

REGULAR MEETING OF THE CITY COUNCIL
January 3,2023

The meeting was called to order by President McGee at 07:02 PM.

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

The name of Councilor Anderson-Burgos was drawn to head the roll call voting.

The Pledge of Allegiance was recited.

L Aid ON THE TABLE

President McGee asked if item 1 should remain tabled.
 Councilor Vacon confirmed.

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

PUBLIC COMMENT

President McGee stated that nobody had signed up or raised their hand online to speak for public comment.

COMMUNICATIONS

(1:30)

From Mayor Joshua A. Garcia letter appointing Ms. Olivia Mausel, 25 Briarwood Dr. to serve as a member of the Local Historic Commission for the City of Holyoke: Ms. Mausel will serve a three year term; said term will expire on December 1, 2025.

Councilor Bartley suggested allowing the confirmation to go through right away. He then stated that she had served the city for 20 years and most had known her well.

---> Received and appointment confirmed.

From Mayor Joshua A. Garcia, letter appointing Todd McGee, 10 George St. to serve as a member of the Retirement Board for the City of Holyoke: Mr. McGee will replace Andrew Melendez and will serve the remainder of his term; said term will expire on January 1, 2024.

---> Received and referred to the Legal.

From Tanya Wdowiak, City Auditor, FY 2022 and FY2023 Pilot Payments.

Councilor Bartley thanked the City Auditor, Tanya Wdowiak, for her diligence. He then stated that he was seeking a brief discussion in the Finance Committee. He added that he has spoken with the mayor who had expressed an interest in talking more about PILOT payments. He then noted that he had previously made some representations about the Holyoke Housing Authority which had been based upon the last PILOT payment update he had seen from 2019, which was for \$3,282. He then stated that NG Mount Tom Solar did not appear to have a PILOT payment since 2019. He then expressed a hope that with the data, the mayor would consider renegotiating these.

Councilor McGiverin stated that he welcomed a discussion in committee, adding that the Council does not negotiate the payments but should be aware of them.

Councilor Jourdain suggesting inviting the assessors to the discussion, adding that it would be good to compare the total valuations. He then stated that some of them needed to be reviewed in light of the city's financial situation, especially when considering the services provided compared to the bills being paid.

Councilor Bartley stated that the mayor had been unaware of several of the agreements at that time.

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

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Ass't. to City Council minutes of December 20, 2022.

---> Received and adopted.

List of Appointments for 2023.

Councilor Bartley asked if the appointments could be voted on as a package or if they had to be voted on individually.

Councilor Jourdain stated that candidates had to be listed for each one.

---> Motion was made and seconded to go to the first ballot for the position of Administrative Assistant to the City Council. Jeffery Anderson-Burgos received 12 votes (Bartley, Givner, Jourdain, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman, Vacon). Jeffery Anderson-Burgos appointed Administrative Assistant to the City Council on the first ballot. The term will expire January 31, 2024. Councilor Anderson-Burgos abstained from the vote and did not participate in the discussion.

---> Motion was made and seconded to go to the first ballot for the position of Assessor. Deborah Brunelle received 13 votes (Anderson-Burgos, Bartley, Givner, Jourdain, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman, Vacon). Deborah Brunelle appointed Assessor on the first ballot. The term will expire January 31, 2026.

---> Motion was made and seconded to go to the first ballot for the position of Water Commissioner. Bill N. Harbilas received 13 votes (Anderson-Burgos, Bartley, Givner, Jourdain, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman, Vacon). Bill N. Harbilas appointed Water Commissioner on the first ballot. The term will expire January 31, 2026.

---> Motion was made and seconded to go to the first ballot for the Whiting Street Fund. Patrick Lavelle received 13 votes (Anderson-Burgos, Bartley, Givner, Jourdain, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman, Vacon). Patrick Lavelle appointed to the Whiting Street Fund on the first ballot. The term will expire January 31, 2026.

MCGEE -- Ordered, that the City Council reappoint Francheska Nunez to the Community Preservation Committee. Ms. Nunez will serve a three year term; set term will expire on January 31, 2026

Motion was made and seconded to take final action.

---> Motion was made and seconded to go to the first ballot for the Community Preservation Committee. Francheska Nunez received 13 votes (Anderson-Burgos, Bartley, Givner, Jourdain, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman, Vacon). Francheska Nunez appointed to the Community Preservation Committee on the first ballot. The term will expire January 31, 2026.

From Jane Mantolesky, Assistant City Solicitor, Letter re: Sale of 416 Appleton St. (Parcel #061-02-014).

Councilor Bartley recalled that the matter had been through the City Council and DGR Committee for many meetings, adding that it finally being conveyed out was a big win. He then stated that the property

would be used for parking for Mr. Virgilio's property at 185 Pine Street. He then stated that the property had been dormant for 20 years.

Councilor Tallman expressed relief that this was solved after many years.

Councilor McGiverin stated that the lot had a long history. He then stated that it would be a great, and needed, use for the tenants. He then emphasized that the lot had been non-buildable after the former building was torn down following a fire and could no longer be used due to having no frontage.

Councilor Bartley commended the Law Department and state delegation for working through the complicated business of getting it out of a legal web. He then emphasized that it was a big deal for that neighborhood

President McGee stated that the property was sold to East Side Holyoke LLC for \$6,000 and that \$67.84 in real estate property taxes was collected. He added that there was a reverter clause and the parcel remained taxable.

---> Received.

From Tanya Wdowiak, City Auditor, Final FY2023 Budget Book,

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

From Tanya Wdowiak, City Auditor FY2022 Year end Sewer Report.

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

From Tanya Wdowiak, City Auditor, FY2023 Sewer Fund report versus actual.

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

From Tanya Wdowiak, City Auditor, FY2022 GF Year end report.

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

From Tanya Wdowiak, City Auditor, FY2023 GF year end report versus Actual.

Councilor McGiverin stated that a couple would require discussion in committee while most would be kept for informational purposes.

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

City of Holyoke Grant Completion Form, Fy Shrab grant Final report (Wistariahurst).

Councilor Bartley noted that there had been reports submitted a few meetings in a row in compliance with city ordinance. He then suggested that the Admin Asst create a form for communication to various departments so that they could be logged on the form for reporting back.

President McGee, communicating information from Admin Asst Anderson-Burgos, stated that this report had been the result of an online form he had recently created.

Councilor McGiverin suggested creating an archive of reports as they come in.

President McGee stated that this was the grant for the displays of uniforms at the War Memorial Building organized by Jesus Pereira at Veterans Services.

---> Received.

From MA Office of Community Development Final Notice and Public Review of a proposed activity in a Wetland. Anniversary Hill Park, Holyoke, MA.

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

From Melanson, PC letter regarding merge with Marcum LLP effective January 1, 2023.

Councilor McGiverin stated that if there would be new outside auditors or even the same under a bigger umbrella, the committee would want to have a discussion with them.

Councilor Jourdain suggested a yearly review of the annual management report from the outside auditor. He then stated that many key players in the city had little to no interaction, noting the recent revelation that Flynn Financial was overseeing investment of the city's stabilization fund.

Councilor Bartley noted that Melanson and Heath had been the city's outside auditor for many years. He then asked if that service was put out to bid through an RFP. He then suggested that it might be good for

the city to have a fresh set of eyes, emphasizing that he didn't think they were doing a bad job.
 ---> Received and referred to the Finance Committee.

From Barbara Blodgett, re: letter sent to Mayor Joshua A. Garcia addressing speeding on Hillside Avenue & Speeding within the City of Holyoke.
 ---> Received and referred to the Public Safety Committee.

PRESIDENT'S REPORT

(21:55)

President McGee said hello to Myles, Maille, and Mac.
 He then wished a Happy New Year to all.
 He then stated that the framed picture of the previous term's members would be delivered the following week.
 He then stated that the city was celebrating its 150th anniversary as a city. He noted that mayor had committees working on planning events and that anyone with suggestions reach out to those committee.
 He noted Admin Asst Anderson-Burgos was involved.

Councilor Anderson-Burgos stated that he personally knew 3 different people that had passed at the end of 2022. Noting that he was holding the names of 2 of them out of respect for their families, he asked for a moment of silence for Jeffrey Dulude, a friend and neighbor that had passed, leaving behind two children.

A moment of silence was observed for Jeffrey Dulude.

President McGee stated that a City Council post-holiday party would be held soon, through the Flower Fund. He then suggested that any councilors not a part of it but wishing to be should contact Kelly Curran in the Personnel Department. He noted that the fund would receive requests for ads in program books such as the St. Patrick's events.

Councilor McGiverin added the Hispanic Festival to that.

Councilor Jourdain noted that many of the previous recent City Council photos appeared to be missing and asked if it could be researched where they went.

President McGee noted that one recent term's photos was still in a box at the back of the chambers, likely from 6 years back. He then clarified that the one coming in the next week was from the last term, adding that everything had been paid up.

Councilor Bartley noted that the Council for Human Understanding would have their annual MLK breakfast on January 13th at the Summit View at 8am.

Councilor Vacon asked how many councilors were in the Flower Fund.

Councilor McGiverin stated that it began at 10 or 11 but that Personnel would have to be checked with. He then stated that there may have been some confusion with transition in the Personnel department, with some councilors believing they were in it, but funds were not being taken out of their checks.

Councilor Rivera_J stated that Officer Morales, son of one of City Hall's custodians, had recently suffered

a heart attack. She suggested using the Flower Fund to send get well gifts.

Councilor Jourdain stated that Delores Stein had recently passed, noting that she had organized the MLK breakfast with the Council for Human Understanding for decades. He then emphasized that she was a titan in the local Jewish community, adding that she and her late husband were wonderful, salt-of-the-Earth type people. He added that her whole life had been dedicated to serving other people.

REPORTS OF COMMITTEES

(29:15)

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 "EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT-FY2023 URBAN AGENDA GRANT PROGRAM, \$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. 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 OPED Director, Aaron Vega, explained the grant in committee. He then stated that the scope of the grant would cover consulting services to assist the community and businesses with gaining creative capital. He noted that many of the city's incubator programs had been successful, adding that many storefronts had recently become occupied.

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

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 "NEW ENGLAND FOUNDATION FOR THE ARTS-2023 MAKING IT PUBLIC FOR MA MUNICIPALITIES, \$15,000, 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. 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 promote artists in the city. He then stated that it would require and provide training to city staff. He added that it would also promote use of public spaces for displaying of art as part of continuing economic development.

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

The Committee on Finance to whom was referred an order that the amount of ONE THOUSAND FOUR HUNDRED FORTY FIVE AND 00/100 Dollars (\$1,445.00) be authorized from the BUILDING CODES &

INSPECTIONS Department’s OTHER CONTRACTED SERVICES (12402-53010) 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 with the Building Department vacancy, the mayor and auditor vetted the invoice that had slipped through at the end of the fiscal year and assured it was a good invoice. He then stated that the department needed to pay for services due to vacancies in the department.

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

The Committee on Finance to whom was referred an order that the honorable city council accept the revised FY21 CPA MiFA Victory Theatre Murals 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 stated that Mike Falcetti, Vice Chair of the CPC, explained the changes to the project. He then explained that as part of the larger effort by MiFA to raise funds for saving the Victory Theater, they sought CPA funds for taking down and preserving 30 foot murals. He emphasized that they had great value. He then stated that the initial agreement would have had them stored at City Hall, but questions came up over the environment’s impact on the murals. He also noted that if the larger project could not be completed, the city would have right of first refusal for ownership of the murals and to be able to display them. He then stated that MiFA was at over 60% of their fundraising goal and were about to do a regional capital drive and were optimistic that the end was in sight. He then emphasized that it was not a movie theater but was Broadway and Vaudeville stage.

President McGee asked if the intent was to adopt it, noting the Council has already approved it.

Councilor McGiverin clarified that the Council was adopting the request for a scope of change.

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

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 DOLLARS AND 00/100 Dollars (\$1,000.00) as follows:
FROM:

15101-51111 BOARD OF HEALTH FLOATING CLERK \$1,000.00
TOTAL: \$1,000.00

TO:
15101-51300 BOARD OF HEALTH OVERTIME \$1,000.00
TOTAL: \$1,000.00

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 Board of Health Director, Sean Gonsalves, explained in a communication that the overtime was needed due to the original request of \$10,000 being cut during the budget process. He then stated that overtime had been necessary for COVID response and other related needs.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays
--Yeas 13--Nays 0--Absent 0.

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

FROM:
16501-51109 PARKS MAINTENANCE MEN \$10,000.00
TOTAL: \$10,000.00
TO:
12941-51300 OVERTIME-FORESTRY \$10,000.00
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 noted that the order had been held up in committee to assure they had a good understanding of the transfer. He then stated that the overtime accounts for Forestry were not just used for department needs but also were due to various foremen each taking a week on call every month or two where they answered all calls for any type of emergency such as street hazards, traffic light issues, and downed trees. He then stated that the transfer was replacing funds that were cut during the budget process. He then noted that they also learned about a concern with use of the forestry truck.
Councilor Bartley asked who was answering the phone and what number was being called if people were calling in for emergencies.
Councilor McGiverin stated that on the website, there was an emergency call number, often used during snowstorms but could also be for reporting anything obstructing roadways.
Councilor Bartley asked that the administrative assistant find out and provide that number to city councilors.
Councilor McGiverin noted that sometimes people will call the Police Department who will then forward the reports.
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays
--Yeas 13--Nays 0--Absent 0.

Motion was made and seconded to suspend the necessary rules to take up items 18G and 18H 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, TWO THOUSAND DOLLARS AND 00/100 Dollars (\$2,000.00) as follows:

FROM:
14211-51108 SAFETY INSPECTOR \$2,000.00
TOTAL: \$2,000.00
TO:
14301-51106 WASTE/RECYCLING COORDINATOR \$2,000.00
TOTAL: \$2,000.00

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

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

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the "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.

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 order for the \$2,000 transfer was originally needed because the waste and recycling coordinated had initially been shorted for the full salary, but that person left the city, leaving a vacancy and the remaining balance was enough to cover it for the rest of the year.

Councilor Jourdain suggested that if anonymous donations were made in the future, it be explained to the Council that the city knows who it is even if it is not to be known publicly. He suggested that the information provided to the Council for this order wasn't compete, complicating it more than it needed to be. He then noted that it turned out, this donation did meet the statutory allowance for the types of donations that the School Committee or Received can directly approve.

Councilor Anderson-Burgos noted that the reason the information wasn't disclosed was due to legal contracts and was not intentional.

Councilor McGiverin added that they felt comfortable after getting answers to the anonymous part, emphasizing that it was important to know where the funds were coming from to avoid hidden agendas. He then stated that Atty Degnan did research that clarified that normally School Committee would approve grants and donations to the School Department, with a policy that they would vote on anything \$5,000 and above.

Councilor Bartley commended Councilor McGiverin and Councilor Jourdain for having questions and sending it to committee because answers were received that may not have otherwise been given. He then asked that an email from Anthony Soto detailing where the funds would be going could be filed as a communication on the next agenda.

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

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

ORDERS AND TRANSFERS

(49:30)

BARTLEY, Jourdain Ordered, that The City install solar powered pedestrian crossing signals at Hitchcock St where it intersects with Martin St. This is a constituent request with ample neighborhood support. The intersection is notorious for accidents and Hitchcock St. has become a speedway. This is an area with numerous schoolchildren and dog walkers crossing here daily. Receive and Adopt. Refer to Mayor and City Engineer.

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

BARTLEY Ordered, that With Holyoke celebrating its 150th anniversary as a City, ORDER that DGR committee invite the committee chair (A. Vega) and any other committee members to a meeting to hear about any plans and to offer any suggestions

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

BARTLEY Ordered, that A zone change to Holyoke's marijuana ordinance be adopted to extend the time from two to three years that a special permit so granted may exist until it lapses. See OPED letter dated 11/3/22 for background and rationale. The city council would thus adopt MGL Chapter 40A language that allows municipalities to extend permits from two to three years.

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

BARTLEY Ordered, that City Engineer please review quality of road surfaces on Judith St., Merrick Ave., and Charles St. and Briarwood Dr. advise if these should be repaved. Please report back to City Council with a communication by its second meeting of February 2023. Refer to DPW, City Engineer and Mayor.

---> Received and adopted. Referred to the DPW, City Engineer and Mayor..

BARTLEY Ordered, that The Holyoke City Council continue its tradition by inviting to its first meeting in March members of the St. Patrick's Parade Committee, its dignitaries, award winners and board members. Refer to our Administrative Assistant

Councilor Bartley expressed pride in this tradition having begun 6 or 7 years ago. He stated that it was a nice way to start "green season." He added that he had already secured the Caledonian Band for the evening.

---> Received and adopted.

Councilor Tallman asked to return to item 27 to add Briarwood Drive to the list. He noted that the street had been heavily iced up recently and was in terrible condition.

Motion was made and seconded to reconsider the actions on item 27 for the purposes of making an amendment.

Councilor Bartley stated that the point was having the City Engineer look at the street, adding that he had no issue with adding streets or similar orders being filed.

---> Motion was made and seconded to amend the order to add Briarwood Drive.

GIVNER Ordered, that Per constituent requests, please install informational "no engine brake unless in an emergency" signs on Hampden St. and Mueller bridge. Noise volume is extreme from regular traffic. Councilor Puello recalled an earlier order that led to signs being installed at city gateways, noting that they had received positive feedback. He then suggested that these signs be consistent with the ones previously installed, clarifying an exemption for emergencies.

Motion was made and seconded to amend the order, adding "except in an emergency" after "no engine brake."

To Public Safety, Copy to DPW

---> Received and adopted. Referred to the DPW. Copy to Public Safety.

GIVNER Ordered, that Per constituent requests, please conduct a traffic study on Hampden to help mitigate use as a truck route, and to address heavy traffic volume on Hampden. Constituents have difficulty entering/exiting driveways. Also, houses shake when trucks pass. Constituents are concerned there may be infrastructure related safety issues.

To Public Safety, Copy to City Engineer

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

GIVNER Ordered, that Per constituent requests, please address safety concerns of motorists traveling on the Locust St (between Hampshire St and Cabot St.) to the corner of Cabot St. Parking to corner on Cabot in front of Health Center obstructs the view of vehicles crossing or turning on to Cabot.

Councilor Tallman asked to be added to the order. He then noted his familiarity with parking that had been

an issue for many years. He expressed a hope that better enforcement could provide drivers with a clearer view of traffic.

Councilor Bartley stated that a friend in the area had seen horrible accidents and near misses in that area.

To Public Safety, Copy to City Engineer

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

RIVERA_I Ordered, that Order that the Chief of Police, business owners, and residents that live in those communities are invited to discuss safety measures to prevent shootings. We would also like to invite the licensing board to discuss the process of what happens when a licensed business has incidents that heavily impact public safety. The purpose of this order is to provide the public some transparency given the recent shooting at the Unicorn Inn and to advise the City Council on any legislative steps we can take. Councilor Rivera_J asked to be added to the order.

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

MALDONADO-VELEZ Ordered, that Order that the license board is invited to discuss the process of ensuring that all businesses operating within our city are licensed, what happens when the city is notified of an unlicensed business, and how businesses with seasonal licenses are tracked and held to compliance.

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

MALDONADO-VELEZ Ordered, that Order that we create a ballot question asking if there should be a recall process for all elected officials. The question should include a recall process and the decision should be binding.

Councilor Jourdain emphasized that the Council had adopted a recall twice in the past. He further emphasized that the process required it to go from the City Council adopting it, the mayor signing it, the state legislature approving it, the governor signing it, and then it would have to go to a ballot of the city. He reiterated that it had been overwhelmingly adopted twice by the Council and then vetoed by the mayor both times. He suggested that most councilors were in favor of this, but the mayor needed to be on board.

President McGee clarified that it had been the prior mayor.

Councilor Jourdain suggested that two previous ones had both been under Mayor Morse. He then noted that the most recent effort passed but somehow got lost or expired.

Councilor Murphy-Romboletti asked if the proposal included City Council.

President McGee stated that the prior ones did not since it is a 2 year term, adding that the recent one was for all 4 year term offices.

Councilor Jourdain asked when a 2 year official would be recalled.

Councilor Murphy-Romboletti stated that it was just a clarifying question.

President McGee reiterated that the City Council was not added because by the time a recall would go through, it would likely already be an election year.

Councilor Anderson-Burgos stated that this order appeared to include all elected officials.

Councilor Vacon clarified that the 4 year recall language was sent to Mayor Murphy, but it then did not get to the state legislature. She then stated that when Mayor Garcia came in, he did not act on it.

Councilor Jourdain asked if he could have signed it.

Councilor Vacon stated that he could have.

Councilor Jourdain suggested that he was involved. He then suggested having the mayor in.

Councilor Bartley stated that this order was likely dead on arrival, suggesting that it would be virtually

impossible to get a 2 year term recall on a ballot. He recalled that the previous efforts were not to target anybody but due to constituents' interest.

Councilor McGiverin suggested that not everyone was in favor of a recall petition, partly due to language and partly due to concerns that it could be abused easily. He suggested that recall elections could open the city up to political ugliness that the city had survived without for 150 years.

Councilor Jourdain noted that elected officials all had 1 year terms up until 1936. He added that until recently, everyone had 2 years terms. He then stated that this suggestion recirculated when the mayor, treasurer, and city clerk were all recently changed to 4 year terms. He suggested that there needed to be some mechanism if you get a really bad mayor having a 4 year term.

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

MCGEE, McGiverin Ordered, that Ordered, that the Mayor be invited to a Finance meeting for presentation of a draft 5 year forecast model

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

MCGEE, Murphy-Romboletti, Rivera_I Ordered, that Ordered, that the Mayor be invited to a Public Safety meeting for presentation of the Police Department audit

Councilor Murphy-Romboletti asked to be added to the order.

Councilor Bartley asked if the report of the audit has been received.

President McGee stated that they were supposed to be receiving it soon.

Councilor Bartley having an order before having the report.

President McGee stated that the mayor was available to clarify this order.

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

Mayor Garcia stated that the order was filed to get ahead of the timeline. He stated that the draft would be ready soon. He stated that the order was filed to get ready for a presentation date in committee.

Councilor McGiverin suggested that the chair would likely not put it on an agenda until city councilors had a copy at least 5-10 days in advance.

Councilor Vacon stated that would be her request as well.

Councilor Bartley suggested tabling the order.

Councilor Rivera_I stated that while it could be tabled, he wouldn't put it on a Public Safety agenda until the report was sent. He then stated that the order could be in the committee jacket and then he could wait until it was ready.

Councilor Jourdain suggested following that process.

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY ONE THOUSAND FOUR HUNDRED SIXTY FOUR AND 22/100 Dollars (\$21,464.22) as follows:

| | | | |
|-------------|-----------------|--------|-------------|
| FROM: | | | |
| 12101-51104 | LIEUTENANT | | \$3,883.22 |
| 12101-51105 | SERGEANT | | 10,085.70 |
| 12101-51107 | PATROLMEN | | 7,495.30 |
| | | TOTAL: | \$21,464.22 |
| TO: | | | |
| 12101-51180 | INJURED ON DUTY | | \$21,464.22 |
| | | TOTAL: | \$21,464.22 |

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, January 3, 2023.

Joshua A Garcia, Mayor

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY FOUR THOUSAND ONE HUNDRED FIFTEEN AND 60/100 Dollars (\$24,115.60) as follows:

| | | |
|-------------|-----------------|-------------|
| FROM: | | |
| 12101-51104 | LIEUTENANT | \$3,883.22 |
| 12101-51105 | SERGEANT | 10,085.70 |
| 12101-51107 | PATROLMEN | 10,146.68 |
| | TOTAL: | \$24,115.60 |
| TO: | | |
| 12101-51180 | INJURED ON DUTY | \$24,115.60 |
| | TOTAL: | \$24,115.60 |

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, January 3, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President McGee stated that item 37 covered 7 employees and item 38 covered 10 employees. He added that this was the injured on duty accounting procedure.

Councilor Jourdain asked how he knew it was 10 people.

Councilor McGiverin stated that the orders comes with a second page.

Councilor Jourdain asked if a report could be provided detailing who they were, how many, and for how long they had been on the list.

President McGee stated that he would follow up with the Police Chief on that report. He then stated that with every transfer request, they get a list of who is on injured on duty, but they did not include what the injuries were.

Councilor Jourdain asked that reports be provided showing the names, titles, pay, how much had been collected so far. He emphasized that some had been on there for years.

Councilor McGiverin noted while there were some HIPAA issues, it was use of public funds so some details should be disclosed. He then emphasized that determinations for injured on duty were medically and doctor-driven as to how long they stay on or if there is an open window for them going back to work.

Councilor Tallman stated that it was important to find out more about this, noting that it is often 10% of the force out on injury. He expressed his intent to meet with the Police Chief.

Councilor Jourdain stated that even if the personal information Was heavily guarded, there should be a classification explaining how the injuries were happening. He added that it would be helpful to track lost overtime attributable to injuries in addition to lost salary.

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

Motion was made and seconded to suspend the necessary rules to take up items 39, 40, and Late File B as a package.

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby

accepts the provisions of the "FY2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, \$37,248, 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, January 3, 2023.

Joshua A Garcia, Mayor

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, SIXTEEN THOUSAND NINE HUNDRED SIXTY SIX AND 00/100 Dollars (\$16,966.00) as follows:

| | | |
|--------------|-------------------------------------|-------------|
| FROM: | | |
| 11381-51101 | CHIEF PROCUREMENT OFFICER | \$16,966.00 |
| ..- | UFCW LOCAL 459/COUNCIL ON AGING MOA | .. |
| | TOTAL: | \$16,966.00 |
| TO: | | |
| 15411- 51102 | KITCHEN SUPERVISOR | \$1,827.00 |
| 15411-51104 | KITCHEN ASSISTANT | 3,132.00 |
| 15411- 51105 | SOCIAL WORKER / COORDINATOR | 5,481.00 |
| 15411-51202 | LPN / WELLNESS INSTRUCTOR | 2,872.00 |
| 15411- 51203 | DRIVER | 3,654.00 |
| - | | |
| - | | |
| - | | |
| | TOTAL: | \$16,966.00 |

To the City Council:
I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, January 3, 2023.

Joshua A Garcia, Mayor

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

Councilor McGiverin stated that Finance would be meeting before the next Council meeting, noting that there would be an extra Tuesday after the next meeting, emphasizing the importance of funding the agreement. He then stated that they were waiting to receive several reports from departments detailing financial information to help inform financial forecasting.

LATE FILED ORDERS & COMMUNICATIONS

Settlement Agreement by and Between The City of Holyoke and the UFCW Local 1459, Council in aging employees.

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

Adjourn at 08:17 PM.
A true record
ATTEST:

Brenna Murphy McLee
City Clerk