

## **REGULAR MEETING OF THE CITY COUNCIL**

**December 6, 2022**

The meeting was called to order by President McGee at 7:00 PM

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

The Pledge of Allegiance was recited.

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

President McGee said hello to Myles, Molly, and Mac. He then asked for a moment of silence in honor of two people that had recently passed. He then stated that Atty Harold Brunault who was a former city solicitor for 13 years, was a great family man, an asset to the city, and a friend to the Council. He then stated that a family member, Roger Reidy, Sr, had lived 96 glorious years. He added that Mr. Reidy had carried ice buckets at the age of 12 to help take care of his family. He further stated that Mr. Reidy had started Reidy Oil, was a true family man and Holyoker. He then recalled a story about Mr. Reidy that he worked long hours and was urged by his doctor to get his stress levels down by smoking cigars and have a high ball. He added that Mr. Reidy later stopped smoking cigars but continued to love drinking Old Grand Dad whiskey. He then offered his salute to "papa," and expressed that he would miss him. He finished by offering a quote on behalf of the family:  
"The party may be over in this lifetime, Daddy, but it's only beginning in Heaven with your bride."

A moment of silence was observed for Mr. Brunault and Mr. Reidy.

Councilor Jourdain noted that Mr. Brunault's father, Ernie, had been a past president of the Board of Alderman. He added that these were the losses of two tremendous people.

### **LAI D ON THE TABLE**

The Committee on Ordinance to whom was referred an order that following the adoption of a resolution in support of the district, that the Ordinance Committee work with the mayor and the appropriate city and state departments to adopt an ordinance creating a Puerto Rican Cultural District within the City of Holyoke. Recommended that the order be adopted.

President McGee asked if they were still waiting on item 1.

Councilor Maldonado Velez asked who they were waiting for, noting that it had been laid on the table for a while.

Councilor Vacon stated they were waiting on Planning.

President McGee noted that it had first been the state and now was Planning.

Councilor Maldonado Velez asked if an update from Planning could be requested, emphasizing that it had been a few months.

President McGee reiterated that they had been waiting on the state, and then Planning was supposed to follow up once that was done. He stated that they could follow up with Planning to get confirmation.

---> Laid on the table.

Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the "HOLYOKE SCHOOL DEPARTMENT, \$1,066,548, ANONYMOUS DONATION" 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 donation.

Councilor McGiverin stated that a copy was forwarded to the Law Department for a legal opinion. He then stated that any gifts the city receives needed approval of the legislative body. He added that the School Department position was that with that department under receivership of the state, they did not need permission of the City Council to accept the gift. He asked if the Law Department had an update.

Atty Degnan stated that there was not yet an update.

---> Laid on the table.

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2022 PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP (BVP), \$26,400, 50% 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.

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

Councilor McGiverin stated that this had been adopted at the last meeting.

President McGee asked if there was something missing.

Admin Asst Anderson-Burgos conveyed to President McGee that following the meeting, the committee report for the item was not with the rest of the meeting's documents for recording the final vote and that the item had been placed on this agenda out of caution.

Councilor McGiverin stated that the meeting was recorded, and the vote was taken. He added that another vote could not be taken.

Councilor Jourdain suggested playing the recording of the previous meeting.

President McGee stated that they could refer to the minutes.

Motion was made and seconded to suspend the necessary rules to take up items 4 and 39 as a package.

The Committee on Finance to whom was referred an order Design Feasibility Appropriation to comply with Mass. School Building Authority (MSBA) invitation into the Accelerated Repair Program (ARP) to specify and establish scope of work required to replace windows and exterior doors at McMahan, Donahue and Lawrence Schools and boilers at Dean. Budgeted Design Feasibility total appropriation of \$275,000 @ 80% reimbursement. Net cost to City approx. \$55,000."

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

---> Laid on the table.

MCGIVERIN -- That the City appropriate the amount of Two Hundred Seventy-Five Thousand Dollars (\$275,000) for the purpose of paying costs of the Schematic Design Study at the H.B. Lawrence School for a potential window and door replacement project, at the Lt. Elmer J. McMahan Elementary School for a potential window and door replacement project, at the Maurice A. Donahue Elementary School for a potential partial window and door replacement project and at the William J. Dean Vocational Technical High School for a potential boiler replacement project, (The invitation for the partial window and door replacement project at the Maurice A. Donahue Elementary School is limited to the window section from the original 1973 building.) including the payment of all costs incidental or related thereto, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of School Committee. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the City and the MSBA.

FURTHER ORDERED: That the Mayor is authorized to contract for and expend any state aid available for the project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

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

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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 6, 2022.

Joshua A Garcia, Mayor

**UNDER DISCUSSION:**

Councilor McGiverin stated that the MSBA invited the city to participate in an ARP program to accelerate repairs for the schools as reported with the proposal from Whitney Anderson, HPS Maintenance Administrator, and School Receiver Anthony Soto. He further stated that the mayor was proposing a bond to allow the design phase to go forward, adding that it was not his intention to borrow money for it but to use ARPA or funding sources, possibly including for the actual construction phase. He then stated that they were not ready yet and would likely need to be held onto until mid-January to be more clear on what funding they would be voting on.

---> Laid on the table.

**PUBLIC COMMENT**

(10:50)

John Rivera, 125 Cabot Street, Apt 4, expressed opposition to item 22K, adding that he was seeking more explanation of the Planning Department's plan. He suggested that the cannabis funds could be used elsewhere, such as for more trash cans in the city that were desperately needed to address litter around the city. He then noted that there would be a meeting with the Public Safety Committee on December 12th at 6:30 p.m. to discuss issues with the crises tenants were going through nationally and locally. He emphasized that Ward 1 was 90% tenants. He then noted that the issues were similar to issues at Springfield Gardens which was highlights on the news that evening.

**COMMUNICATIONS**

(12:40)

Motion was made and seconded to suspend the necessary rules to take up item 5, 22M, and 22O as a package.

Settlement Agreement by and Between The City of Holyoke and the UPSEU Holyoke Public Works Supervisors, Local 424, Unit MADIVIII.

---> Received.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, THREE THOUSAND SIX HUNDRED FIFTY SEVEN AND 00/100 Dollars (\$3,657.00) as follows:

FROM:

60401-51999 SEWER-RETIREMENT & BENEFITS \$3,657.00

TOTAL: \$3,657.00

TO:

60401-51105 PRINCIPAL CLERK/STENOGRAPHER \$3,657.00  
TOTAL:\$3,657.00

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 12--Nays 0--Absent 1 (Rivera\_J).  
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, TWELVE THOUSAND FIVE HUNDRED TWENTY NINE AND 00/100 Dollars (\$12,529.00) as follows:

FROM:

14211-51103 OFFICE MANAGER \$12,529.00  
TOTAL:\$12,529.00

TO:

14211-51106 SUPERINTENDENT OUTDOOR WORK \$2,088.00  
14251-51101 FOREMAN/HIGHWAY & BRIDGES 2,088.00  
14261-51101 FOREMAN/AUTOMOTIVE 2,088.00  
14301-51101 FOREMAN/REFUSE & RECYCLING 2,088.00  
12941-51101 FORESTER 2,089.00  
14301-51106 WASTE/RECYCLING COORDINATOR 2,088.00  
TOTAL:\$12,529.00

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 Council does not vote on MOA's but it was important to have a copy before discussing appropriations whether by transfer or within the budget. He then stated that the transfers would cover salary increases on \$1 in the current first year, \$1 for the following year, and 2% the third year. He added that the total impact on the budget would be \$22,113 for each of the first two years. He then explained that the surpluses were due to the current Acting Director working out of grade. He then stated that a majority of the transfers were receiving the \$2,088 annual increases, with the

exception of the Principal Clerk/Stenographer who was responsible for interaction and reconciling of books with the sewer waste treatment plant, with those funds coming from the retirement benefits within that budget. He emphasized that these employees were well deserving of a long overdue raise.

Councilor Jourdain stated that these workers had not received the types of cost of living adjustments and increases necessary for their positions. He expressed strong support, noting that the DPW had done tremendous work while being woefully underpaid. He added that it was a great investment in the city's people.

Councilor Tallman stated that the raises were well deserved, adding that the department's workers had done a bulk of the work of the city. He further stated that he often takes an opportunity to thank them when he sees them around the city.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 12--Nays 0--Absent 1 (Rivera\_J).

Approved by the Mayor.

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Ass't. to City Council minutes of November 1 & November 15, 2022.

---> Received and Adopted.

From Damian J. Cote, Building Commissioner, letter regarding: Building Department 10 Year Overview and Impact report.

---> Received.

From Holyoke Gas & Electric, James Lavelle, General Manager, letter regarding: Energy Update Winter 2022-2023.

Councilor Jourdain stated that he had requested this after hearing from constituents about increasing cost of living. He emphasized that inflation costs had been a real issue for a lot of people. He added that it was important for constituents to be given a sense of where things were going for the winter. He noted there were two concerns, one of araciality of energy of which there was no issue, and the second was of cost, which was going out. He then stated that the report forecasted a 10% increase in electricity costs and a 30% increase in natural gas. He emphasized that it would hit Holyoke families hard. He then commended the HG&E for their efforts to work with people to develop budget plans and find ways to make sure families stay warm without going into debt. He further stated that HG&E encouraged people to call them if they were struggling and they would be available to make arrangement. He suggested people could qualify for fuel assistance and other programs.

---> Received.

Motion was made and seconded to suspend the necessary rules to take up items 9 and 10 as a package.

City of Holyoke Grant Completion form for MassTrails Grant.

---> Received.

City of Holyoke Grant Completion Form, for Commonwealth Places Grant, MassDevelopment.

Councilor Bartley stated that he appreciated the reports and the compliance with city ordinance, adding that he liked the layout and the summaries. He then expressed a hope that more city departments would begin complying with the ordinances. He further stated that while they were easy to understand, he would prefer a little more explanation and more timely reporting, noting they had been from June. He then asked the Administrative Assistant to send out a reminder other grant awardees.

Councilor McGiverin suggested referring copies in the future to the Finance Committee for archiving.

Councilor Rivera\_I thanked Councilor Bartley for bringing up the topic. He then asked to clarify that these were a requirement for anyone receiving grants.

President McGee confirmed that was accurate.

---> Received.

Feasibility Study for the City of Holyoke Main Street-Springdale Corridor project.

Councilor Bartley stated that he thought this had been received already.

Councilor Jourdain asked if there was a pdf copy in the attachments.

President McGee stated there should have been one.

---> Received.

Whiting Street Reservoir Committee Study Report.

Councilor Bartley expressed a hope to discuss this in the DGR committee with some of the committee members. He noted that the ordinance was initially proposed a couple years earlier by former councilor, Mike Sullivan, himself, and a couple others. He recalled that there had been robust discussion to make this happen. He further stated that report was the result of a lot of work that the committee's members put forth.

President McGee, repeating from the Administrative Assistant, stated that the public could find a copy of the report on the Boards and Commissions section of the website.

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

Motion was made and seconded to suspend the necessary rules to take up items 13 through 15 as a package.

From Holyoke Parks & Recreation Department minutes of September 20, 2022.

---> Received.

From Board of Fire Commission minutes of October 20, 2022.

---> Received.

From Holyoke Redevelopment Authority minutes of October 26, 2022.

---> Received.

## **PETITIONS**

(25:15)

Motion was made and seconded to suspend the necessary rules to take up items 16 and 17 as a package.

Petition of Evergreen Industries LLC, new special permit for a Marijuana Manufacturing Establishment at 1 Cabot St.

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

Petition of Infused Element for a new special permit for a Marijuana Manufacturing Establishment at 1 Cabot St.

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

Motion was made and seconded to suspend the necessary rules to take up items 18 through 20 as a package.

Petition of Daniel LiBoissonnault for a renewal of a home occupation at 267 Southampton Rd. for a Plant based/Non Dairy business.

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

Petition of John McCann for a renewal of a home occupation at 415 Ingleside St. for a Massage and Yoga Business.

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

Petition of William Lyle for a renewal of a home occupation at 79 Merrick Ave. for a Electrical Company.

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

## **PRESIDENT'S REPORT**

(27:45)

President McGee commended the Parks and Rec Department as well as the mayor and Parks for a successful tree lighting event. He shared that during the countdown, a torrential downpour started just as he got to 1. He noted several councilors were in attendance, the event was fun for the kids, a lot of the activities were brought inside due to weather.

He then stated that the Police Department held their annual dinner for seniors that evening at Wyckoff Country Club, noting it was the 21st year. He noted that they received a lot of donations and did not use city funds for it. He thanked the Police Chief for inviting city councilors to attend.



He further stated that the War Memorial had sent a communication with a update about the new roof. He then stated that there would be a special meeting on December 12th to hold the vote on the tax rate.

Councilor Jourdain asked to clarify the Public Safety Committee would meet after that.

President McGee confirmed that was accurate.

He stated that the City Hall Christmas party would take place on December 16 at 5 pm at City Sports Bar. He then that the lighting of the Hannukah candle lighting would take place on December 18th at 5:30 pm at City Hall.

He further stated that a First Night event would take place on December 31st, 10 am to 1 pm at Heritage State Park.

He then stated that the Children's Museum would host the graduation for the Power of Parenting program on December 15th at 5:30 until 7:30 pm.

He then stated that Carl Rossi had accepted an offer to serve as the new DPW Director. He commended the City Council for their work to make the position work better. He also commended the mayor for his constant communication to get this person in. He noted that they took Mr. Rossi to various places and events, including the tree lighting, around the city that previous Saturday.

Councilor Jourdain added Mary Monahan has also helped.

President McGee noted that she had taken Mr. Rossi out to breakfast at Mrs. Mitchell's. He emphasized that it was a team effort to bring someone in for a department that was in need.

Councilor McGiverin suggested that bringing Mr. Rossi to the Holyoke Merry-Go-Round sealed the deal.

Councilor Bartley suggested taking up the late file related to this appointment.

Motion was made and seconded to suspend the necessary rules to take up Late File C out of order.

From Mayor Joshua A. Garcia letter appointing Carl Rossi, 101 Marilyn Place, Clifton, NJ as the Director of Department of Public Works for the City of Holyoke.

Motion was made and seconded to take final action.

---> Received.

President McGee noted that one person, Councilor McGiverin, had been running the Merry-Go-Round that day.

Councilor Tallman stated that an awards ceremony for police officers would take place on December 15th at 2 pm. He encouraged councilors to try to attend if they are able to make it.

## **REPORTS OF COMMITTEES**

(35:15)

The Committee on Ordinance to whom was referred an order amend ordinances to include that the Police and Fire Chief contractual salaries are subject to appropriation

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 recalled that they already handled this step for one of the contracts, adding that Councilor McGiverin had pointed out that it should be done for all contracts. She noted that the legal form only referred to the Police Chief.

President McGee confirmed it only said police.

Councilor McGiverin noted that any body generating an appropriation in the budget through contract should come back to the City Council to approve the funding.

---> 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 (Rivera\_J).

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order From Aaron Vega. Director OPED, communication in regard to approved City Council Special permits for Marijuana Companies

have considered the same and Recommended that the order be referred to the City Clerk to send out notices to the businesses identified in the letter.

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

UNDER DISCUSSION:

Councilor Vacon stated that the letter included an update involving several special permits issues over

the years. She added that certain businesses had no activity while others had some. She then stated that the committee asked her to reach out to the Clerk to follow up, who then would plan to coordinate with the Planning Department to send out a first round of letters. She then clarified that this would be the only catch up round of letters that would need to be done, noting that new business applications had been coming in at a slower rate recently. She noted that all agreed the City Clerk would be the best coordination point at the city's keeper of records.

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

The Committee on Ordinance to whom was referred an order Petition of Elias Martinez for a street vendor license to be located on High St. (mambo cafe parking lot)

have considered the same and Recommended that the order be adopted with approved hours of 10:30 a.m. - 8:30 p.m., 7 days a week.

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

#### UNDER DISCUSSION:

Councilor Vacon stated that the application was a little unusual in that they would be licensed to operate in a city parking lot, noting that it was not a metered or ticketed lot. She noted there was discussion about future implications but given the current status, they agreed to recommend approval of the license. She emphasized that as the licenses were done year to year, they would be able to see what develops going forward.

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

The Committee on Ordinance to whom was referred an order Special Permit Application of Upper Echelon Cultivation LLC at 420 Race St Suite 1A (028-07-014) to create a marijuana manufacturing establishment.

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

1. That the owner of the building always pay the commercial property tax rate to the extent allowed by federal, state, and local laws for the duration of the Special Permit.
2. That the business retains a minimum 30% Holyoke residents for non-security jobs.
3. That the hiring preference be given to security personnel that are retired Holyoke police or are a retired member of another police department that now lives in the city of Holyoke.
4. There shall be no marijuana consumption allowed on site.
5. That the hours of operation be set according to City ordinances.
6. That the applicant must abide by Massachusetts General Laws and guidances from the Cannabis Control Commission.
7. That the petitioner/applicant shall conform with city and state health laws, rules, and regulations, including odor nuisance controls, for the duration of the permit.
8. That if substantial progress has not occurred within 2 years of issuance of the Special Permit, an extension shall be required.

9. That the applicant shall comply with any open requests from departments, including the Engineer's letter dated November 7, 2022.

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

UNDER DISCUSSION:

Councilor Vacon stated that while the application was complete, they learned during the public hearing that the applicant had not received one of the review letters the committee had received. She added that this was the reason for the 9th condition, giving the applicant time to look it over and determine if there were any outstanding matters to resolve.

Councilor Tallman noted it was an intense and lengthy discussion.

Councilor Vacon stated that it was thorough, adding that it was different from many others in that they were sharing certain aspects of the building with another business, such as the sallyport, which led them to seek information about control

Councilor Tallman asked to clarify if they were renting the space.

Councilor Vacon confirmed that was correct.

Councilor Tallman asked if the parking was resolved.

Councilor Vacon stated that it was clarified that their total number was spread over shifts and that the maximum anticipated at any one time was 8 employees. She also stated that where there were potential conflicts with parking with multiple businesses using the same parking, there were opportunities for bike transportation or additional parking a little further away.

Councilor Maldonado Velez stated that he spoke with Frank Daly from Boston Bud and learned there would be an amendment to their special permit due to changes to the sallyport and other matters. He added that additional matters at 420 Race Street were likely to come up in the future.

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

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

The Committee on Ordinance to whom was referred an order That a handicap sign be placed for 364 Maple St. for Amy Garcia, Placard #PL0200749

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

---> 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 (Rivera\_J).

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order that a handicap sign be placed in front of 363 Chestnut St. for Martha Garib, placard #PL4500551

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

---> 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 (Rivera\_J).

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order that a handicap sign be placed in front of 97 High St. for Nicole Bertone-Gill, placard #PL 5920320

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 Disabilities Committee had approved the sign. She then added that the committee was working to approve these requests as soon as they were ready so people didn't wait too long for them.

---> 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 (Rivera\_J).

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order that a no parking spot be placed on West Franklin next to 286 West Franklin, unless the Engineer can recommend some other means for addressing the concern raised in the attached email and shown in the pictures.

have considered the same and Recommended that the order be adopted, with a request that the DPW paint lines marking the 30 feet of legal area for parking between the driveway to the east of 286 West Franklin and the driveway to the east of 282 West Franklin. A further request is made that the DPW research and report costs of marking parking spots on the entire stretch of West Franklin.

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

UNDER DISCUSSION:

Councilor Vacon stated that the City Engineer's feedback suggested they tend to prefer not to add no parking signs for individual residents and that this was seen as mainly an enforcement issue of the current law restricting parking within 5 feet of a driveway. She then stated that the resident had a consistent issue of people parking right up next to the driveway, making it unsafe to get out of the driveway on what was a very busy street. She then stated that the committee was asking the DPW to mark the parking area that was only adequate for one car. She further stated that they were also asking the DPW to look into the costs of marking spots on the entire road.

Councilor Jourdain asked if it required an ordinance.

Councilor Vacon stated that it was just painting lines.  
---> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order That the City Council review and enhance as necessary the city's current noise nuisance ordinance

have considered the same and Recommended that the order be adopted, increasing fines in the noise ordinance from \$50 for first offenses and \$100 for second offenses to \$100 for first offenses and \$200 for second offenses. These are in sec 38-72(b), 38-73(b), and 38-74(a).

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

UNDER DISCUSSION:

Councilor Vacon stated that after reviewing the language and hearing from the Police Chief about various enforcement abilities under the language, the committee recommended was to try to increase opportunity for enforcement by making the fines more serious. She added that they were counting on the police to increase enforcement.

Councilor Bartley noted that he and Councilor Tallman has spoken with some of the HPD's senior officers at that evening's event. He then recalled there was a previous discussion about ticketing for use of engine brakes. He then provided an update that the Mass State Police would be monitoring roadways in the city as well as working with HPD to implement training and a more hands-on approach. He added that the state police were grateful to be called in to address this issue.

Councilor Jourdain stated that in also speaking with some senior members of the HPD, he was reminded that an ordinance was already passed which required a traffic division of the Police Department. He then stated that this ordinance being voted on was to give further incentive to abide by the noise ordinance and encourage people to be more courteous to their neighbors and people they drive by. He also emphasized that the Council does read the reports of ticketing being issues, adding that he believed they show a massive number of warnings but not enough tickets.

---> 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 (Rivera\_J).

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order that the City of Holyoke pause acceptance of new cannabis business permit applications, excluding delivery for existing businesses, until there are

systems, staff/departments in place to support associated health and safety code enforcement as outlined by the Cannabis Control Commission AND the City of Holyoke

have considered the same and Recommended that the order be adopted, instituting a 6 month moratorium on accepting new special permit applications beginning January 1, 2023, as well as to form a working group regarding impact fees, operations, and enforcement.

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

#### UNDER DISCUSSION:

Councilor Vacon stated that she would motion to amend the recommendation due to an update. She then stated that following the meeting, she was reminded that they attempted to implement a moratorium on marijuana special permits but could not do so under state law without going through a complicated process which would include hearing from the public. She added that they also talked about coordinating with the Planning Department to have a liaison from the committee to communicate with them. She noted that Councilor Maldonado Velez and Councilor Givner would work with them so that they would be more deeply informed of the processes going on with the various parts of the city to determine if any changes need to be made to the ordinances.

President McGee asked to clarify what the committee wanted to do.

Councilor Jourdain asked if they should send it back to committee.

Councilor Vacon suggested amending the recommendation to keep the working group but eliminate the recommendation to implement the moratorium.

President McGee asked to clarify that it would be to “form a working group regarding impact fees, operations, and enforcement” but they would strike the rest of the recommendation.

Councilor Givner stated that it wasn't so much that it would be a working group to coordinate with Planning but to establish a real plan to use cannabis impact funds.

Councilor Maldonado Velez noted that OPED Director Aaron Vega spoke about a process already in place for use of the funds. He then suggested asking Mr. Vega to give a report at the next Ordinance meeting to explain the process OPED had in place. He added that they were already looking at enforcement and a report would be helpful to understand what they were doing. He questioned if it was institutionalized and part of actual laws or just happening because they were doing their job.

Councilor Vacon expressed her understanding that there was already a group making recommendations on how funds would be spent, adding that they would not want to recreate an existing process. She then stated that the intent was to improve communication to make the committee more aware of what



departments were doing with regard to the cannabis industry so that they would know it if changes were needed. She added that she would be okay with a report but that there would need to be an order to request the report. She suggested that this order could be complied with.

Councilor Rivera\_I suggested that two different things were being discussed, one being a separate group that would help with cannabis information coming in and out of Ordinance. He noted that there was an order to create a separate cannabis committee with the City Council. He added that the second piece was discussing more about how impact fee funds were being used. He suggested that it should be more about deciding on what the group would address. He added that OPED formed a community advisory committee, with the mayor getting a vote, OPED getting a vote, along with the City Council in the same model as approving CDBG funding. He then asked what the larger strategic plan was for spending all of the funds and attaching that to the institutions that had given the money to assure the city can prove it spend the money adequately and legally. He then stated he would file that as a separate order.

Councilor Vacon noted that this original order was to establish a moratorium, with the secondary aspect was establishing a liaison within the committee to work with Planning. She then suggested that if the body found it did not need that and would prefer a report, the committee should find this order to have been complied with since a moratorium can not be done.

Councilor Maldonado Velez stated that an order was in the Charter and Rules Committee to consider creating a cannabis committee that would take up a lot of the stuff that was being discussed. He then stated that they needed to hear more from OPED on what they were doing with impact fees, what were they doing with enforcement, and how were they addressing recent changes from the Cannabis Control Commission (CCC).

Councilor Vacon asked to clarify if he still wanted to take on the liaison role.

Councilor Maldonado Velez stated that he did not, adding that he wanted to invite Mr. Vega to give an update on impact fees, operations, and enforcement.

Councilor Vacon made a motion to amend the committee report that the order has been complied with.

Councilor Rivera\_I asked if it would be appropriate to send the order back to committee to continue the conversation, and then filling a separate order to address the issues being brought up.

President McGee stated that they could send it back, file the new order, and then take them up together.

Councilor Vacon reiterated that the main intent of this order was to implement a moratorium, which could not be done, so there was nothing to be gained by sending it back to committee.

Councilor Givner made a motion to amend the recommendation that the order has been complied with. Councilor Vacon seconded the motion.

---> Report of Committee received and recommendation Adopted, as amended that the order has been complied.

The Committee on Ordinance to whom was referred an order that the handicap spot on the south side of Hampden St in front of Rusty's be moved by ten feet to account for a recently installed fire hydrant.

Current measurements:

Hampden St. Southerly A point 35 feet easterly of Nonotuck St. A point 18 feet further easterly Handicap parking only

New measurements:

Hampden St. Southerly A point 45 feet easterly of Nonotuck St. A point 18 feet further easterly Handicap parking only

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 order as written would be adopted to locate the space properly.

--> 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 (Rivera\_J).

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order Under certain special circumstances the Mayor may grant vacation time for a new employee set by ordinance that exceeds the minimum, but may not exceed 4 weeks. Such a special circumstance shall be determined by a 2/3 supermajority of the City Council and shall have no effect on any other time off benefits for any city employee. Such a special circumstance currently exists for the Director of DPW position and shall expire upon appointment of the employee to the position

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 noted that the DPW Director position had been a longstanding and recently filled vacancy. She then stated that this order was part of facilitating needed changes in order to hire an

experienced individual to lead the department.

---> 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 11--Nays 1 (Maldonado Velez)-Absent 1 (Rivera\_J).

Approved by the Mayor.

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

The Committee on Ordinance to whom was referred an order That the HPD come to an ordinance meeting to discuss how the noise ordinance can be applied to speed bikes.

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

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

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

The Committee on Ordinance to whom was referred an order That the city of Holyoke establish/make a reporting system for immediate safety issues such as the lack of stop signs or other traffic signage at the corners of Sycamore and Hampshire streets

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

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

UNDER DISCUSSION:

Councilor Vacon stated that 21M was complied with, noting the earlier point was discussing noise ordinance matters with the Police Chief. She then stated that on 21N, they discussed that there was an existing system that was available for addressing these issues.

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

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

The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 8 West Court for Maria Malave

have considered the same and Recommended that the order be given a leave to withdraw

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

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

The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 16 East Court, for Hector Reyes, placard #PL1430356

have considered the same and Recommended that the order be given a leave to withdraw

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner  
Kevin A Jourdain  
Israel Rivera\_I

UNDER DISCUSSION:

Councilor Vacon stated that the committee learned that these were not public ways but the interior of a complex. She then stated that the residents will need to pursue the signs with the property's management.

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

(1:12:55)

The Committee on Finance to whom was referred an order 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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the appropriations were already in the budget. He noted that while the Council does not vote on MOA's, they wanted to assure it was understood it was part of what was appropriated. He added that there were increases of \$1 each of the three years of the agreement.

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order From Mayor Joshua A. Garcia, proposed FY23 supplemental budget

have considered the same and Recommended that the order be adopted, with a reduction of \$500 from the proposed \$2500 increase in the Purchasing Department budget.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the committee did a line item review of what the mayor had proposed. He noted that the supplemental budget came with a cover letter explaining the reductions and additions. He added that the additions had an impact on less than 5 departments but were important. He also emphasized that it was not uncommon to look at a budget halfway through the year to see where surpluses may be, but sometimes may be used for transfers. He then stated that the mayor wanted to make the budget as close to reality as possible by identifying surpluses and proposing cuts. He added that the Auditor provided a spreadsheet outlining the budget and budget reductions. He noted one reduction was added by the committee, reducing \$500 from education and training in the Purchasing Department after it was identified that the \$500 was not necessary. He added that the reason for a large addition to the school budget was the state was behind on finalizing their budget, which eventually led to a larger amount going to the school from the state.

Councilor Vacon expressed her support.

Councilor Jourdain expressed his support. He then noted that this administration was taking a different approach, adding that it was not a bad approach. He also expressed appreciation for the mayor's efforts, noting his sensitivity to the budget and not blindly going to the tax levy limit to charge the residents but trying to keep the level of what is actually needed. He emphasized that it was about \$1.8 million less than the \$62 million it could have been leading into the Council's tax rate vote the following week. He then

emphasized the need to be transparent that there was a \$30,000 appropriation to pay a penalty to the IRS for not doing filings on time. He stated that this needed to be cleaned up and that the Treasurer's office needed to work more effectively and efficiently to assure withholdings from employee paychecks and filed more timely. Noting there was a new treasurer with Rory Casey, he expressed his hope that there would be real change in the office.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays-- Yeas 12--Nays 0--Absent 1 (Rivera\_J).  
Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up items 22C, 22E, and 22G as a package.

The Committee on Finance to whom was referred an order From Yoni Glogower, Director Office of Conservation and Sustainability letter re: Land and Water Conservation Fund (LWCF) Grant Award - Anniversary Hill Park Phase 1 Improvements

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 12--Nays 0--Absent 1 (Rivera\_J).  
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 "ANNIVERSARY HILL PARK REVITALIZATION: PHASE I PROJECT, LWCF #25-00570, \$520,000, NO MATCH (RESOLUTION SUBMITTED FOR VOTE)" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant

have considered the same and 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 12--Nays 0--Absent 1 (Rivera\_J).  
Approved by the Mayor.

The Committee on Finance to whom was referred an order that the City Council hereby accepts and approves a RESOLUTION TO ACCEPT A RECREATION GRANT FROM THE EOEAA FOR THE RENOVATION OF LAND FOR THE ANNIVERSARY HILL PARK PROJECT

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 noted that it was an exciting discussion with Yoni Glogower, Conservation Director. He then stated that the Anniversary Hill Park was land owned by the city as you leave the lower area of Community Field and drive up towards Scott's Tower. He recalled that prior to 1991, it was a much bigger park and meant a lot to the city in terms of recreational activities. He then explained that the Council would be voting to receive a new grant of \$520,000 as well as adopting the resolution. He emphasized that one of the items on the resolution required that the city had \$1,040,000 available for spending on the project, adding that this was already reached with the help of prior grants, CDBG funds, and ARPA funds.  
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 12--Nays 0--Absent 1 (Rivera\_J).  
Approved by the Mayor.

The Committee on Finance to whom was referred an order 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.

have considered the same and Recommended that the order be returned to the Law Department

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the agreement was an option in trying to fill the void of not having a Sealer of Weights and Measures and putting those duties under the Building Department. He then noted that the mayor had found a new person to be hired. He then explained that the agreement was being

returned to the Law Department for disposal since it had already been signed.  
---> Report of Committee received and recommendation Adopted.

The Committee on Finance to whom was referred an order 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.

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 this was for the final invoice from Whalley Computers, which had not been paid by the end of the fiscal year. He noted they were assured by auditor and mayor that the invoice was correct.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 12--Nays 0--Absent 1 (Rivera\_J).  
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, NINE THOUSAND NINE HUNDRED THREE AND 74/100 Dollars (\$9,903.74) as follows:

FROM:

12401-51201 PROPERTY MANT/DEMO SUPERVISOR \$9,903.74

TOTAL: \$9,903.74

TO:

12401-51101 BUILDING COMMISSIONER \$9,903.74

TOTAL: \$9,903.74

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 noted that the Building Commissioner had resigned, and that the mayor had explained the transfer. He stated that the transfer would allow the mayor to offer a salary at the mid-range in order to find someone with more experience to fill the position. He then asked for help in clarifying the position's salary.

Councilor Vacon stated that she thought it was to reach the max of the salary range.

Councilor McGiverin stated that it was mid-max.

Motion was made and seconded to suspend the necessary rules to allow Mayor Garcia to address the question.

Mayor Garcia clarified that the transfer was to allow for providing a salary up to the max range. He noted it was a PSA position. He then stated that the full salary amount was \$94,000.

Councilor McGiverin thanked Councilor Vacon and the mayor for the clarification.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 11--Nays 1 (Jourdain)--Absent 1 (Rivera\_J).  
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, 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

have considered the same and Recommended that the order be returned to the Auditor

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the transfer would have gone along with the MOA that was referred back to the Law Department earlier in the meeting.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, SEVENTY FIVE THOUSAND AND 00/100 Dollars (\$75,000.00) as

follows:

FROM:

8815-10400 CANNABIS STABILIZATION \$75,000.00

TOTAL: \$75,000.00

TO:

19442-53010 BOARD OF HEALTH PROF SERVICES \$75,000.00

TOTAL: \$75,000.00

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 Sean Gonsalves, Board of Health Director, explained that the funds would allow the department to contract services to do inspections and other work within the cannabis industry for health and safety reasons. He added that it would not be redundant to work done by the state. He also stated that the Law Department determined there was no issue with using impact fee funds in this way.

Councilor Jourdain commended the work done to put this together. He emphasized this was exactly what the impact funds were designed to do. He also emphasized the need for rules and regulations to be enforced and that businesses needed to be held accountable to promises made to the city. He further stated that he was glad these resources were being put toward these kinds of purposes.

Councilor Vacon spoke in favor of the transfer. She also stated that she was happy to learn the Board of Health can do work that would be parallel to the CCC.

Councilor Rivera\_I stated that he was in favor of the transfer but questioned the longevity of the purpose. He asked if it was contracted services, what would happen in later years when there was no longer cannabis impact funds. He expressed a need for a plan to maintain this purpose without those funds.

Councilor McGiverin stated that it was being used for contractual services to avoid creating a new position within the city, noting that they would still need to add funds to the budget after the impact fee funds dried up, leading to budget growth. He suggested that the city would need to look at future fundings if the city continued to believe the work needed to be done contractually.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 12--Nays 0--Absent 1 (Rivera\_J).

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, SEVENTY THOUSAND AND 00/100 Dollars (\$70,000.00) as follows:

FROM:

8815-10400 CANNABIS STABILIZATION \$70,000.00

TOTAL: \$70,000.00

TO:

19441-51001 PLANNING-MARKETING MANAGER/TEAM \$70,000.00

TOTAL: \$70,000.00

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 idea was endorsed by CCC as well as the larger cannabis manufacturers in the city. He stated that OPED talked about how they would use these funds. He then stated that the funds would be used to market the city in many ways, including the upcoming 150th anniversary celebrations the next year. He added that the industry wanted to see the funds used in this way. He also stated that the funds would help OPED work with and oversee the industry. He emphasized that the work would be through contractual services and not a new position.

Councilor Jourdain noted that he had campaigned on many issues, including marketing of the city. He emphasized that the city had some reputational issues to overcome, and that the narrative about the greatness and untapped potential of Holyoke needed to be promoted. He commended Aaron Vega for coalescing support of this from several marijuana companies in the city. He added that this kind of investment would have a strong multiplier effect, putting the message out that Holyoke was a good place to locate businesses and locate families.

Councilor Tallman emphasized how vital marketing was to any business or community, adding that this could help grown the community.

Councilor Maldonado Velez expressed his support, adding that he believed there was a longer term need for a marketing manager.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 12--Nays 0--Absent 1 (Rivera\_J).

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, TEN THOUSAND AND 00/100 Dollars (\$10,000.00) as follows:

FROM:

11611-51210 ELECTION OFFICERS \$10,000.00

TOTAL: \$10,000.00

TO:

11611-51300 OVERTIME \$5,000.00

11612-52400 R&M OTHER 5,000.00

TOTAL: \$10,000.00

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 surplus was from funds that came in from the state to pay election officials and officers. He then stated that the transfer to overtime would pay staffing during early voting at City Hall. He added that the R&M would pay for memory cards and programming for the voting machines that the City Clerk was required to purchase.

Councilor Jourdain asked if the question was raised regarding an opinion from the State Auditor several years back, an opinion that determined cities were entitled to reimbursement of costs related to mandates from election law changes. Noting that the legislature was provided a large sum to provide to cities, he asked if the City Clerk would be seeking reimbursement.

Councilor McGiverin stated that the City Clerk's communication explained that the state had already deposited the funds. He added that when funds come in so late in the year, they usually go into the general fund to be moved around, but the state can do it any way they want and the funds were already given to the City Clerk's office.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 12--Nays 0--Absent 1 (Rivera\_J).

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, THREE THOUSAND THREE HUNDRED AND 00/100 Dollars (\$3,300.00) as follows:

FROM:

8815-10400 CANNABIS STABILIZATION \$3,300.00

TOTAL: \$3,300.00

TO:

19442-54880 FIRE DEPARTMENT EQUIPMENT \$3,300.00

TOTAL: \$3,300.00

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 Fire Department would use funds to purchase 6 devices for detecting dangerous levels of carbon dioxide within cannabis industry buildings. He noted a recent tragic event that occurred in the city that was still in the courts. He further stated that they would be used inside growing rooms. He added that the Fire Department, OPED, and industry businesses all agreed that this was a good use of impact fee funds.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 12--Nays 0--Absent 1 (Rivera\_J).  
Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up items 22P and 22Q 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, TWENTY THOUSAND AND 00/100 Dollars (\$20,000.00) as follows:

FROM:

12401-51201 PROPERTY MAINT/DEMO SUPERVISOR \$20,000.00

TOTAL: \$20,000.00

TO:

12402-53010 OTHER CONTRACTED SERVICES \$20,000.00

TOTAL: \$20,000.00

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 12--Nays 0--Absent 1 (Rivera\_J).  
Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY THOUSAND AND 00/100 Dollars (\$20,000.00) as follows:

FROM:

12401-51201 PROPERTY MAINT/DEMO SUPERVISOR \$20,000.00

TOTAL: \$20,000.00

TO:

12402-53010 OTHER CONTRACTED SERVICES \$20,000.00

TOTAL: \$20,000.00

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 while the two orders looked the same, they were separate orders that came in on different dates with the same intent. He noted that the Building Department had several unfiled positions, including maintenance demolition supervising positions, leading to surpluses. He then stated that they had been hiring contracted services to perform the inspections.

Councilor Vacon expressed support, noting that she had been receiving calls from people trying to renew licenses and having to wait for inspections. She expressed hope that transferring these funds would help business owners keep moving.

Councilor Jourdain recalled that he asked a question regarding the cost of hiring for these services versus the fees the department was taking in. He then stated that the ratio was about 5 to 1, a good thing for the city. He suggested it was being done in a fiscally prudent way.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 12--Nays 0--Absent 1 (Rivera\_J).

Approved by the Mayor.

(1:53:55)

Motion was made and seconded to suspend the necessary rules to take up items 23A through 23G as a package.

The Committee on Public Safety to whom was referred an order That the city explore using cannabis impact fee funds to improve sidewalks on the following streets: Main Street, North Bridge St., Lyman Street, and center St.

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

Committee Members:

Israel Rivera\_I  
Kocayne Givner  
Todd McGee

UNDER DISCUSSION:

Councilor Rivera\_I stated that the order was about getting funds to redo the streets. He then stated that OPED confirmed that the use would fall under the qualifications of applying for use of these funds. He added that he would reach out to the City Engineer to develop a scope of work and then proceed with a transfer request.

Councilor McGiverin noted a lot of stated funded projects happening in South Holyoke and Ward 1, including sidewalks and roads, totally redoing the areas with great impact for that area of the city.  
---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that the disabilities commission come into public safety and explain the process of a resident applying for a handicap space, as well as how the spaces are identified to the particular resident that was granted the space

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

Committee Members:

Israel Rivera\_I  
Kocayne Givner  
Todd McGee

UNDER DISCUSSION:

Councilor Rivera\_I stated that they had Don Welch from the Disabilities Commission come in and explain for the benefit of the community the processes for applying, and reasons why the spaces cannot be assigned to specific numbers.

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

The Committee on Public Safety to whom was referred an order that the Holyoke Board of Health publicizes an email/ phone number to receive health related complaints ie. odor nuisance complaints generally in regard to manufacturing and commercial businesses

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

Committee Members:

Israel Rivera\_I  
Kocayne Givner  
Todd McGee

UNDER DISCUSSION:

Councilor Rivera\_I stated that they learned this was already in place.

Councilor McGiverin stated that they discovered that they already have it  
---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order that the legal department review the alley way near 5 Fairfield Ave to determine if it is city property and that the DPW repair the fence and alley from its vehicles going through.

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

Committee Members:

Israel Rivera\_I  
Kocayne Givner  
Todd McGee

UNDER DISCUSSION:

Councilor Rivera\_I stated that the alleyway was reviewed and it was determined to not be city property but that the city would do some of the work.

President McGee stated that fence would be replaced because a city truck had hit it, but that the general rule with alleyways was that property owners own up to the middle. He then stated that the property's deed showed they only owned up to the edge of the alleyway, and the city would have to fix it up for safety purposes.

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

The Committee on Public Safety to whom was referred an order that the parks and recreation and DPW give us an update on the project and remodeling of Springdale Park

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

Committee Members:

Israel Rivera\_I  
Kocayne Givner  
Todd McGee

UNDER DISCUSSION:

Councilor Rivera\_I stated that Parks Director, Tom Reynolds, updated the committee on the project. He added that he would likely file a new order in the next year to get another update on any grants they were applying for and find out when the project would be finalized.

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

The Committee on Public Safety to whom was referred an order That the PVTa be requested to replace their bus shelter on South Street at the South Street shopping plaza. Bus riders have gone some time without the prior shelter

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

Committee Members:

Israel Rivera\_I  
Kocayne Givner  
Todd McGee

UNDER DISCUSSION:

Councilor Rivera\_I stated that Councilor Bartley had an update on the progress.



Councilor Bartley stated that after several meetings, the city had installed a pad and they were just waiting on the PVTA to install the shelter. He added that it would be a welcome amenity for the neighborhood. He added that they installed support beams for the shelter, noting that it had been wiped out twice before.

Councilor Tallman commended Councilor Bartley and Councilor Jourdain, as well as Kris Baker, for moving this forward. He noted the concrete was down and was only waiting for PVTA to finish it.  
---> Report of Committee received and recommendation Adopted.

The Committee on Public Safety to whom was referred an order With Community support, Order to increase trash can minimum to 50 gallons for municipal pickup service, as our DPW accommodates piles of trash bags in lieu of required current 35 gallon size. This in an effort to increase can use participation in order to mitigate the health hazards of torn and rummaged through piled bags for pickup.

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

Committee Members:

Israel Rivera\_I  
Kocayne Givner  
Todd McGee

UNDER DISCUSSION:

Councilor Rivera\_I stated that they learned it was a contractual issue and was not something the Council could change. He added that they also learned it was illegal for people to put trash bags out without putting them in a bin.

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

President McGee stated that there were no reports from the Public Service Committee, the Development and Governmental Relations Committee, the Charter and Rules Committee, or the Joint Committee of the City Council and School Committee. He then commended the Ordinance, Finance, and Public Safety committees for the great amount of work being done. He also thanked Admin Asst Anderson-Burgos as well as the Parks and Rec Department for their work decorating the chambers for the holidays.

## **ORDERS AND TRANSFERS**

(2:02:50)

President McGee asked that any items going to committee not be debated.

RIVERA\_I -- Order that the honorable city council accept a donation of computers from the Pioneer Valley Planning Commission. The donation is a gift to the city's veteran services department, with the intention to assist veterans with computer literacy, resume writing, among many other potential opportunities.

President McGee asked if the computers had already been delivered.

Councilor Rivera\_I stated that he assumed so, but he had to file the order before they could be accepted and used. He added that there was a dollar amount to go with them but he had not yet been provided with that in time for filing the order.

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

VACON, Tallman -- That our City Engineer recommend traffic calming measures for Whiting Farms Rd and Tokeneke Rd. Constituents are reporting drivers Operating their vehicles in an unsafe manner. (This is a refile from June Item 64.

Councilor Vacon that she had been getting a lot of calls about it.

Councilor McGiverin suggested the use of radar guns.

Councilor Tallman asked to be added to the order, noting some relatives who lives in the area that regularly ask about speed.

---> Received and Adopted. Copy to City Engineer.

VACON -- add to the "no parking" signs on Cherry Street, "vehicles will be towed at owner's expense"

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

ANDERSON-BURGOS -- That the DPW add two additional NO TURN ON RED signs on the intersection of Hillside Ave and Cherry St. The current signs facing Hillside traffic are being ignored, likely due to not being right in the immediate view of drivers but on the opposite sides of the road.

President McGee asked if an ordinance was needed.

Councilor Anderson-Burgos stated that there were already signs but so far away that people don't see them.

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

ANDERSON-BURGOS -- That the City Engineer come to a Public Safety Committee meeting to discuss the possibility of making Corser St one way traffic.

Councilor Bartley suggested that it should go to Ordinance.

President McGee stated that they could discuss it in Public Safety and then refer it to Ordinance if they were to take that route to address issues.

Councilor Vacon suggested that it would have to go to the DPW Commission if it was to be done.

Councilor Bartley asked which way it should run.

Councilor Anderson-Burgos stated that it would go one way om Corser going away from Corser and then out the other way on the next street over.

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

BARTLEY, PUELLO -- The Mayor and community development dept fund the following project with either CDBG or ARPA funds: Replace the asphalt double-sidewalk located on the west side of S. Elm St. between Wolcott and Congress Streets and replace with a tree belt and install plantings. Receive, adopts and refer to Mayor and Community Development office. Copy to DGR.

---> Received and Adopted. Copy to Mayor, Community Development, DGR

BARTLEY -- Cataldo Ambulance come before a future DGR meeting to discuss neighborhood concerns relative to parking, upkeep, siren noise and any other relevant issues at the South St. location. Refer to DGR, Mayor, HFD Chief and Commissioners and Cataldo Ambulance. Copy to management at Elmwood Towers.

Councilor Jourdain asked if there was a new lease for them to use the building.

President McGee stated that there would have to be, adding that it had been requested.

Councilor Jourdain stated that should be coming before the Council for approval. He added that would be a good opportunity to discuss those issues.

---> Received and referred to the Development and Governmental Relations Committee. Copy to Mayor, Fire Chief, Fire Commissioners, Cataldo Ambulance, Elmwood Towers

BARTLEY -- The DPW, HPD and City Engineer report to City Council with its efforts to improve traffic safety at the corners of Linden/Hampshire Sts. and Linden/Locust Sts. as residents report speeding, accidents, and many instances of running the stop signs. Please produce any accident reports for the last two years for these intersections and send as a communication. Receive and refer to Public Safety; copies to DPW, HPD and Engineer.

Councilor Bartley, recognizing that this was in Ward 4, stated that a close friend of his in that area asked for the order to be filed. He stated that numerous accidents had been witnessed in that area due to drivers running stop signs.

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

MALDONADO-VELEZ -- Order that we revert committee name (Council Rule 9Bvii) to read "The Joint Committee of the City Council and School Committee" instead of "Youth Services Committee".

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

MALDONADO-VELEZ -- Order that we add a rule 9Bviii (Committee) to read "The Youth Services Committee shall have jurisdiction over matters relating to the youth and are the representing body for the Joint Committee of the City Council and School Committee".

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

Motion was made and seconded to suspend the necessary rules to take up items 38 and 43 through 46 as a package.

MCGIVERIN -- that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "LAND & CONSERVATION FUND, GATEWAY CITIES PARK PROGRAM, 390,000, 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, December 6, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "WISTARIAHURST FOUNDATION INC., \$75,000, EXTERIOR PAINTING" donation 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 donation.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 6, 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, THIRTY FIVE THOUSAND AND 00/100 Dollars (\$35,000.00) as follows:

FROM:

12401-51110	LOCAL BUILDING INSPECTOR	\$25,000.00
12401-51201	PROPERTY MAINT/DEMO SUPERVISOR	10,000.00

TOTAL: \$35,000.00

TO:

12402-53010	OTHER CONTRACTED SERVICES	\$35,000.00
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TOTAL: \$35,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 6, 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, ONE HUNDRED NINETY AND 00/100 Dollars (\$190.00) as follows:

FROM:

14212-57100	DPW ADMIN - IN STATE TRAVEL	\$190.00
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TOTAL: \$190.00

TO:

11522-57805	RECRUITMENT	\$190.00
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TOTAL: \$190.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 6, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- that the amount of TWO THOUSAND TWO HUNDRED SEVENTY FIVE AND 75/100 Dollars (\$2,275.75) be authorized from the CITY CLERK Department's ORDINANCE CODIFICATION (11612-53020) 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, December 6, 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 40 through 42 as a package.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, TWO THOUSAND THREE HUNDRED EIGHTY SIX AND 35/100 Dollars (\$2,386.35) as follows:

FROM:

12201-51105	FIREFIGHTERS	\$2,386.35
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TOTAL: \$2,386.35

TO:

12201-51180	INJURED ON DUTY	\$2,386.35
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TOTAL: \$2,386.35

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 6, 2022.

Joshua A Garcia, Mayor

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

Approved by the Mayor.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY FOUR THOUSAND THREE HUNDRED FIFTY AND 73/100 Dollars (\$24,350.73) as follows:

FROM:

12101-51104	LIEUTENANT	\$3,883.22
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12101-51105	SERGEANT	10,758.08
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12101-51107	PATROLMEN	9,709.43
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TOTAL: \$24,350.73

TO:

12101-51180 INJURED ON DUTY \$24,350.73  
TOTAL: \$24,350.73

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 6, 2022.

Joshua A Garcia, Mayor

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

Approved by the Mayor.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY SIX THOUSAND FORTY FIVE AND 86/100 Dollars (\$26,045.86) as follows:

FROM:

12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	10,085.70
12101-51107	PATROLMEN	12,076.94

TOTAL: \$26,045.86

TO:

12101-51180	INJURED ON DUTY	\$26,045.86
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TOTAL: \$26,045.86

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 6, 2022.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor McGiverin stated that injured on duty occurred a lot with public safety departments, sometimes short term and sometimes long term. He stated they were separated out to better understand when employees are receiving their salary while being out due to being injured in the line of duty. He added that they were waiting for reports from the chiefs so that they can have a deeper discussion on how to reduce incidents of people being injured on duty.

President McGee stated that transfers for firefighters covered 1 employee and transfers for the police covered 8 employees.

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

Approved by the Mayor.

MURPHY-ROMBOLETTI -- Ordered that in an effort to continue strengthening Holyoke's financial foundation, the City Council establish a system to ensure user fees associated with enterprise funds, such as Sewer, are maintained at a sustainable level. This system would automatically adjust user fees annually based on budgetary needs and prohibit the use of taxpayer's money to subsidize enterprise funds.

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

Councilor McGiverin stated that he asked the Assistant City Clerk, Irma Cruz for a guess on what time the meeting would end, noting that she guessed it would be 10. He added that Councilor Givner guessing it would be 9:15.

Councilor Tallman stated that he guessed it would be 9:30.

(It should be noted it was 9:14 at this time)

### **LATE FILED ORDERS AND COMMUNICATIONS**

(2:14:25)

MCGIVERIN -- That Holyoke City Council grant Holyoke public schools the 5yr contract for bus services.  
---> Received and referred to the Finance Committee.

From Mayor Joshua A. Garcia, letter appointing Marcus Gabrielli, 19 O'Connor Ave. as Sealer of Weights and Measures for the City of Holyoke: Mr. Gabrielli will start January 3, 2022.

President McGee asked to clarify some confusion over if an ordinance needed to be passed to create the position.

Councilor McGiverin stated that the Council just needed to fund it.

Councilor Bartley noted that the funding was covered in the budget.  
---> Received.

Adjourned at 9:16 PM

*Brenna Murphy McLee*