Marijuana Manufacturing Establishment at 420 Race St. Suite 1A for Upper Echelon Cultivation LLC
--->Received and referred to the Ordinance Committee.

Petition of Sidikson Mamadjonov for a renewal of a second hand license at 50 Holyoke St.

Councilor McGiverin suggested that the application could be adopted if there was no change in the ownership and the taxes were up to date.

President McGee stated that everything was current.
--->Received and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Givner).

Petition of Helson Morales for a special permit for a driveway in front yard (6.1.8.1) at 2 Orchard St.
--->Received and referred to the Development and Governmental Relations Committee.

PRESIDENT'S REPORT

(2:16:25)

President McGee reminded councilors that they not use reply all when responding to emails that include other councilors, noting it could be a violation of open meeting law.

He then stated that the Mayor's reception at the Volleyball Hall of Fame would take place on October 21st.

He also stated that there would a request for funds related to the CSO consent decree. He noted it was complex and anyone with questions should sit with the mayor.

He then stated that he attended an event, along with the mayor and Councilor Anderson-Burgos, regarding the new units going up near Carlos Vega Park through the Holyoke Housing Authority. He then stated that in regard to letters and communications between councilors and departments and boards, there needed to be more respect between each other. He noted that people sometimes get lost in their passion. He also noted that comments made that evening by several people did not belong there.

Councilor Bartley stated that the Salute to Holyoke event at the Big E had been a success. He noted it was the first time in 10 years that the mayor had participated. He noted that a few councilors as well as many civic organizations participated. He added that he looked forward to organizing it again the next year.

Councilor McGiverin stated that annual golf tournament with the Parade Committee would take place on October 16th in memory of Mike Ahearn, a long time member of the committee.

Councilor Murphy-Romboletti noted that there was a lot happening in Holyoke on October 15th, including the Brick Race, the Cemetery Tours at Wistariahurst, the Food Festival, Doors Open Holyoke. She then encouraged people to visit ExploreHolyoke.com for all info. She also noted that she was putting together tables for the Homework House breakfast on October 20th.

Councilor Maldonado Velez stated that on October 14th, the grand opening of the Artery would take place, a gallery and maker space.

Councilor Murphy-Romboletti noted that the Council had approved a grant for it.

President McGee stated that Councilor Maldonado Velez had volunteered to be the Council's representative on the Tourism Advisory Committee.

REPORTS OF COMMITTEES

(2:23:20)

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. 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 the request was complicated, with a long history exceeding ten years of purchase and use. She stated they considered various options, they recommended the only remedy available following the public hearings and legal considerations for other methods. She then noted that while it was technically a spot zone, referring to the executive order, one consideration in looking at zoning was to consider if the city would be creating a blighted property or area. She noted the property was always only used as a garage. She also noted that the owner sought a special permit. She then stated that there was a gap in the details as to why the applicant withdraw the special permit. She further suggested that it would usually be due to getting advice from someone in the city. She noted that the owner attempted to do everything he thought he should do within his understanding of the law, adding that the ball got dropped on the city side of it. She stated that this would allow the owner to continue as he had for ten years. She also stated that the vast majority of the neighbors testified in favor, with only one speaking in opposition. She noted there was a similarity to the approval of a zone change at the Franco Club which had technically a spot zone but also did not change the way it was being used.

Councilor I. Rivera stated that on the matter, he voted in favor of the matter to make the vote a 3-2 recommendation. He added that he did not actually agree with the spot zone, noting that zoning laws are

intended to help residents. He also stated that spot zones are illegal. He suggested that neighbors could push the issue but likely would not. He then asked for the Law Department explain the applicant's inability to prove that they did not have a gap in use. He suggested that it appeared that the rules had been stretched and the applicant still had not been able to fit within the rules.

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

President McGee stated that a show of hands vote of 7 allowed the motion to pass.

Councilor Jourdain stated that a suspension of the rules required 9 votes.

President McGee stated that allowing the Law Department to answer a question had always been 7 votes.

Councilor Jourdain reiterated that allowing any non-member to speak required a suspension of the rules.

President McGee stated that the motion failed.

Councilor I. Rivera stated that the President should speak and take onus of the situation without people making comments out of order.

Councilor Anderson-Burgos stated that he had been encouraged that even when you do not agree with a councilor, you should always allow the voice to be heard. He added that if a councilor is asking for a legal opinion, it should be allowed.

Motion was made and seconded to reconsider the previous vote. Motion passed.

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

Councilor I. Rivera asked for his question to be addressed.

Atty Degnan stated that on the issue, many questions needed to be answered. She further stated that one issue was getting information about whether or not there was abandonment, adding that she did not receive the information from the attorney she sought the information from. She also noted that many people at the Ordinance Committee meeting said that it had never been abandoned. She then stated that if it was true that it was always used for this purpose as a repair shop, it was not a spot zone because it was not abandoned, and they could continue the use. She noted the special permit application in 2010 was to change the structure, but it was withdrawn without prejudice but they could not clear the facts up of that matter. She further stated that she would refer to those who stated that it had always been used for that use.

Councilor I. Rivera expressed his understanding that the decision would be based on accepting that they say this is how they have been doing it without factual proof. He then questioned the concerns expressed about blight, adding many people would be looking for garage space and would buy it quick to store things He suggested that the concern was fearmongering.

Councilor Bartley expressed his understanding that the opinion was stating the exact opposite of the previous statements. He then suggested that as far as historical proof, while there was not video for use of the building for 50 years, there were veteran councilors with historical memories of what it was used for. He further stated that Atty Degnan's statements undercut any concerns about it being a spot zone. He also emphasized that the matter was about someone's business and livelihood. He also noted that the zoning rules came in during the 1970's while the building had been in its use for decades prior to that. He then stated that Atty Degnan's statements support allowing the zone change. He also emphasized that this was a beloved member of that neighborhood with a business that helped to diversify the tax base. He then expressed that the Planning Board deserved respect for what they do, but there was a public duty in this case to consider constituents as well as the broader tax base of the city to support the needed city services referred to during many of the evening's public comments.

Councilor Vacon stated that in regard to spot zoning, if the owner sold the property due to the zone change not being granted, a future buyer could use it as a garage.

Councilor McGiverin offered an apology to Councilor I. Rivera on his initial vote against suspending the rules to ask the Law Department a question, noting he believed it was going to be an open ended question. He further stated that he disagreed with the argument that it was a suspension of the rules, noting that there was a city solicitor assigned to the Council by rule. He further suggested that the Council should have access to legal advice anytime it is asked for during a meeting. He then clarified that his previous use of the term blight was not meant as a scare tactic but to ask for consideration of what could happen if the owner was forced to sell due to the zone change not being granted. He stated that it was not right to put a person out of their investment as a business owner when they had attempted to do everything the right way. He further stated that while he did respect the neighbor who spoke against it, every other resident spoke in favor of it. He also stated that it was not a spot zone, noting that the state would look at whether or not the city granted it to only benefit the petitioner. He stated that a lot of testimony showed it benefited more than just the petitioner. He also emphasized that the owner and the Council was put in this position because the Building Department would not grant the property as being a pre-existing nonconforming structure.

Councilor Murphy-Romboletti stated that the property had been zoned DR since 2003. She emphasized that in her job working with entrepreneurs, she advises new business owners to first look at the zoning when purchasing property. She further emphasized that zone changes were not about projects but about the use. She then asked what would happen if he were to sell the property in the future. She then expressed her hope that the owner can acquire a special permit in the future.

Councilor Jourdain stated that the property had been used the same way since the 1950's, long before zoning laws of the 1970's and the zoning of DR in 2003. Noting that nobody had any issue with the use if it was defined as a pre-existing nonconforming structure, he stated that there was no difference between getting a special permit and the zone change. He also stated that the owner had attempted various avenues to do this the right way. He questioned if it would be just to shut the business down. He further questioned the loss of common sense based on technicalities. He also noted that there were IG zoned parcels on the same street.

Councilor Anderson-Burgos noted he was raised nearby, and always saw the building as a garage. He then stated that he had not seen it as a problem then but was conflicted about the matter. He then stated that he did not want to deny the man's ability to make money and sustain his family, but then expressed concern about potential EPA issues, servicing trucks, the potential of oil spills, along with the potential of kids playing in the area. He then asked if there were residents that spoke in favor, were they nearby or further down the street.

Councilor Maldonado Velez expressed his intent to vote against it. He then expressed his understanding that for it to not be defined as a spot zone, it could not be to benefit one individual but the community. He then noted that when the public spoke in favor, he often heard about Mr. LaFlamme plowing their snow in the winter and not about the benefit of the business. Noting that Mr. LaFlamme owned another property in the neighborhood, he questioned if the plowing would end if the zone change was not granted. He then stated that he would have been in favor of making it a pre-existing nonconforming, it would not open it up to the uses under the BH zone, opening it up to a lot of other possibilities he did not agree with.

Councilor J. Rivera stated that she knew the area well, noting her brother lived a few houses down from the property for 38 years. She added that a City Hall employee purchased a home recently. She then asked for a list of the names that spoke during the public hearings.

Councilor Vacon provided a list of names of people who spoke, noting that she did not have a list of all the names. Those names included William Kane from Temple Street, John LaFortune from the second floor of the condos, Doug from Apartment 5, Irma Cruz from 35 Temple Street, Kate from 33 Temple Street. She added that the one who spoke against was an abutter. She then emphasized that the people they were talking about were from right around 41 Temple. She observed that the public hearing felt much like the Franco Building public hearing, noting that had been approved for one business - a marijuana business. She emphasized that this man was a known quantity in the area, further noting that a zone change had just been granted for the church on Pleasant Street based just on the promise of what his plans were. She emphasized that the Council usually listens to the neighborhood, adding that the neighbors clearly understood what he was doing.

Councilor J. Rivera stated that she was not familiar with any of the names.

Councilor Maldonado Velez emphasized that many of the councilors had just joined the Council that year and any decisions made before that time should not be considered to be how they would have voted. He then suggested that Mr. LaFlamme would likely continue to be a good neighbor.

Councilor Anderson-Burgos expressed his understanding that a majority of those who spoke lived in one building. He also questioned comparing what the decision was on one businesses with this one, emphasized that they were two different businesses. He suggested that it was insulting.

Councilor I. Rivera stated that with regard to zoning, it could be great for residents in the moment but the community could evolve over the years and those are in the community later may not agree with it. He also suggested that the owner should go through the process the right way just as everyone else has to. He also noted that with regard to the spot zone for the marijuana business, many people were in less agreement at that time than they had been when it was approved, adding that they could not go back on it. He suggested that this man had been operating his business illegally for many years. He further stated that he would be in support of a special permit.

President McGee stated that there was an application for a special permit, adding this was the procedure that the owner was told to follow, that it was what was asked of him.

Councilor McGiverin stated that the property was rezoned by the city 19 years earlier with the owner's knowledge, adding that nobody from the city told him. He expressed concern that such situations were why the city often gets known for not being business-friendly. He further emphasized that people in the

neighborhood spoke and were heard. He suggested that the person's investment was in jeopardy and was not the way to send the right message to people who live, work, and invest in the city.

Councilor Jourdain stated that there was not another special permit that Mr. LaFlamme could apply for. He suggested that he would likely do whatever he could to do things the right way. He further stated that if someone needed to get the info on the neighbors, that list could be acquired. He then emphasized that the neighbors spoke on more than just plowing, noting that they also recognized the work he did to fix up the property. He also stated that even if the BH zone was granted, it still would require the business to follow the rules on matters of sanitation, capture of grease, oils, or other materials, as well as all other rules of this type of business. He then stated that in looking at the building, it would not be in conformity to be a house. He emphasized that not granting the zone change would relegate the neighbors to a question of what would happen to the property, in contrast to already knowing what the property was at that time.

Councilor Murphy-Romboletti questioned a Master Plan being initiated in 2003 and nobody knowing what was happening.

Councilor Vacon urged colleagues to support the zone change, emphasizing that he was a known quantity who had an invested interest in keeping the property in good condition. She asked for consideration that this was a person who was trying to make a living, and someone that the people in the neighborhood greatly support.

--->Report of Committee received and Denied on a call of the roll of the yeas and nays--Yeas 8--Nays 4 (Maldonado Velez, Murphy-Romboletti, I. Rivera, J. Rivera)--Absent 1 (Givner).

Made was made and seconded to reconsider the previous action.

--->Laid on the table.

The Committee on Joint Committee of City Council and School to whom was referred an order That the school Receiver Mr. Anthony Soto and his team be requested to explore the steps, costs and federal reimbursements associated with re-establishing the Air Force Junior Reserve Officer Training Corps or similar sister service program in the public schools. It is additionally requested that interest be measured to determine student body support for such a program. have considered the same and recommended that the order has been complied with.

Committee Members:

Juan . Anderson-Burgos
Jenny Rivera
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that the matter was still tabled in committee.

The Committee on Ordinance to whom was referred an order That Mayor Garcia be given the authority to hire a DPW director above mid range up to no more than max without needing further approval from CC

due to special circumstances have considered the same and recommended that the order be adopted, as amended to stipulate that these special circumstances would expire when the next DPW Director is hired.

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that this was clarify the intent of the previous ordinance change to make sure the mayor did not need to come back to the City Council to exceed for this position until it's filled.

---> 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 0--Absent 3 (Bartley, Givner, Maldonado Velez).

(3:20:)

Motion was made and seconded to suspend the necessary rules to take up items 39A and 39B as a package.

The Committee on Finance to whom was referred an order Order that \$12,500 be transferred from the Cannabis Impact & Innovation Fund to OPED to be the match to the MassTrails Grant for continued planning on South Main Street Corridor Improvement Plans. See executive summary and presentation at this link <https://www.holyoke.org/springdale-corridor-main-st-project/>
(Recommended by the Mayor)

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

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 11--Nays 0--Absent 2 (Bartley, Givner).

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 "2022 MASSTRAILS GRANT, \$50,000, \$12,500 MATCH THROUGH CANNABIS IMPACT STABILIZATION FUND, " 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 recommended that the order be adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the grant was about traffic improvement on Main Street. He noted there was concern about taking parking away from the street, adding that OPED Director Aaron Vega confirmed that was not the plan with this grant. He further stated that this would go into the continued plan which was still in its feasibility phase. He added that the match could come from the cannabis impact fee funds.

--->Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--
Yeas 11--Nays 0--Absent 2 (Bartley, Givner).

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 "FY23 BEST PRACTICES COMPACT PROGRAM: EMPLOYEE BENEFIT COSTS EVALUATION & RECOMMENDATION, \$25,000, 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 recommended that the order be adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that they learned the grant would be use for a deep dive analysis of health insurance, workman's comp, and other employee benefits. He further emphasized the importance of benefits to city workers.

Councilor Jourdain added that there was a study of the potential of joining the state's GIC, including comparisons of how to make things better. He commended the mayor for quickly putting this together.

Councilor Tallman commended Kelly Curran, Personnel Director, for her work on this. He emphasized that value of finding ways of saving the city and its employees money while providing good benefits.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--
Yeas 11--Nays 0--Absent 2 (Bartley, Givner).
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 "FY23 BEST PRACTICES COMPACT PROGRAM: MUNIS EMPLOYEE SELF SERVICE IMPLEMENTATION, \$29,475, 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 recommended that the order be adopted.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the grant would put the city in the position to adopt Munis software programs to improve the payroll system to allow employees to track individual time, as well as for department heads to track employee and vacation time.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--
Yeas 11--Nays 0--Absent 2 (Bartley, Givner).
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 "FY23 LIBRARY SERVICES & TECHNOLOGY ACT (LSTA) - STRENGTH IN FAMILIES, \$10,000, 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 recommended that the order be adopted.

Committee Members:

Joseph McGiverin
Kevin A Jourdain
Will Puello

Juan . Anderson-Burgos
Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the grant would allow the library to work with young parents and children to learn about the services that the library provided.

Councilor Tallman noted that they would be working with other agencies to help with health and education of children and parents, as well as a monthly training module to help kids prepare for MCAS tests. He further stated it would help enhance parental involvement in the education of their kids.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--
Yeas 11--Nays 0--Absent 2 (Bartley, Givner).

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, ONE THOUSAND AND 00/100 Dollars (\$1,000) as follows:

FROM:

15101-51203 SUBSTITUTE NURSES \$1,000

TOTAL: \$1,000

TO:

15101-51300 OVERTIME \$1,000

TOTAL: \$1,000

(Recommended by the Mayor)

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the Board of Health had a surplus in the substitute nurses account due to it not being as much as had been projected. He then stated that the overtime was needed to cover demands on the department due to continued impacts of Covid.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--
Yeas 10--Nays 0--Absent 2 (Bartley, Givner, I. Rivera).

Approved by the Mayor.

Councilor Jourdain suggested taking up 39G, along with 70 and 71 and referring them back to Finance.

President McGee stated that the Building Commissioner requested to have at least item 70 adopted in order for the department to advertise for and hire into the position.

Motion was made and seconded to suspend the necessary rules to take up items 39G and 71 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 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

(Recommended by the Mayor)

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

Committee Members:

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

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, SEVEN THOUSAND AND 00/100 Dollars (\$7,000.00) as follows:

FROM:

12401-51201	PAY PROPERTY MAINT/DEMO SUPER		\$7,000.00
		TOTAL:	\$7,000.00

TO:

12401-51101	PAY-BUILDING COMMISSIONER		\$7,000.00
		TOTAL:	\$7,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

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

Motion was made and seconded to suspend the necessary rules to take up item 70 out of order.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, FIFTY FIVE THOUSAND AND 00/100 Dollars (\$55,000.00) as follows:

FROM:

12401-51110	PAY LOCAL BUILDING INSPECTOR		\$55,000.00
		TOTAL:	\$55,000.00

TO:

12401-XXXXX	PAY-ZONING OFFICER (NEW)		\$55,000.00
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TOTAL: \$55,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor McGiverin stated that the Building Department had many challenges with filling of important positions of inspectors, particularly with regard to plumbing and electrical work. He then stated that the Commissioner, Damian Cote, proposed to redescribe the position to make a zoning code enforcement officer. He noted that the MOA for the position had been taken up earlier in the meeting. He noted that this was comparable to many other communities. He then stated that Mr. Cote believed he could fill this position quickly and have it provide more flexibility in terms of what duties he could assign in terms of enforcement.

--->Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--
Absent 2 (Bartley, Givner).
Approved by the Mayor.

The Committee on Finance to whom was referred an order that pursuant to the January 4, 2022 order, which was unanimously approved by the City Council, the HG&E appear before the Finance Committee to give an update on their progress.

The January 4, 2022 Order adopted by the City Council read as follows: "The Holyoke Gas and Electric be requested to take all necessary steps to end the gas moratorium. That they report back to the City Council by April 1, 2022 on their recommended plan of action including potential time table to bring the moratorium to an end. "

have considered the same and recommended 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 the gas moratorium was hurting businesses and homeowners, and people who wanted to transition to natural gas. He then stated that the department was adding a tank to their natural gas storage on Muller Road, with a 30% capacity increase which would help alleviate some of the issues with people looking to build new property or others who wanted to transition into natural gas.

Councilor Jourdain emphasized that people in the community were asking the Council to come up with a solution to the moratorium. He further stated that the HG&E had come up with a great solution to expand the liquid natural gas capacity and list the gas moratorium. He noted it may take a year or two to get final

state approval and get the tank constructed. He commended the team at HG&E for their efforts on this. He then stated that this would improve the economic projections for the city, improve the ability to build new homes, to provide good service, while continuing to support green initiatives to build up additional capacity, such as the transition to a heat pump at Dean Vocational. He added that the city needed to continue to support efforts at building up renewable energy where possible.

Councilor Vacon commended the HG&E for the thorough outreach did with the abutters, the people who may have the most concerns with a new large tank going into the area. She then commended the mayor, adding that this could have happened long ago with a mayor open to the use of natural gas.

Councilor Anderson-Burgos stated that he had visited the location and was impressed. He noted that propane was more dense than gas, noting that many homes had switched to propane from oil, adding that it was not a better option than gas.

Councilor Tallman noted that many people with oil had wanted to change to gas for some time but could not due to the moratorium, adding that it may open up the city to more businesses moving in. He also noted that HG&E would be holding an event at Veterans Park the following day.

Councilor I. Rivera commended HG&E for finding another way to bring gas to the community, and to support the needs of the community. He noted that he knew a business owner that was forced to buy propane tanks. He recalled that the conversation a couple years prior suggested that the only way to bring in more gas would be to dig and create larger piping to transport the gas.

Councilor Maldonado Velez stated that he had initially understood the original order as just referring something to the Finance Committee and not necessarily getting rid of the gas moratorium. He then stated that much had changed, emphasizing his understanding that propane and oil were worse for the environment than natural gas. He also noted that HG&E was working toward eventually becoming 100% renewable energy, while realizing that worse things were happening that would be mitigated by this update.

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

(3:46:10)

The Committee on Public Safety to whom was referred an order Communication from Councilor Maldonado-Velez regarding 988 number: https://namimass.org/wp-content/uploads/MAMHNAMIMassFact_988ImplementationH2081S1274.pdf have considered the same and recommended that the order has been complied with

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A McGee

UNDER DISCUSSION:

Councilor I. Rivera deferred to Councilor Maldonado Velez for an explanation.

Councilor Maldonado Velez stated that the item was a communication informing the public of the new 988 number as an alternative for people to get help with mental health crises, as opposed to armed officers showing up when it may not be the most appropriate response.

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

Motion was made and seconded to suspend the necessary rules to take up items 40B and 40C as a package.

The Committee on Public Safety to whom was referred an order That the Police Chief and Fire Chief have Baby Safe Haven signage at all manned police and fire stations and ensure effective procedures are in place to comply with Chapter 227 of the Acts of 2004. have considered the same and recommended that the order has been complied with

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A McGee

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

The Committee on Public Safety to whom was referred an order That the Police Chief, Fire Chief, and a representative of the Holyoke Medical Center be invited to appear at the Public Safety Committee to discuss and review the Baby Safe Haven law as it relates to the City of Holyoke. Please provide any statistics on how many infants have been received since the law took effect if available. have considered the same and recommended that the order has been complied with

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A McGee

UNDER DISCUSSION:

Councilor I. Rivera stated that the orders were complied with, noting that both the Fire Department and Police Department had procedures in place. He added that the Holyoke Medical Center had it in place for a while

Councilor Jourdain stated that the law was passed in 2004. He noted that the Fire Department and Holyoke Medical Center had their signage for a while, adding that the Police Department added theirs recently as well as developing a whole policy and coding for tracking, He stated that the Police Department noted that there was one situation related to this in ten years. He then stated that since the law was passed, the word was being put out so that people would know that they can bring newborns to these locations. He further emphasized that this was not about judging anyone but about assuring that babies are safe and are able to be provided new homes.

Councilor Vacon stated that it was a good thing that the information is kept out in the public. She also stated that it was good to have 3 sites in the community that people could feel comfortable bringing babies to.

Councilor I. Rivera asked if Holyoke Health Center would be under the same requirement.

Councilor Jourdain suggested that HHC was classified as a clinic as opposed to a hospital.
---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that the public safety committee meet with representatives from ROCA to discuss the benefits of the program both to the participants and the city, and to see if there are other things that ROCA and the city might partner to do. have considered the same and recommended that the order has been complied with

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A McGee

UNDER DISCUSSION:

Councilor I. Rivera stated that the order was filed to give them the change to come in to explain what they do, the populations they serve, and the goals for the community. He then stated that it was about finding prevention, and programs for those that would not have access to services they may not get otherwise. He stated that it was about getting them acclimated back into the community. He emphasized the value, filling gaps in places where there were needs. He noted they were helping with trash at many parks. He suggested that the city could identify more use for them in the community. He noted that it was hard for the city to hire people what they may want to make. He suggested that those coming out of high school and those coming out of prison were two avenues of workforce that the city could look to.

Councilor McGiverin noted that the court system works with Roca a lot, often making it a condition of somebody's release. He then stated that Roca was a down to Earth program, often providing an understanding of what it means for someone to try to correct past mistakes and do the right thing with their life. He emphasized that everyone benefits when they can be paid to do work that needed to be done in the city.

Councilor Tallman observed that he had taken the opportunity to visit with people at the program, learning about the benefits to people coming out of prison and finding ways to turn their life around. He also agreed with the idea that the city should find more ways that they can utilize the program, not only helping them transform their lives but helping the city.

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

The Committee on Public Safety to whom was referred an order that traffic flow on Kane and Vermont Street be evaluated to reduce congestion during pick up and drop off times at McMahan School and b) that buses be routed from Homestead Ave rather than Vermont Street and c) consider the number of

buses needed as it appears fewer students are using the bus service.
have considered the same and recommended that the order has been complied with

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A McGee

UNDER DISCUSSION:

Councilor I. Rivera stated that the School Superintendent planned to work with the bus provider to find ways to address the traffic concerns.

Councilor Vacon stated that the school had changed their start and dismissal time. She added that in recently observing traffic before and after school, she found that the traffic issues appeared to have improved. She also stated that she had received no complaints since the school hours had changed.
---> Report of Committee received and recommendation Adopted.

President McGee stated that there were no reports from the Public Service Committee, Development and Governmental Relations Committee, or the Charter and Rules Committee.

MOTIONS, ORDERS, AND RESOLUTIONS

(3:59:20)

MALDONADO-VELEZ, ANDERSON-BURGOS, GIVNER -- Ordered, that the Superintendent provide feedback on how the department is handling reports of teachers using the "N word" in front of students. Refer to Joint CC and SC Committee
--->Received and referred to the Joint Committee of the City Council and School Committee.

MALDONADO-VELEZ -- Ordered, that the city provide an update on any antiracism and diversity training already in place for employees, and update on how it can be improved. Refer to Personnel, Public Safety, and Joint SC and CC Committee
--->Received and referred to the Public Safety Committee and the Joint Committee of the City Council and School Committee. Copy to Personnel.

MALDONADO-VELEZ -- Ordered, that a fund be created to implement a series of studies rotating between city departments each year to study best practices and methods of implementation for improvement of processes. Our city should constantly be seeking to improve how the public is served and that requires regularly looking at internal processes. Refer to Charter and Rules, Ordinance
--->Received and referred to the Charter and Rules Committee. Copy to the Ordinance Committee.

MCGEE, ANDERSON-BURGOS -- Order that the DPW install a crosswalk area and signal on 141 at the entrance to the reservoir.
--->Received and Adopted. Copy to DPW, Public Safety Committee.

MCGEE -- To explore creating a zoning and code enforcement position in the building department.
--->Received and referred to the Ordinance Committee.

MCGEE -- Order that DPW patch up the potholes on Lincoln Street as soon as possible.
---> and Adopted. Copy to DPW.

MCGEE, Jourdain -- Order that DPW place Lincoln Street on the resurfacing list of street to get done.

Councilor Jourdain asked to be added to the order.
--->Received and Adopted. Copy to DPW.

MCGEE, TALLMAN -- that the City Council adopt the attached resolution "Back from the Brink"
--->Received and referred to the Public Service Committee.

MCGEE -- Order that the DPW/forestry trim the tree on Jefferson near 3 George Street and review to see if the tree has to be taken down.
--->Received and Adopted. Copy to DPW.

MCGEE -- Order that the DPW/forestry trim the branches along Hampton knolls that are over hanging the street
--->Received and Adopted. Copy to DPW.

MCGEE -- Order that DPW put in the temporary speed bumps on Hampton knolls.

President McGee asked if a copy should go to Ordinance.

Councilor Vacon expressed her understanding of the process was that if neighbors wanted speed humps, they should be filing a petition. She added that as part of the evaluation, the temporary speed humps would be used to see if they had the desired effect.

President McGee stated that there was a neighborhood meeting where the residents expressed that they wanted to see how they felt about them.

Councilor Vacon suggested that they could get in the queue, noting the DPW had others who had gone through the process. She reiterated that it was usually a part of evaluating a petition.
--->Received and Adopted. Copy to DPW.

MCGEE -- Order that the DPW repair the broken swings and equipment at all the parks in the city. Also, that new wood chips be places in the parks. Several parks in the city have broken parts that are a danger to the children and a liability to the city.

Councilor Jourdain suggested that Parks & Rec be copied.

President McGee stated that DPW was the department that did the repairs.

Councilor Jourdain suggested that Parks usually applied for grants for new playground equipment.

Councilor I. Rivera asked which park.

Councilor Jourdain stated that it was all the parks.

Councilor I. Rivera suggested included Parks & Rec, noting that they were often the first department to get complaints about broken equipment. He also stated that they do apply for grants but would often be under CDBG if they qualify. He added that they wouldn't have the say on what gets done.

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

MCGEE -- That Department heads be given the authority to hire Schedule A positions above mid-range up to no more than max without needing further approval from CC due to special circumstances.

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

MCGEE -- That the City Solicitor be given the authority to hire a paralegal above mid range up to no more than max without needing further approval from CC due to special circumstances.

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

Motion was made and seconded to suspend the necessary rules to take up items 61 and 62 as a package.

MCGEE -- That the Polling Places for each of the voting precincts in the City of Holyoke for the State Election to be held Tuesday, Nov.8, 2022 be and the same are hereby designated as follows:

ORDENA, que los lugares para cada recinto en la Ciudad de Holyoke para la Eleccion Estatal que se llevaran a cabo el Martes, 8 de Noviembre 2022, sea y al igual, por este medio designado lo siguiente:

WARD ONE BARRIO UNO

PRECINCT A – Rosary Towers Recreation Room 21 Bowers St..

RECINTO A—Rosary Towers Recreation Room 21 de la Calle Bowers

PRECINCT B—City Hall (Basement) 536 Dwight St.

RECINTO B—City Hall (Basement) 536 de la Calle Dwight

WARD TWO BARRIO DOS

PRECINCT A—Morgan School Gym, South Bridge St. Entrance only

RECINTO A—Gimnasio de la Escuela Morgan, en la Calle So. Bridge solamente

PRECINCT B – Falcetti Towers, 475 Maple St.

RECINTO B – Falcetti Towers, 475 de la Calle Maple

WARD THREE BARRIO TRES

PRECINCT A&B – Metcalf School Gym, 2019 Northampton St..

RECINTO A&B – Gimnasio de la Escuela Metcalf, 2019 de la Calle Northampton

WARD FOUR BARRIOS CUATRO

PRECINCT A & B – St. Paul's Church Parish Center, Appleton St.

RECINTO A&B – St. Paul's Church Parish Center, en la Calle Appleton

WARD FIVE BARRIOS CINCO

PRECINCT A – Lt. Elmer J. McMahon School Gym, Kane Rd.

RECINTO A—Gimnasio de la Escuela McMahon, en la Calle Kane

PRECINCT B – Maurice A. Donahue School Gym, Whiting Farms Rd.

RECINTO B—Gimnasio de la Escuela Donahue, en la Calle Whiting Farms

WARD SIX BARRIO SEIS

PRECINCT A&B –Sullivan School, 400 Jarvis Ave.

RECINTO A&B – Escuela Sullivan, 400 de la calle Jarvis
WARD SEVEN BARRIO SIETE
PRECINCT A&B - E. N. White School Gym, 1 Jefferson St.
PRECINTO A&B– Gimnasio de la Escuela E. N. White, 1 de la Calle Jefferson
--->Received and Adopted.

MCGEE -- That the State Election in the City of Holyoke for the choice of State Officers be and the same is hereby called to be held on Tuesday, November 8, 2022, in the several polling places designated by the City Council.

The polls will be opened at 7:00AM, and remain open continuously thereafter until 8:00PM, when the polls will be closed, and all the voters will in the several precincts in which they are entitled to vote, between said hours, give in their votes for:

Que las Elecciones Estatales para la nominacion de candidatos del Partido Politico para las oficinas que seran ocupadas en la Eleccion del Estado en el ano 2018, sea y illos de por este medio llamado a que lleve a cabo en la Ciudad de Holyoke el Martes, 6 de Noviembre, 2018, en los varios lugares de votacion, como designado por el concejo municipal. Las urnas seran abiertas a las 7:00AM, y permaneceran abiertas continuamente de alli en adelante hasta las 8:00PM cuanda las urnas sean cerrada, y todas los votantes de los partidos politico en los varios lugares de votacion en el cual ellos tienen derecho a votar, entredicha horas ceder sus votos para la nominacion de candidatos del partido politico para las siguientes oficinas:

Governor & Lt. Governor - Gobernador y Vice Gobernador

Attorney General - Fiscal General

Secretary of State - Secretario de Estado

Treasurer - Tesorero

Auditor - Auditor

Representative in Congress – Representante en el Congreso

Councillor - Concejal

Senator in General Court – Senador de la Legislatura Estatal

Representative in General Court – Representante de la Legislatura Estatal

District Attorney - Fiscal de Distrito

Register of Deeds - Jefe del Registro de Escrituras Publicas

Question #1 - Pregunta #1

Question #2 - Pregunta #2

Question #3 - Pregunta #3

Question #4 - Pregunta #4

Councilor Jourdain asked if Prospect Heights would be used again for a polling place.

City Clerk Murphy McGee stated that they could look into it for the next election.

Councilor Jourdain stated that many of the residents preferred going to Prospect Heights over voting at City Hall.

--->Received and Adopted.

Motion was made and seconded to suspend the necessary rules to take up items 63, 68, 69, 72, and 73 as a package.

MCGIVERIN -- 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- 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	

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- that the amount of NINE THOUSAND SEVEN HUNDRED FIVE AND 00/100 Dollars (\$9,705.00) be authorized from the IT Department's PROFESSIONAL CONSULTING (11552-53010), TWENTY THOUSAND FOUR HUNDRED FIFTY SEVEN AND 00/100 Dollars (\$) be authorized from the POLICE/FIRE NETWORK ADMINISTRATION (11552-53020) appropriation in fiscal year 2023 for services rendered in fiscal year 2022 which were unencumbered at the 2022 fiscal year end.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

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

Motion was made and seconded to suspend the necessary rules to take up items 64 through 67 as a package.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY THREE THOUSAND SIX HUNDRED SEVENTY EIGHT AND 36/100 Dollars (\$23,678.36) as follows:

FROM:

12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	10,085.70
12101-51107	PATROLMAN	9,709.44
	TOTAL:	\$23,678.36

TO:

12101-51180	INJURED ON DUTY	\$23,678.36
	TOTAL:	\$23,678.36

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 2 (Maldonado Velez, I. Rivera)--Absent 2 (Bartley, Givner).
Approved by the Mayor.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY ONE THOUSAND FIVE HUNDRED FORTY SIX AND 53/100 Dollars (\$21,546.53) as follows:

FROM:

12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	6,723.80

12101-51107	PATROLMEN	10,939.51
	TOTAL:	\$21,546.53
TO:		
12101-51180	INJURED ON DUTY	\$21,546.53
	TOTAL:	\$21,546.53

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 2 (Maldonado Velez, I. Rivera)--Absent 2 (Bartley, Givner).
Approved by the Mayor.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, EIGHT HUNDRED FORTY THREE AND 64/100 Dollars (\$843.64) as follows:

FROM:		
12201-51105	FIREFIGHTERS	\$843.64
	TOTAL:	\$843.64
TO:		
12201-51180	INJURED ON DUTY	\$843.64
	TOTAL:	\$843.64

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 2 (Maldonado Velez, I. Rivera)--Absent 2 (Bartley, Givner).
Approved by the Mayor.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE THOUSAND NINE HUNDRED EIGHTY EIGHTY AND 62/100 Dollars (\$1,988.62) as follows:

FROM:		
12201-51105	FIREFIGHTERS	\$1,988.62
	TOTAL:	\$1,988.62
TO:		
12201-51180	INJURED ON DUTY	\$1,988.62
	TOTAL:	\$1,988.62

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, October 4, 2022.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President McGee that 66 and 67 were for the Fire Department and that 64 and 65 were for the Police Department. He then stated that 64 was for 9 people, 65 was for 8 people, 66 was for 1 person, and 67 was for 2 people.

Councilor McGiverin stated that transfers were for public safety officials who were hurt on duty. He further noted that it was temporary for many of the employees. He then stated that there were many that evening due to there not being a full City Council meeting for several weeks and they were catching up with the accounting.

Councilor Jourdain asked if a report was given on who is out and what happened, as well as why some are long term. He questioned if there should be alternatives for those who are out for long periods, sometimes for years. He suggested that while a process was being developed, there should be a report on the background.

Councilor McGiverin stated that the Chiefs are sometimes brought in to talk about that, in general terms, noting the care required in discussing such matters. He then emphasized that each claim had to be screened by Meditrol. He added that employees injured long term are often encouraged to seek other roles or get onto long term disability benefits. He then emphasized that the transfer was about accounting when someone is not able to assume their duties and that the employees would be paid either way whether out of the regular salary lines or these ones.

Councilor Jourdain expressed his understanding of the value of this type of accounting, adding that it would be helpful if there were more details of the situations even if names were left out. He suggested that such reporting could come in on a quarterly or twice a year basis.

Councilor I. Rivera asked how the payment structure was with injured on duty versus regular salary. He then expressed his understanding that they were not taxed.

President McGee stated that was correct.

Councilor I. Rivera suggested that not being taxed could be an incentive to be on injured on duty.

President McGee suggested asking the Auditor to come in.

Councilor McGiverin emphasized that the employees are screened and must document the injury.
---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 2
(Maldonado Velez, I. Rivera)--Absent 2 (Bartley, Givner).
Approved by the Mayor.

MURPHY-ROMBOLETTI -- That the Honorable City Council, in accordance with M.G.L. ch. 30B and the Holyoke Procurement Ordinance, vote that the City of Holyoke accept the proposal and sell the surplus properties at 297, 301 & 303 Elm Street for \$25,800.00 to Carrie and Arthur Naatz. The properties are contiguous parcels of vacant land on Elm Street at the corner of Sargeant Street and described by Assessor's records as:

297 Elm Street (Assessors Map 004, Block 04, Parcel 005)

Approximately 6,360 square feet in size

Zoned Downtown Residential (DR)

Assessed value is \$34,700.

301 Elm Street (Assessors Map 004, Block 04, Parcel 006)

Approximately 6,316 square feet in size

Zoned Downtown Residential (DR)

Assessed value is \$34,700

303 Elm Street (Assessors Map 004, Block 04, Parcel 007)

Approximately 8,276 square feet in size.

Zoned Downtown Residential (DR)

Assessed value is \$35,000.

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

MURPHY-ROMBOLETTI -- That the City of Holyoke, through its Honorable City Council and Honorable Mayor, hereby petitions the Massachusetts General Court to enact legislation "Establishing an Appointed Treasurer for the City of Holyoke" in the form set forth below; provided, however, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

"An Act Establishing an Appointed Treasurer for the City of Holyoke" - This act proposes to change the City Treasurer from an elected position to an appointed one; the appointment will be made by the Mayor, with approval of the City Council, for a term not to exceed five (5) years and qualifications for the position may be established by ordinance. If adopted, the Treasurer elected in the 2023 municipal election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated.

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

MURPHY-ROMBOLETTI -- Ordered that the City examine and study the Schedule A increases that were recommended by the salary study completed in 2014, so that we can implement salary adjustments that are competitive and more aligned with neighboring municipalities in order to retract and retain City employees.

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

MURPHY-ROMBOLETTI -- Ordered that the Committee on Development and Government Relations invite representatives from the Worcester Red Sox to learn more about its "Town Takeover" initiative in the 2023 season.

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

RIVERA_J -- That a handicap sign be placed in front of 16 East Court, for Hector Reyes, placard #PL1430356.

--->Received and referred to the Ordinance Committee. Copy to Disabilities Commission.

RIVERA_J -- That a handicap sign be placed in front of 8 West Court for Maria Malave.

--->Received and referred to the Ordinance Committee. Copy to Disabilities Commission.

Motion was made and seconded to suspend the necessary rules to take up items 80 and Late File D as a package.

RIVERA_J -- Order that we make Samosett Street a one way heading east
--->Received and referred to the Ordinance Committee. Copy to City Engineer, DPW.

RIVERA_I -- Order that the city engineer & DPW explore converting Samosett St. into a one way, bus lines for Kelly school be painted, and that parking be for one side of the street being that other is comprised of driveways.
--->Received and referred to the Ordinance Committee. Copy to City Engineer, DPW.

RIVERA_J, MALDONADO-VELEZ -- Order that we install raised crosswalks, or other calming measures, on Main Street between Hamilton Street & Sargeant Street and Cabot Street & Spring Street. Refer to Public Safety.
--->Received and referred to the Public Safety Committee.

VACON, JOURDAIN, MCGIVERIN -- amend ordinances to include that the Police and Fire Chief contractual salaries are subject to appropriation.
--->Received and referred to the Ordinance Committee.

VACON -- that the crosswalk at McMahan school be painted and branches trimmed away from the flashing light, as well as any remaining unpainted crosswalks and lines in streets in Ward 5 be painted ASAP as this is a safety hazard.
--->Received and Adopted. Copy to DPW.

VACON -- that our City Engineer evaluate and determine the installation of a crosswalk. The crossing guard stands on the corner of Kane Road and Knollwood Circle. This is a request from school staff and our School Committee member.
--->Received and referred to the Public Safety Committee. Copy to City Engineer.

VACON -- that "No Engine Brakes" signs be placed on Lower Westfield road near #72 AND on Rt 202 near Sunset Rd. (traveling toward Homestead Ave).
--->Received and Adopted.

VACON -- That the speed feedback trailer be placed on Apremont Hwy near #154 to let drivers see their speed when traveling down the hill.
--->Received and Adopted. Copy to HPD.

ANDERSON-BURGOS -- Order that the handicap parking located at 29 Belvidere Ave be removed. Per constituent request.

Councilor Anderson-Burgos asked if it could be adopted right away.

President McGee stated that there still needed to be measurements provided.

Councilor McGiverin stated that if there was a real need, the DPW could be asked to remove the sign if there was confidence that it would be passed.
--->Received and referred to the Ordinance Committee.

ANDERSON-BURGOS -- That the DPW repaint the 3 stop markers located at the intersection of Hillside Ave and Claremont Ave.

--->Received and Adopted. Copy to DPW.

Councilor Vacon noted that on requests for painting, there was a contract bid to compare pricing before the work could be done.

BARTLEY, GIVNER, JOURDAIN, RIVERA_I, Tallman -- The Mayor please fund the concrete removal and rebuild of the pad site for the South St. PVTA bus shelter near Sav-a-Lot. Per PVTA's engineer, the estimated City cost should be \$2,000.00

Councilor McGiverin stated that an ordinance needed to be adopted for that bus stop location, noting that it had been in the shopping plaza until PVTA moved it.

Councilor Tallman asked to be added to the order. He then stated that the PVTA had the materials and just needed the pad installed. He added that they were trying to find ways to block it so it cannot be hit. He also stated that the Engineer had put out some bids to get the work done.

--->Received and Adopted. Copy to the Mayor.

BARTLEY, JOURDAIN, MCGEE, TALLMAN -- The city engineer please recommend on-street parking improvements on the north-side of South St. between 485 South St. (Elmwood Towers) and Russell Terrace and the south-side of South St. from Taino's Restaurant to the old fire station. (Order is suggested by local business owners.) Refer to Public Safety and Mayor.

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

BARTLEY, JOURDAIN, MCGEE TALLMAN -- That a Proclamation be bestowed upon the Jericho Bureau for Exceptional Children and Adults commemorating its 50th Anniversary of serving the Greater Holyoke community with love, patience and understanding.

--->Received and Adopted.

BARTLEY, VACON -- Request a communication from the Planning Board and/or the Law Dept. documenting legal fees incurred by the City of Holyoke as a result of the actions and votes pertaining to Dunkin Donuts/Log Cabin (and any other petitioners) of the Planning Board. Please respond within 30 days and please update the council every quarter. Refer to Planning, Legal and City Auditor.

--->Received and Adopted. Copy to the Law Dept and the City Auditor.

GIVNER, Tallman -- with special support from our blind residents and advocates, Order that a light signal with crossing sounds be installed at location of existing cross to Stop n Shop on Hampden St at Clinton Ave.

-Request to City Engineer, DPW, and copy to Public Safety

Councilor Tallman asked to be added to the order. He then noted that there was a blind resident in the area that would benefit from the sound being added.

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

GIVNER -- Order that Zoning Ordinance 4.4.6 "Location of Accessory Structures" be updated to align with zoning in our neighboring municipalities in an effort to allow more flexibility on residential lots. -Send to

Ordinance and request Building Commissioner study be shared with all City Council members.
--->Received and referred to the Ordinance Committee.

GIVNER -- Order that crosswalks be repainted across Main Street at Hamilton st, along with added signs reflecting state law that requires cars to stop for pedestrians in crosswalks. - Request to DPW and copy to Public Safety
--->Received and Adopted. Copy to DPW, Public Safety Committee.

GIVNER -- Order that the signals division of the fire department implement a light delay at Hamden & Linden streets to help avoid incidents. -Request to the Fire Department and copy to Public Safety
--->Received and referred to the Public Safety Committee. Copy to HFD.

GIVNER, ANDERSON-BURGOS, Puello -- Collaborative order to create "don't block the box" Painting and signage to accommodate traffic flow on Beach St at CVS entrance/exit. -Request to DPW and copy to Public Safety

President McGee asked if it required an ordinance to get it done.

Councilor Jourdain stated that it would not if it was just repainting.

Councilor Vacon stated the ones on Homestead were not in the ordinances.

Councilor Jourdain suggested that it would have to be in ordinances to charge a fine.

Councilor McGiverin stated that the Police Department would have to see it in the ordinances.

Councilor Puello asked to be added to the order.
--->Received and referred to the Ordinance Committee. Copy to City Engineer.

GIVNER -- Order that the "no parking" sign be removed on one side of the curve at O'Connor Ave bend to add parking while keeping the corner safe and passable for service and emergency vehicles. -Request to DPW and copy to Public Safety
--->Received and referred to the Ordinance Committee. Copy to DPW.

GIVNER, Maldonado Velez -- Order to install city-wide signage reflecting state law that requires cars to stop for pedestrians in crosswalks. -Request to DPW and copy to Public Safety

Councilor Maldonado Velez asked to be added to the order.
--->Received and referred to the Public Safety Committee. Copy to DPW.

GIVNER, MALDONADO-VELEZ -- Ordered, that a no parking sign be placed in front of 5 Whiting Avenue at the request of the residents.
--->Received and referred to the Ordinance Committee. Copy to DPW.

JOURDAIN, BARTLEY, VACON, Tallman, McGee, McGiverin -- Ordered, that the City Council adopt a Resolution of strong support of the Holyoke Police Department. As Councilors, we appreciate the difficult and often dangerous job they have to serve and protect the people and property of Holyoke. We believe this Resolution of strong support and solidarity also reflects the strong support and appreciation shared by the vast majority of our residents.

Councilor Tallman asked to be added to the order.

President McGee asked to be added to the order.

Councilor I. Rivera made a motion to amend the order to add teachers and City Hall employees.

Councilor Jourdain stated that while he agreed with the sentiment, he would prefer those to be under a different order. He stated that this order about supporting the Holyoke Police Department.

Councilor I. Rivera stated that his intent was about giving people a fair shake.

Councilor McGiverin asked to be added to the order.

--->Received and Adopted.

JOURDAIN, MCGIVERIN, Tallman -- Ordered, that the Treasurer and Flynn Financial please appear before the Finance Committee to discuss how our Stabilization Funds are being invested. The City Council would also like to receive quarterly financial statements on these investments going forward. In advance of the meeting, please provide us the financial statements for the period July 1, 2019-June 30, 2022 so we can be prepared for the meeting and our discussion. Please also provide us any applicable regulations or rules from the state related to how Stabilization funds may be invested.

Councilor Tallman asked to be added to the order.

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

LATE FILED ORDERS AND COMMUNICATIONS

Decision and order on Mr. Puello-Mota's Motion for Preliminary Injunction

Councilor Vacon raised a point of order. She asked how an action could be taken on behalf of the City Council when the City Council had not received any legal advice.

President McGee stated that they would try to get that answered in executive session.

Councilor Vacon stated that she had not heard about holding an executive session

President McGee stated that they would try to have one before meeting but that they needed to wait for this decision. He suggested it could be scheduled for before the next meeting.

Councilor Jourdain asked if that was the plan.

Councilor Vacon asked if that was in two weeks.

President McGee stated that it could be anytime the Council wanted it, and that it would normally be at 6 before a full City Council meeting.

Councilor Jourdain stated they needed to understand the right forum to discuss the decision.
--->Received.

MCGIVERIN -- Ordered, 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		

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

RIVERA_I -- Order that city engineer & DPW repaint or find a way to create a more visible lining or signage for the walkway directly in front of 334 Elm St. There is day care as well after school programming run by the Boys & Girls club. Parents, residents and employees have been reaching out requesting something be done.

Motion was made and seconded to suspend the necessary rules to take final action.
--->Received and Adopted. Copy to City Engineer, DPW.

VACON -- Ordered, that we seek authorization from the Cannabis Commission to have local inspections of large cultivation facilities completed by our local Board of Health to ensure compliance with health & safety regulations for workers. This is filed upon learning (today 10/3/22) of the death of a person working for Trulieve.

Councilor Vacon stated that she had just learned the day before about a death at Trulieve. She suggested that there should be local input into the safety conditions at the establishments.
--->Received and referred to the Ordinance Committee.

Councilor I. Rivera expressed frustration that some things are not referred to the Public Safety Committee..

Councilor Tallman stated that orders can be referred to any committee.

F. MCGEE -- Ordered that the City Council receive and adopt the HG & E Resolution in supporting the install of the 5th tank.
---> Received and referred to the Public Service Committee.

Adjourned at 11:45 PM