

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

**November 15, 2022**

The meeting was called to order by President McGee at 7:07 PM

The Clerk called the roll. Absent members: 1 (Maldonado Velez) Present Members in person 11 (Anderson-Burgos, Bartley, Jourdain, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera\_I, Rivera\_J, Tallman, Vacon). Present Members on Zoom: 1 (Givner)

The Pledge of Allegiance was recited.

President McGee noted that Councilors Bartley and Jourdain were running a little late and would arrive shortly. He also noted that the name of Councilor Maldonado Velez was pulled to head the roll call voting, adding that he himself would go next as Councilor Maldonado Velez was away on vacation.

President McGee made a motion to take a roll call vote that for the purposes of this meeting would be applicable to all motions to receive, refer items to committee, remove or place items on the table, package items together, suspend the rules, or adjourn unless there is an objection. Councilor Vacon seconded the motion. Motion passed on a call of the roll of the yeas and nays--Yeas 10--Nays 0--Absent 3 (Bartley, Jourdain, Maldonado Velez).

### **LAID ON THE TABLE**

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

Councilor Vacon stated that they were waiting for information from Planning.

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 for public comment.

### **COMMUNICATIONS**

(3:10)

President McGee stated that Councilor Jourdain asked that item 2 be tabled until he arrived.

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

The Committee on Ordinance to whom was referred an order That an ordinance be created that requires a department head to report (with an incident report explaining the cause) of any loss in their department over \$250 in value to the City Council and Mayor within 30 days Recommended that the order be adopted, as amended for losses over \$500.

---> Laid on the table.

\*Taken back up later in the meeting.

From Aaron Vega. Director OPED, communication in regard to approved City Council Special permits for Marijuana Companies.

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

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.

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

From Beech Street Residents regarding addressing traffic study issues.

Councilor Vacon initially suggested referring the item to the Ordinance Committee, noting that similar orders were also sent here.

Admin Asst Anderson-Burgos clarified that the item was a request from Beech Street residents that the traffic lights on the street be synchronized again.

---> Received and Adopted. Copy to Alarm Division. Copy to Public Safety.

From Holyoke Economic Development and Industrial Corporation minutes of April 7, & September 15, 2022.

Councilor Bartley emphasized the importance of this board. He then stated that the meeting minutes had been excellent. He noted that there had been good and important discussions taking place regarding the direction of the board. He then stated that the public should be aware of the close to \$1.8 million in their account. He suggested that the transitioning the revolving fund into a grant fund, possibly changing the direction away from their tradition role or loaning for job creation and manufacturing into loaning for other items. He then expressed a hope that there would be an order filed to have a discussion about their direction in the DGR Committee.

Councilor McGiverin echoed the sentiments that much was going on with the board after a dormant period with HEDIC. He noted that Councilor Murphy-Romboletti was leading a consulting charge, with proposals coming and tough decisions ahead regarding assets. He then stated that he had always been amazed with their minutes, noting that they were one of the few boards that released executive session minutes once the time was appropriate. He emphasized that state law required executive session minutes to be released once the matter requiring it was done.

---> Received.

## **PETITIONS**

(8:35)

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

Petition of Blossom Flower LLC for a new special permit for a Marijuana Delivery Operator at 1 Cabot St.  
---> Received and referred to the Ordinance Committee.

Petition of Blossom Flower LLC for a new special permit for a Marijuana Manufacturing Establishment at 1 Cabot St.  
---> Received and referred to the Ordinance Committee.

## **PRESIDENT'S REPORT**

(9:00)

President McGee stated that planning had begun for Holyoke's 150th anniversary celebration the following year. He noted that a committee was doing work and would putting together a press release to be put out the following week. He further stated that anyone planning events in the city during 2023 should coordinate with the 150th Committee. He noted that more information could be found by visiting [ExploreHolyoke.com/150](http://ExploreHolyoke.com/150)

He then stated that the dedication for Fernandez Way would take place that coming Friday at 5pm. He then asked Councilor Rivera\_I to clarify details of the dedication for Extraordinaaire Way.

Councilor Rivera\_I stated that it would take place on December 2nd at 12pm off of Albion Street and North Summer Street.

President McGee stated that there would be an open house event for Habitat for Humanity taking place on Chestnut that coming Friday from 10am-12pm.

He then stated that the Assessor would be holding the Tax Classification hearing on November 22nd. He also stated that the city was putting collection boxes outside the mayor's office, inside the Annex Building, the DPW Building, and the Senior Center to collect nonperishable food for Kate's Kitchen, taking place through January 6th.

He then stated that a coat drive was taking place for the Salvation Army, with barrels outside City Council chambers as well as one floor below.

He also stated that the Whiting Reservoir Study Committee would be submitting their report in time for the next City Council meeting.

Councilor McGiverin stated that the Firefighters Association annual ball would be taking place the following Saturday. He noted there hadn't yet been a lot of response and that anyone planning to attend should let them know.

Councilor Bartley stated that the firefighters would be holding an annual Mass at Blessed Sacrament at 4pm that Saturday. He also thanked the City Clerk for sending a reminder regarding the rules for late files. He emphasized that late files should only be for emergencies.

## **REPORTS OF COMMITTEES**

(12:25)

Motion was made and seconded to suspend the necessary rules to take up items 10F and 10G 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, FOUR HUNDRED TWO THOUSAND AND 00/100 Dollars (\$402,000.00) as follows:

FROM:

8812-10400 SEWER ENTERPRISE STABILIZATION \$293,000.00

8811-10400 CAPITAL STABILIZATION 109,000.00

TOTAL: \$402,000.00

TO:

60402-53011 SEWER PROFESSIONAL SERVICES \$402,000.00

TOTAL: \$402,000.00

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

FROM:

8815-10400 CANNABIS IMPACT STABILIZATION \$402,000.00

TOTAL: \$402,000.00

TO:

60402-53011 SEWER PROFESSIONAL SERVICES \$402,000.00

TOTAL: \$402,000.00

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 Board of Public Works chair, Mary Monahan, was in attendance. He then

stated that the two orders were to present two options given to the City Council for where the funds would come from. He further stated that the Finance Committee went with option 2, the cannabis impact stabilization account. He explained that it was chosen after guidance that the usage would pass any legal tests for using the funds for this type of service, emphasizing the impact that the industry was having on wastewater treatment sewer plant and sewer overflow issues. He then stated that the other order was to be returned to the Auditor. He then stated that the funds would be used for important work. He noted that there was a consent decree mandate related to wastewater being released into the Connecticut River without being treated, largely due to increased combined sewer overflow. He added that it is usually due to significant rainfall. He further stated that the mandate required the city to continue projects of resolving combined sewer overflow issues. He also explained that the issues were the result of it being a very old city with early days of water from waste and sewers just ending up in the Connecticut River. He then stated that the funds would go to 3 separate areas, \$152,000 going to Veolia (formerly Suez) to vet the contract before entering into the next contract, \$33,000 for a financial analysis to better understand what the funds the city has paid to them has been used for, as well as \$162,000 to address stormwater compliance required by the federal government. He emphasized that the city needed to assure that water being directed into the Connecticut River needed to be pure and contaminants needed to be mitigated.

Councilor Vacon expressed thanks for the thorough report. She then expressed that she was happy that a legal review advised that the impact fee funds could be used for this purpose. She noted she had long been a fan of looking at the service contract, emphasized the importance of reviewing it and understanding how well they had been operating for the city. She then asked if Ordinance and Finance should still hold a joint meeting to look at the sewer enterprise fund.

Councilor McGiverin suggested that they should still have it at some point.

Councilor Bartley asked what the balance was in the cannabis stabilization fund.

President McGee stated that it was \$3.5 million.

Councilor Bartley emphasized the importance of keeping various fund balances in the public's mind. He noted that HEDIC had \$1.8 million, \$3.5 million with cannabis stabilization, around \$18 million with the city's primary stabilization fund, as well as \$1 million in the capital outlay stabilization account. He then stated that this was a prudent use of the cannabis impact stabilization funds. He noted that many on the Council had been acting as stewards of these 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 (Maldonado Velez).

Approved by the Mayor.

Motion was made and seconded to remove item 2 from the table.

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

The Committee on Ordinance to whom was referred an order That an ordinance be created that requires a department head to report (with an incident report explaining the cause) of any loss in their department over \$250 in value to the City Council and Mayor within 30 days Recommended that the order be adopted, as amended for losses over \$500.

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

Councilor Jourdain expressed his surprise by the veto. He noted that the councilors had worked on together at length in committee, had unanimous vote of the full Council, and that the suggested dollar amount for triggering a report was increased from \$250 to \$500. He suggested that the ordinance was a straightforward proposal that if there was a loss of city property over \$500, a department head would be required to report it to the City Council and the Mayor. He emphasized that the public had a right to know if city property went missing or was damaged. He suggested that it was a good government ordinance change. He then noted that the mayor's letter stated that he would hold people accountable, that everyone had a responsibility to comply, and they were expected to support and cooperate with employees, adding that these were all points he agreed with. He further noted that the letter stated that the mayor, auditor, and treasurer had primary responsibility for investigating all activity regarding losses, and that they would notify the Council whenever practical upon commencing an investigation. He then suggested that the problem was that the Council should have a right to know when the losses occur whether or not they were investigated. He asked how the Council could perform its job to maintain oversight if its members did not know when losses occur. He suggested that the mayor could still take additional steps on top of a report being filed with the City Council.

Councilor Bartley noted that the veto letter suggested that the matter be referred back to Ordinance Committee, adding that it did not offer a rationale other than to talk about fiscal procedures. He then asked Councilor Jourdain, as the maker of the order, if he would prefer the order return to committee or be tabled in order to get more explanation of the mayor's logic.

Councilor Jourdain stated that the ordinance was straightforward. He then encouraged the mayor to speak with him and other councilors about filing another order if he wanted to do more or create additional procedures. He also noted that the mayor never mentioned that he planned to veto the ordinance. He reiterated that the order was a simple attempt to have losses reported and that it was unanimously adopted.

Councilor Vacon suggested that the veto had a thread of day-to-day operations in the mayor's sentiment. She then clarified that the ordinance was simply seeking a report and would not put the Council into any day-to-day operations,

Councilor Rivera\_I, after clarification that the ordinance would be law, asked if there was not already a policy in place departmentally. He then asked if this would be another law on top of policies already in place. He suggested that while it may not be overstepping in the Council's efforts to be good stewards of taxpayer money, there were certain things the Council was tasked with and other things department heads were tasked with.

Councilor Jourdain noted that while the order was debated in committee for months, at no time did the mayor ever suggest any amendments or express any concerns. He suggested that perhaps the mayor did not know he could be a part of the process and offer suggestions for the Council to consider. He then clarified that there had not been an ordinance or policy in place requiring that losses be reported to the City Council. He then expressed concern that a department head may not want embarrassing information to get out. He further emphasized that the number one responsibility of the City Council was its fiscal oversight authority. He then stated that the Council needed this information in order to do its job to assure that city funds are spend correctly and go where they are supposed to go. He also suggested that the mayor also had a right to know. He then suggested that without the ordinance in place, it would lead to having to randomly ask departments if they had any losses. He added that there would need to be a reason to suspect something in order to ask.

Councilor Anderson-Burgos asked if there was evidence that suggested there have been things stolen or things broken to bring up questions that things are being lost, requiring a closer eye being kept on departments. He suggested that it appeared to be micromanagement. He then expressed faith in department heads to come to the Council if there were issues. He then expressed that he would likely vote to sustain the veto, adding that he had faith in the mayor to handle these matters.

Councilor Jourdain stated that he knew of many thefts over the many years he had been a part of the Council, noting that they had not been affirmatively reported to the City Council. He then noted that there were Inspector General's reports as well as people having been brought up on charges for stealing from departments. He emphasized that they had not been brought to the Council by department heads but that councilors heard about them thirdhand. He noted that major issues had taken place in the Treasurer's office, the Tax Collector's office, as well as the Council on Aging. He then reiterated that the issue was that the City Council needed to know about these things as a critical part of its oversight. He recalled that a police station as many police cars had been vandalized with spray paint all over it which had not been reported to the City Council, adding that he only learned about it because a citizen sent a photo to him.

Councilor Anderson-Burgos, noting that this had been happening for many years, asked Councilor Jourdain why he was now just filing the order. He suggested that he could have filed it many years ago.

Councilor Jourdain conceded he could have done so earlier.

Councilor McGiverin noted that the makers of the order had made clear what their intentions were, emphasizing good government and transparency. He then expressed curiosity if the mayor was looking for some compromise. He suggested that good government can sometimes curtail good management. He noted that management had been improving after many years of poor management and perhaps the mayor should be given an opportunity to pursue that.

Councilor Givner noted that the veto letter stated that department heads were responsible for reporting things in their departments. She suggested giving the mayor a chance to continue working on better management efforts with people being held more accountable.

Councilor Rivera\_I stated that while he did not disagree with the points being made, he echoed the sentiments that good management should be given a chance. He also suggested that more trust be extended to the mayor and employees of the city. He then expressed agreement that there should at least be some mechanism for requiring departments to report losses.

President McGee noted that the mayor was suggesting a discussion of it. He then asked if Councilor Jourdain if he would like the mayor to come in.

Councilor Jourdain stated that he was intrigued by a Council that went from a unanimous vote two weeks earlier and doing a 180 after the mayor said he did not like it. He suggested that it sounded like the veto may be sustained. He then stated that the ball was now in the mayor's court. He then questioned what amendments would be suggested. He noted that no suggestions were offered over months of discussing it. He then suggested that just counting on everyone to do everything the right way was not the best way to assure transparency. He then asked the Council to consider moving forward with it if no amendments are suggested by the mayor.

Councilor Bartley stated that this situation was nothing new, noting that another ordinance about having public meetings in neighborhoods was recently passed with an 11-1 vote, vetoed, followed by 9 votes to sustain the veto. He suggested that it should not be a surprise. He then stated that he had a positive conversation with the mayor following that vote, and expected that they would work together to pursue that proposal in the future.

Councilor McGiverin stated that it was a good government matter when the legislative and executive branches can work together, emphasizing that they were not agreeing with each other on this matter. He suggested that the legislative branch now had an opportunity to see if there is common ground that would make sense. He suggested that this item be referred back to the Ordinance Committee to seek a compromise.

Councilor Tallman stated that while he did agree with the intent of this ordinance, he suggested that after reading the veto letter which described several measures the mayor was pursuing to address financial accountability, he believed they should give the mayor a chance to work this issue out.

President McGee stated that it was a good order and suggested that it be referred back for more discussion instead of losing it to the veto.

Motion was made and seconded to refer item 2 back to the Ordinance Committee.  
---> Received and referred to the Ordinance Committee.

Councilor McGiverin stated that the MSBA invited the School Department into a discussion of using ARP funds through an accelerated repair program, offered at 80% reimbursement of the \$275,000 cost leading to a net cost of \$55,000. He noted that Councilor Jourdain noticed that they did not yet have the source identified for where the \$275,000 would come from before the reimbursement. He suggested that while they did agree with the project, they asked the mayor to provide a source of the funds for an appropriation vote. He suggested that it could be bonding or a combination of bonding and ARPA money to be filed at the next meeting.

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

---> Report of Committee received and Laid on the table.



President McGee noted that the first snowfall of the season had started.

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

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

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, THIRTEEN THOUSAND TWO HUNDRED AND 00/100 Dollars (\$13,200.00) as follows:

FROM:

12102-55860 PERSONNEL EQUIPMENT \$13,200.00

TOTAL: \$13,200.00

TO:

XXXXX-XXXXX GRANT MATCH - FY22 BULLETPROOF VEST \$13,200.00

TOTAL: \$13,200.00

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 grant would go to purchasing 22 vests, noting that 12 were expiring soon. He added that bulletproof vests had a life expectancy of 5 years. He then stated that in addition to

replacing the expiring ones, the additional 10 would be for new officers. He then stated that the grant, as the source of the funds, was a grant that city had been receiving for a number of years. He then stated that the city's 50% match would come from the Police Department's Personnel Equipment budget.  
---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays --  
Yeas 12--Nays 0--Absent 1 (Maldonado Velez).  
Approved by the Mayor.

Councilor McGiverin stated that item 10B remained in committee, noting that the committee chose to look at the supplemental budget at its next meeting. He then pointed out that they were seeking advance questions from councilors or members of the public.

Councilor McGiverin stated that item 10D also remained in committee to allow the auditor to look into the reasons for covering a bill from the prior year.

Councilor Vacon noted that this was the first time she remembered having multiple supplemental budgets. She asked if they could keep considering them until the tax rate was to be set.

Councilor McGiverin stated that they can. He added that it was not yet clear if they had line item control. He noted that in the 45 day period when they have line item control over the initial budget proposal, whatever they don't cut would become law whether the Council passes it or not. He expressed that it was his understanding that the Council had to vote one way or the other.

Councilor Vacon asked if they would be voting on the whole thing or going through it line by line.

Councilor McGiverin stated that he was still seeking a better answer on that. He suggested that it would be shame if they did not have line item control and someone had to vote on the whole thing if there was one thing they didn't support.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, EIGHTY THOUSAND AND 00/100 Dollars (\$80,000.00) as follows:

FROM:

8810-10400 CAPITAL STABILIZATION \$80,000.00

TOTAL: \$80,000.00

TO:

15103-58000 BOARD OF HEALTH - CAPITAL OUTLAY \$80,000.00

TOTAL: \$80,000.00

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 capital stabilization was a great move by the mayor that was a long time coming. He then stated that the funds would buy the animal control officer a vehicle, emphasizing that the officer had been picking up deceased animals in his own vehicle. He noted that while he was being compensated for miles, it made sense to get a vehicle for a health and safety point of view. He further stated the vehicle would be around \$65,000 but additional funds to outfit the vehicle with a cage and other equipment the officer would need. He noted Erick Velez answered questions.

Councilor Vacon noted that a constituent asked her a question after the meeting regarding what to do if they find a dead animal in their own yard. She expressed that while it was her understanding that a property owner would have to call a service to remove it, she wondered if there was an occasion when the city could go onto private property to remove an animal.

Councilor Jourdain noted that with the consent of the owner, they have done it in the past.

President McGee suggested having Mr. Velez in to give the protocols.

Councilor McGiverin echoed that suggesting, adding that the Law Department could join that conversation to address why that had been the policy for some time. He noted that the question wasn't asked at this meeting. He noted that they usually pick up when there are deceased animals on public ways but had sometimes been called in when there were drug raids at private properties. He noted that for live animals, the city contracted with TJ O'Connor.

Councilor Tallman noted that the vehicle was going to have flashing lights and other markings to help Mr. Velez do his job. He added that they would be seeking to have reports provided twice a year to explain what kinds of animals were being picked up. He further added that the animal control officer often helped with pets following fires.

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$150,000.00) as follows:

FROM:

12201-51105 FIREFIGHTERS \$150,000.00

TOTAL: \$150,000.00

TO:

12201-51300 OVERTIME \$150,000.00

TOTAL: \$150,000.00

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 through the explanation from the new Fire Chief, the surplus was due to the department being down several firefighters. He added that there were 7 new firefighters in the academy as well as 2 that had just started. He then stated that questions were answered regarding how injured on duty claims were handled, with one short term and one longer term in that department. He then stated that the Chief expected them to be closer to a full force by the end of the year. He added that they were running close to \$30,000 of overtime per pay period to keep all of their apparatuses online and available.

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

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

FROM:

8810-10400 CAPITAL STABILIZATION \$75,000.00

TOTAL: \$75,000.00

TO:

15413-58000 COUNCIL ON AGING CAPITAL OUTLAY \$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 the purpose of the transfer was for the Council on Aging to install a new control system for their HVAC system. He noted that it had been repaired to a point that it needed to be replaced. He stated that the city had been using Cote for much of the work, noting their good reputation and rapport with the city. He added that another \$14 million would remain in capital outlay after the transfers that evening.

\*The point regarding the capital stabilization balance was later corrected by Councilor McGiverin. That balance was actually just over \$1 million.

Councilor Vacon asked how old the system was.

Councilor McGiverin stated that the building with the system was 10 years old. He then clarified that it was the control system specifically being replaced.

Councilor Tallman emphasized that they would be getting 18 heat pumps for \$75,000 while one alone would have been \$6,000.

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, TWO HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$250,000.00) as follows:

FROM:

12101-51104 LIEUTENANT \$15,000.00

12101-51105 SERGEANT 35,000.00

12101-51107 PATROLMEN 200,000.00

TOTAL: \$250,000.00

TO:

12101-51300 OVERTIME \$250,000.00

TOTAL: \$250,000.00

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 they had been working with the Police Department to understand their overtime expenditures for better transparency and good management. He noted they were on track to spend around the same as the previous year, emphasizing that it was one of the lowest figures in the last several budgets. He stated that the department budgeted for 92 officers, had 88 at one point, but had vacancies throughout the year leading to the surpluses. He reiterated that the transfers would keep the 24/7 shifts running.

Councilor Rivera\_I asked if they were still running on the overtime budget they were given at the beginning of the year and were just transferring extra from the other line items.

Councilor McGiverin stated that was correct. He noted the surpluses were due to vacancies.

Councilor Rivera\_I asked where they were at with the numbers of officers, noting that they said would get to 92.

Councilor McGiverin noted that while they did say that, he had never seen them get to 92. He added that as soon as 8 people get hired, some retire and other things happen. He stated that there were 88 officers at that time, 6 were in the academy, 2 had just graduated from the academy as part of the 88. He

suggested that the 6 in the academy, along with some retirements, would get them as close to 92 as they had been in many years.

Councilor Rivera\_I asked if the money would be there to fund their salaries.

Councilor McGiverin clarified that the surplus being used in these transfers was from the vacancies up to that point.

Councilor Tallman noted that the Chief had mentioned there being 7 officers out due to being injured on duty in July, and that there were 12 or 13 out in October. He emphasized that when people are out, it's going to cost more in overtime. He noted the Chief expected the transfers to cover them through January.

Councilor Jourdain noted that the number one cause of overtime was injured on duty, emphasizing that 13 officers accounted for roughly 10% of the 150 officer workforce being out due to being injured on duty. He then stated that some of the injured were people out for greater than two years. He also emphasized that it wasn't as simple as taking funds from salary lines and putting it into overtime, noting that overtime was at 150% of the regular rate. He further emphasized that with a majority of the \$1 million being spent on overtime being due to injured on duty, this was a big problem that the city needed to get its arms around.

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, TWO HUNDRED FORTY ONE THOUSAND AND 00/100 Dollars (\$241,000.00) as follows:

FROM:

8810-10400 CAPITAL STABILIZATION \$241,000.00

TOTAL: \$241,000.00

TO:

12103-58000 POLICE CAPITAL OUTLAY \$241,000.00

TOTAL: \$241,000.00

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 funds would cover the purchase of 6 new cruisers. He emphasized that the cruisers are often run 24/7. He noted that the city was mandated by the state to purchase cruisers specifically through MHQ, a state agency, adding that the outfitting costs as much as the vehicle itself, including cages, laptops, and medical gear. He then clarified that the previous understanding that

the city was leasing cruisers was not accurate, adding that the city was making payments to eventually pay off and own them.

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

Approved by the Mayor.

Councilor McGiverin offered clarification of a previous point he made, noting that the regular stabilization balance was \$14 million but the capital stabilization was over \$1 million.

Councilor Jourdain offered a clarification to an earlier point, noting that the Police Department workforce was 120, not 150.

President McGee stated that Councilor Rivera\_I had to leave but would be joining online. He then stated that there were no reports from the Public Safety Committee.

(1:21:55)

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

have considered the same and Recommended that the appointment be confirmed.

Committee Members:

Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that Mr. Mazzola was originally from Brooklyn, New York and had purchased a home in Holyoke a few years earlier on Pleasant St. He then stated that he was a business owner of Paper City Fabrics. He noted Mr. Mazzola's appreciation for the number of historic buildings in the city and wanted to do what he could to help save some of them if they could be. He also noted Mr. Mazzola's familiarity with the demolition delay ordinance. He added that he stepped up when the mayor was seeking members of the public to serve on the commission.

Councilor Jourdain observed that Mr. Mazzola was a thoughtful and conscientious gentleman, adding that it was great that the city could attract people like him to the community. He expressed that Mr. Mazzola would be tremendous for this position.

---> Report of Committee received and appointment confirmed.

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

have considered the same and Recommended that the appointment be confirmed.

Committee Members:

Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that Mr. Knox had been in the city for many years, had served on the Conservation Commission, had served as a warden of elections, in addition to his service on the Board of Appeals. He noted that their minutes had recently begun coming in thanks to a request from Councilor Bartley. He then stated that they learned that members who are not there for all meetings of a specific appeal cannot vote on them, leading to them having to adjourn some meetings due to a lack of quorum. ---> Report of Committee received and appointment confirmed.

The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Jonathan Moquin Jr., 195 Brown Ave. to serve as a Commissioner of the Parks and Recreation for the City of Holyoke: Mr. Moquin will replace Nicholas Duclos and will serve the remainder of the term; said term will expire June 30, 2024

have considered the same and Recommended that the appointment be confirmed.

Committee Members:

Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that Mr. Moquin had been heavily involved with youth activities in the city, having played high school football, as well as coaching football and soccer. He also stated that Mr. Moquin had suggestions for improvements to fields around the city, as well as seeking ways to get more youth involvement.

Councilor Bartley expressed his support for Mr. Moquin, emphasizing that he would be a welcome addition to the board as someone who gets it.

---> Report of Committee received and appointment confirmed.

(1:27:40)

Councilor Murphy-Romboletti stated that item 13A stayed in committee as the public hearing was continued.

The Committee on Development and Governmental Relations to whom was referred an order special permit application for Valley Opportunity Council at 348 Chestnut/48-52 Franklin (009-06-005) to extend and alter a nonconforming structure in connection with proposed rehabilitation of multifamily property



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

Committee Members:

Tessa Murphy-Romboletti  
David K. Bartley  
Joseph McGiverin  
Jenny Rivera  
Linda L. Vacon

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that Valley Opportunity Council had first received their special permit in 2020 and were taking a proactive approach with the permit expiring in January 2023. She noted there were delays due to COVID and supply chain issues but the financing was already in place. She then stated that the project would create 29 units of housing. She noted that they were expecting to complete the project by spring of 2023.

Councilor Bartley clarified that the recommendation was to extend the special permit to December 15, 2024. He then emphasized that they were a credible agency, had a pre-existing nonconforming building that the committee met to discuss a couple years prior. He then stated that it was a positive project for the area that would create additional units, changing a commercial property to a residential property. He also noted that VOC felt confident that they would be able to complete it in time.

Councilor McGiverin also noted that nothing was changing from the initial special permit. He then expressed that the building had an incredible history, at one time having a reputation for being drug infested and overrun with gangs. He then emphasized that the tenants at the time chose not to run but stood up to take over the building and operated it as a co-op.

Councilor Anderson-Burgos noted that while the extension was until 2024, they expected that the work would be completed in 2023.

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

The Committee on Development and Governmental Relations to whom was referred an order From Wayfinders, Analysis of the 5-block area of Holyoke bounded by Appleton Street, Nick Cosmos Way, Worcester Place, and High Street

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

Committee Members:

Tessa Murphy-Romboletti  
David K. Bartley  
Joseph McGiverin  
Jenny Rivera  
Linda L. Vacon

Councilor Murphy-Romboletti stated that Wayfinders presented on an assessment they did on several buildings and vacant lots around High, Appleton, Nick Cosmos Way, and Worcester place. She then stated that it had been a good chance to hear about the challenges and opportunities in that area, with how it ties into work that Mass Development and the city were doing. She added that their plans had suggestions for regulatory changes, including zoning changes, reducing the number of special permits required by the city, and considering urban renewal plan updates.

Councilor Bartley stated that he was grateful for the background provided during the discussion. He emphasized the importance of having Richard Harris who had been a planner in local communities, Diane Smith from Wayfinders, as well as Tom Creed, Chair of HRA, in attendance. He noted that some areas of downtown had received a lot of attention while other areas had been ignored. He then stated that HRA expressed an intent to focus on High Street. He further stated that there was a lot of research put into their work. He expressed a hope that there would be transformation of the area, particularly with regard to the housing stock. He also emphasized that a lot of materials was provided on where their focus was going.

Councilor McGiverin encouraged looking at Library Park Commons on Chestnut Street, noting it had been one of the most rundown blocks in the city. He then noted that this presentation was focusing on another block that had been rundown for many years and could use a lot of input. He also commended the Planning Department for the vision and efforts they were undertaking.  
---> Report of Committee received and recommendation Adopted.

President McGee stated that there were no reports from the Charter and Rules Committee or the Joint City Council and School Committee.

### **ORDERS AND TRANSFERS**

(1:40:45)

PUELLO -- That the legal office please provide an opinion, is a city council seat vacated if a ward councilor no longer resides in their ward.

Councilor Puello asked that an opinion be returned within 30 days.  
---> Received and Adopted. Referred to the Law Department.

PUELLO -- That the state delegation be requested to please draft and support legislation that would amend the needle program in the city. The program was voted down twice and stopped a third time through a lawsuit. State legislation was passed to allow its operation. This requested legislation change would only allow needles to be issued to users if a used needle is exchanged. A needle exchange rule would go a long way in helping solve hazard issues in the city.

President McGee asked for suggestions of where this should go.

Councilor Vacon suggested that it could go to DGR, noting that it was a state law, and they would need to file something to amend it.

Councilor Bartley suggested taking up 17 and 29 together as a package, noting both needed to go to the state delegation. He suggested that both of these topics could be talked about in DGR in the next few months, noting that the committee has a standing rule to invite the state delegation a couple times a year.

Councilor Jourdain stated that he would prefer 29 taken up separately. He then suggested that the language should be fine tuned if it was to go to committee, specifically 1 for 1 exchange. He emphasized that local officials, including the Police Chief at that time, only supported it because that was what was promised. He then noted that the city won a case against the state in which local control was meant to be defined as within the purview of the legislative body. He then recalled that the state turned around and took the power away from legislative bodies and gave it to the Boards of Health. He then reiterated that if there was to be a needle exchange, it needed to be 1 for 1. He suggested that allowing multiple needles in exchange for 1 defeated the whole purpose of it.

Councilor Anderson-Burgos suggested that the control over needle exchanges were taken away from city councils because it was a health crisis and councilors were not the ones who specialize in addressing these kinds of situations. He further emphasized that this was happening around the country. He also stated that before needle exchanges, a lot more people were dying. He then suggested that it may be appropriate to adjust the language of the state law.

Councilor McGiverin stated that the Board of Health did what they should do in addressing the health and safety issue of needles being left out in the street. He then suggested that when they took it away from the City Council, they took away the voice of the people to address public safety and economics. He then expressed frustration that Tapestry had advertised in Springfield that people should go to Holyoke to get their needles. He emphasized that the local Police Department was then burdened with people coming to the city to get their drugs. He suggested that the state made a mistake in taking away control from city councils, noting that councilors can talk about the entire picture in addition to the health implications.

Councilor Vacon emphasized that a program that was initially about helping stop the spread of HIV had morphed into leading Holyoke to be the destination point for people to come and overdose. She suggested that it had not helped public safety and had not become the harm reduction program it was promised to be.

---> Received and referred to the Development and Governmental Relations Committee. Copy to State Rep Dufy, State Senator Velis.

RIVERA\_I -- That a handicap sign be placed in front of 72 Hampshire St. for Lorraine I. Hernandez Campos, placard # PL1550887.

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

Councilor Rivera\_I expressed concern that there was lengthy discussion on an item that should have been going to committee.

VACON -- that speed humps and raised crosswalks be painted yellow to help to distinguish them from the roadway to improve safety and effectiveness.

President McGee asked if they needed an ordinance to paint them a different color.

Councilor Vacon stated that it was being put forward as a safety request, adding that the color didn't really matter.

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

VACON -- request that the dead tree in front of 419 Southampton Road be removed. It is a safety issue near the road. (re-file from 2020)

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

VACON -- 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.

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

ANDERSON-BURGOS -- Order that Chief Pratt come in to discuss a possible gun drop off program. Send to public safety.

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

BARTLEY, PUELLO, TALLMAN, VACON -- The City Council invite a representative from the Appalachian Mountain Club of Boston to a future DGR meeting to discuss the various hiking trails it maintains in Holyoke including the New England Trail that crosses state property from Rt. 141 (W-7) to Rt. 202 (W-5). Please invite Holyoke's conservation director to attend, if available, and other interested parties

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

Motion was made and seconded to suspend the necessary rules to take up items 24 through 26 as a package.

BARTLEY -- The Mayor and community development dept fund the following projects with either CDBG or ARPA funds: Repair Sidewalk on east side of Queen St. between Coit St and ~~Queen~~ King St. and Build/Repair Sidewalk on west side of High St. from Norfolk St. to Parenteau Dr.; repave Merrick Ave.; repair sidewalk on south-side of Hampden St. between Nonotuck and Pleasant Sts. with the section near Thorpe Ave. (W-4) in need of immediate attention.

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

BARTLEY, PUELLO -- City Engineer consider the following road improvements on Main St. in Springdale: in lieu of replacing the traffic light, install a raised crosswalk and solar-powered pedestrian signal. Copy to Mayor, Community Development, HFD Commissioners and Alarm Division.

---> Received and referred to the Public Safety Committee. Copy to Mayor, Community Development, HFD Commissioners and Alarm Division

BARTLEY -- City Engineer review options to improve road safety at Queen and Cherry St. Issue: trucks exiting Queen St. are seen driving over the median strip and making an illegal left-hand turn onto Cherry St. (Rt. 202-South).

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

BARTLEY, Tallman -- The City Council invite the new owner of the Valley Blue Sox, Matthew Drury, and his executive team to a DGR meeting prior to the 2023 season to discuss the team, Mackenzie Stadium,

and increasing attendance and use of the field for Holyoke's students, etc. Copy to Park & Rec commissioners and department head.

Councilor Bartley stated that he had been in contact with the Valley Blue Sox about attending a future committee meeting. He noted they were enthusiastic about providing a presentation.

Councilor Tallman asked to be added to the order. He suggested that they should be able to talk about how to increase attendance.

---> Received and referred to the Development and Governmental Relations Committee. Copy to Parks & Rec Dept, Parks Commissioners.

BARTLEY -- The City Engineer provide an update to a future Public Safety meeting on the status of funding repairs at the crosswalk at the main gate to H.C.C. (This has been pending since at least 2017.)

Councilor Bartley stated that this issue has been a saga. He also stated that the funds were there at one time, but the bids came in too high. He emphasized it was just about putting in a crosswalk with a blinking light as a matter of public safety. He emphasized the need for a good discussion to get the funding.

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

JOURDAIN, Vacon, Bartley, Tallman -- That our State Legislative Delegation & Governor's office please use some of the excess state reserves to install sound barriers along Rt. 91 as needed to protect Holyoke neighborhoods from excessive highway sound. The state in the past cited the lack of funding as the reason for not installing these – now is the time and it would be most appreciated. If they would like to come in to City Council to discuss the logistics of this request, they are also most welcome to do that too.

Councilor Vacon asked to be added to the order. She noted that she tried to get barriers up a number of years ago.

Councilor Bartley asked to be added to the order.

Councilor Tallman asked to be added to the order. He recalled a previous State Rep tried getting this done 20-30 years earlier. He also emphasized that barriers are installed as soon as one drives into Connecticut.

Councilor Rivera\_I asked for protection from train noise for the Flats and lower wards.

Councilor Jourdain suggested filing that order for the next meeting. He then echoed Councilor Tallman's point that once you enter Connecticut, there are sound barriers all the way down 91. He emphasized that the city had been asking for these for years and had been told there wasn't funding for it. He then noted that the state was sitting on \$7 billion.

Councilor McGiverin noted that sound barriers make it sound like driving through a tunnel but it was necessary for neighborhoods. He also stated that the history of 91 needed to be understood, noting that it originally was not meant to take the route that it eventually had but would have taken the path that 391 did, dissect downtown, and go up Beech Street, and cross over the river into South Hadley or travel alongside the railroad tracks.

---> Received and Adopted. Copy to State Rep Dufy, State Senator Velis, Development and Governmental Relations Committee.

JOURDAIN -- DPW/Suez please unclog and fix the street sewer drain in front of 166 Lincoln St. It is beginning to cave in and is also not draining properly if at all.

Councilor Jourdain noted that Suez had recently been purchased by Veolia.

---> Received and Adopted. Copy to the DPW, Veolia.

MCGEE, PUELLO, TALLMAN -- Ordered, that the City Council present proclamations for this year's Veterans Day ceremony honorees:

Brendan Boyle - Public Safety Official of the Year

Olivia Mausel - Citizen of the Year

Phil Levy - Veteran of the Year

President McGee stated that the proclamations had already been presented.

---> Received and Adopted.

MCGEE -- Order that a new street light be installed near 48 Pearl Street.

Councilor Jourdain noted there was a typo, as little should be light.

---> Received and Adopted. Copy to HG&E.

Motion was made and seconded to suspend the necessary rules to take up items 33, 34, 37 through 40, and 42 through 44 as a package.

MCGEE -- Ordered, that the City Council hereby accepts and approves a RESOLUTION TO ACCEPT A RECREATION GRANT FROM THE EOEEA FOR THE RENOVATION OF LAND FOR THE ANNIVERSARY HILL PARK PROJECT.

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

MCGIVERIN -- 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, TEN THOUSAND AND 00/100 Dollars (\$10,000.00) as follows:

FROM:

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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 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, FIFTY SEVEN THOUSAND ONE HUNDRED SIXTY NINE AND 98/100 Dollars (\$57,169.98) as follows:

FROM:

14251-51104 HEAVY MOTOR EQUIP OPERATOR-HIGHWAY \$57,169.98

TOTAL: \$57,169.98

TO:

14252-52600 R&M STREETS & FIXTURES- HIGHWAY \$57,169.98

TOTAL: \$57,169.98

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2023 MUNICIPAL ROAD SAFETY PROGRAM, \$35,000, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 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, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 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, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 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 35 and 36 as a package.

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, THIRTY EIGHT THOUSAND TWO HUNDRED TWENTY FIVE AND 70/100 Dollars (\$38,225.70) as follows:

FROM:



12101-51104 LIEUTENANT \$3,883.22  
12101-51105 SERGEANT 14,119.98  
12101-51107 PATROLMEN 20,222.50  
TOTAL: \$38,225.70  
TO:  
12101-51180 INJURED ON DUTY \$38,225.70  
TOTAL: \$38,225.70

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 2022.

Joshua A Garcia, Mayor

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

MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, THREE THOUSAND SEVEN HUNDRED FORTY NINE AND 96/100 Dollars (\$3,749.96) as follows:

FROM:  
12201-51105 FIREFIGHTERS \$3,749.96  
TOTAL: \$3,749.96  
TO:  
12201-51180 INJURED ON DUTY \$3,749.96  
TOTAL: \$3,749.96

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 2022.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President McGee stated that item 35 covered 13 officers and item 36 covered 2 firefighters.

Councilor McGiverin stated that there had been recent good discussions with both chiefs regarding concerns about injured on duty. He then stated that these transfers did not change any economics, noting that the injured employees would get their salaries by contract. He then stated that a report was forthcoming so that a more detailed discussion could take place in committee.

Councilor Vacon commended Councilor McGiverin for following up and getting ongoing questions answered.

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

Councilor Bartley made a motion to amend item 24, noting that it should read "east side of Queen St. between Coit St and King St." Councilor Tallman seconded the motion. Motion passed.

MCGIVERIN -- 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 2022.

Joshua A Garcia, Mayor

Councilor McGiverin stated the item should be returned to the auditor. He noted that any gifts made to a municipality had to be approved by the legislative body. He then stated that under state receivership, the decision is actually made by the Receiver.

Councilor Jourdain asked for a legal opinion to clarify that.

President McGee suggested tabling to get an answer from the Law Department.

Councilor Jourdain expressed his interest in understanding how the School Department can receive money without the Council, emphasizing that the City Council still approves their budget. He questioned why this gift would be any different.

Councilor McGiverin noted it was a gift and not necessarily an appropriation. He then stated that the Council does adopt the School Department's overall budget but did not have line item control of their budget. He also stated that the City Council never accepted grants for the School Department, noting that those were accepted by the School Committee. He then stated that the more important point was the transparency as well as making sure the gifts are appropriate.

Councilor Rivera\_I asked if the money was going to a specific endowment where they would spend the interest, or would they just spend it all in one shot.

Councilor Jourdain asked for explanation as to why the gift would not need to be transparent. He then asked if people could give anonymous donations to the city.

---> Received and Laid on the table.

MCGIVERIN -- 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 2022.

Joshua A Garcia, Mayor  
---> Received and referred to the Finance Committee.

**LATE FILED ORDERS AND COMMUNICATIONS**

(2:14:00)

MCGIVERIN -- Ordered, 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

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, November 15, 2022.

Joshua A Garcia, Mayor  
---> Received and referred to the Finance Committee.

Adjourned at 9:21 PM