

REGULAR MEETING OF THE CITY COUNCIL
January 17,2023

The meeting was called to order by President McGee at 07:05 PM.

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

The Pledge of Allegiance was recited..

The name of Councilor Murphy-Romboletti was drawn to head the roll call voting.

President McGee stated that Anderson-Burgos was not feeling well and would not be in attendance. He then asked for a moment of silence in honor of Sue Ellen Panitch, who had recently passed away. He stated that she was a phenomenal person in the city, served as a volunteer on several city boards, helped many people in any way she could, and that there were many stories of her generosity. He also asked for a moment of silence in honor of Kevin Reynolds, father of Parks and Rec Director, Tom Reynolds. He noted that the last couple months had been difficult with many local people passing. A moment of silence was observed for Sue Ellen Panitch and Kevin Reynolds.

President McGee stated that a special guest was there that night, Gary Rome, who was well known to everyone there.

Councilor Bartley escorted Gary Rome to the podium.

President McGee stated that the Council had adopted an order to give Mr. Rome a proclamation for being named Time Magazine Dealer of the Year, as the Massachusetts nominee. He emphasized that Mr. Rome deserved recognition not just for the award but for his service to Holyoke, running a phenomenal business that was clearly a family atmosphere for his employees, and all of the charities that he supported. He then thanked Mr. Rome for everything he did for the city and its people.

G. Rome thanked the Council for the recognition. He then stated that what he did was not work but that he loved what he does in the community. He then emphasized that he lived in Holyoke and only slept somewhere else. He then noted that while he did receive a lot of accolades, those honors were for his term that worked tirelessly every day. He then stated that it felt good to give back to the community.

President McGee wished a Happy Birthday to his son, Myles Murphy President McGee. He then shared a story from he had just become Council President. He had been at a baseball jamboree, it had poured for 3 days straight, and it had been Myles' first day playing T-Ball. He then stated that he was told that nobody would be doing anything beyond pictures because it was all muddy, so he wore a suit and tie. He then recalled that Myles had run, slipped, got all muddy, and he then picked him up. He added that Councilor McGiverin told him if he blinked, his son would be in college.

LAID 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 signed up and no hands were raised online.

COMMUNICATIONS

(8:40)

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Asst. to City Council minutes of January 3, 2023.

---> Received and adopted.

From Anthony Soto, Superintendent Holyoke Public Schools, Information on HPS Donation.

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

From Various City Departments Information on Reclaiming Vacant Properties Conference.

---> Received.

City of Holyoke, Massachusetts 5 Year Forecast Workbook.

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

From Green Valley Analytics LLC Annual report.

---> Received.

From Burn Bright LLC, Community Outreach meeting for a proposed Marijuana Cultivator and Product Manufacturer at 1 Cabot St.

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

From Board of Fire Commission minutes of November 17, 2022.

---> Received.

PETITIONS

(10:15)

Motion was made and seconded to suspend the necessary rules to take up items 9 through 11 as a package.

Petition From Victoria Frost LLC application to extend Special permit.

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

Petition of Holyoke 420 LLC, to amend hours of operation and add Delivery service.

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

Petition of Carefully Curated LLC for a new Marijuana Manufacturing Establishment at 400 Race St.

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

PRESIDENT'S REPORT

(10:45)

President McGee stated that there would be a pizza lunch with the new DPW Director at noon the following day.

Councilor Rivera_I stated that there would be a street name unveiling event honoring local rapper, Justin Chavez, known as Extraordinaire, at Albion Street on Friday the 19th at noon. He then thanked the Council for unanimously voting for it.

Councilor Tallman stated that he visited Loretta House the night before for the pop-up shelter. He then stated that they were looking at doing it in the future. He noted that they provided food, hot showers, and changes of clothes for people who needed them. He then stated that they were looking for donations of clean clothing, shoes, and jackets.

Councilor Bartley asked for information on how people make donations.

Councilor Tallman stated that it was at 51 Hamilton Street, and that anytime between 9am -5pm would be the best time to drop off donations.

President McGee stated that I-391 southbound would be closed for 6 months from High Street to the bridge, adding that there would be detours.

Councilor Murphy-Romboletti stated that the detour would take people onto Commercial Street.

REPORTS OF COMMITTEES

(14:30)

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

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

The Committee on Finance to whom was referred an order Settlement Agreement by and Between The City of Holyoke and the UFCW Local 1459, Council in aging employees 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 Adopted on a call of the roll of the yeas and nays --Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

The Committee on Finance to whom was referred an order 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

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 agreement and transfer would involve 11 employees at the Council on Aging. He then stated that it would be \$1 per hour salary increase, retroactive to July 1st and through the following fiscal year as a 2 year agreement. He added that it included a clothing allowance for kitchen staff and other items for drivers that had not seen increases over recent years. He then stated that the surplus in the from account was due to a vacancy for part of the year.

---> 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 (Anderson-Burgos).

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 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.

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 it was an annual reoccurring grant that the Police Department had received for decades and had been well used and had no match. He then stated that Sgt Hart was intending to attend the committee meeting but was unable to connect. He then stated that the committee chose to move it forward to the City Council in case there were questions. He then stated that Sgt Hart was expected to attend that evening but did not appear to be there. He reiterated that while it was a reoccurring grant, they could hold off for a couple weeks.

Councilor Jourdain recalled that the Finance Committee passed it to be nice and give them a chance to explain what it was for that evening. He then suggested that it would not be in good form to pass it without knowing what they would do with the funds and recommended that it be tabled. He added that it could have just been a quick email.

Councilor Bartley stated that the grant had come in for many years, adding that it had been used for things like equipment or vests in the past. He expressed his desire to pass it.

Councilor McGiverin stated that while they did not know what this grant would be spent on, Councilor Bartley was correct on what they had used it before.

President McGee stated that they would normally provide a list of what they were doing with it but there was not one attached.

Councilor Jourdain stated that while the item was likely not remotely controversial, the process needed to be respected.

Councilor Bartley asked that the Admin Asst send an email to Sgt Hart and that the item could be taken up again in 2 weeks.

---> Laid on the table.

Motion was made and seconded to suspend the necessary rules to take up items 13C and 13D 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, ONE HUNDRED FORTY THREE THOUSAND AND 00/100 Dollars (\$143,000.00) as follows:

FROM:
8810-10400 CAPITAL STABILIZATION \$143,000.00
TOTAL: \$143,000.00
TO:
13003-58000 SCHOOLS CAPITAL OUTLAY \$143,000.00
TOTAL: \$143,000.00

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

---> Refer back to the Auditor

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE HUNDRED TWENTY THOUSAND AND 00/100 Dollars (\$120,000.00) as follows:

FROM:		
8810-10400	CAPITAL STABILIZATION	\$120,000.00
TOTAL:	\$120,000.00	
TO:		
13003-58000	SCHOOLS-CAPITAL OUTLAY	
\$120,000.00		
TOTAL:	\$120,000.00	

have considered the same and Recommended that the order be returned to the auditor.

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

UNDER DISCUSSION:

Councilor McGiverin stated that while there were questions surrounding net school spending, Mickey Buhl from the School Department asked that the requests be returned to the Auditor. He added that they had initially chosen to put in the requests after the mayor encouraged departments to communicate their needs for use of the recently created capital stabilization fund. He added that they would plan to do something different.

---> Refer back to the Auditor

The Committee on Finance to whom was referred an order From Tanya Wdowiak, City Auditor, Purchase Agreement for Police Cruisers, Lease Schedule No 1 and Master lease purchase agreement. have considered the same and Recommended that the order has been complied with.

Committee Members:
Joseph McGiverin
Kevin A Jourdain

Will Puello
 Juan . Anderson-Burgos
 Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the city was at the end of a lease agreement with Marcotte Ford, technically really being a purchase agreement. He then stated that the documents were requested by Councilor Jourdain so the committee could review the agreement as well as to clear up some questions. He added that purchases in future years would have to go through a state clearinghouse, likely leading to some savings but preventing the city from supporting a local business.

Councilor Jourdain added that one of the reasons he sought a review was to see if there were fees or interest being charged to the city. He noted that in the past, the city had purchased police cars but through the leasing method, the city was being charged fees and interest of around \$15,000. He expressed support for returning to a purchase method which would avoid fees in the future.

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

The Committee on Finance to whom was referred an order Mayor and Wistariahurst Director please give the City Council an update and repair plan on specifically when will the Wall of the grounds be repaired and how it will be funded. This needs to be a priority and fixed as soon as possible. have considered the same and Recommended that the order has been complied with.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the wall issue at Wistariahurst was well known, with a portion that had already come down and more coming down still. He then stated that they learned was that the wall was considered historic and that the estimated cost would be up to around \$300,000.

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

(27:05)

Motion was made and seconded to suspend the necessary rules to take up items 14A through 14D as a package.

The Committee on Public Safety to whom was referred an order That an Office of Tenants Protection be created. This will be housed under the Board of Health, or appropriate department, which will work on holding landlords accountable and making sure all residents of Holyoke are living safe conditions. have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
 Kocayne Givner
 Todd A McGee

UNDER DISCUSSION:

Councilor Rivera_I stated that the Board of Health was working towards developing something that works for the departments, the community, and the people. He added that they did not have the capacity at the moment in terms of staffing. He noted that they were also exploring what would be legal. He expected there would be more conversations around this issue with a Tenants Bill of Rights and other solutions.

Councilor Bartley suggested that the proposal would require an ordinance, and that they should look into a

template. He noted that Hartford was having serious tenants issues and had brought in the EPA to investigate landlords because of unsanitary conditions.

Councilor Maldonado Velez stated that the intention was to start the conversation to indicate to the Board of Health that there was interest in doing this. He added that an order would be filed to go to Ordinance when they were ready for a more comprehensive plan. He added that there was a hope to get more compliance rather than punitive measures.

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

The Committee on Public Safety to whom was referred an order that both the Public Health & Legal department come into public safety and elaborate on the process of code enforcement and taking landlords to court that aren't complying with city ordinances. have considered the same and Recommended that the order has been complied with.

Committee Members:
Israel Rivera_I
Kocayne Givner
Todd A McGee

UNDER DISCUSSION:

Councilor Rivera_I stated that the Sean from the Board of Health was focused on educating tenants in the community on the rights they have and the processes in place to have inspections done. He then stated that a lot of people were afraid to follow through with having inspections done for fear of retaliation from landlords. He added that the Law Department spoke on the process of taking people to court, adding that they were requesting more staffing help to be able to pursue that approach more thoroughly. He noted that Springfield had a policy that if buildings are cited, they have 30 days to fix issues or they can be brought into court. He emphasized that this was not happening in Holyoke due to not having the same resources. Councilor Bartley emphasized the importance of developing the receivership program, noting that a report from the Law Department should be available soon. He commended the Law Department for their persistence.

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

The Committee on Public Safety to whom was referred an order that the Board of Health, Law Dept, and any other involved departments come into a Public Safety meeting to discuss how the city will use what it's receiving from Opioids lawsuit settlements.

The state AG's office website provided an update on November 4th that Holyoke will receive around \$427,000 over several years and it has been reported that the state also plans to seek a part of another \$10 billion that was just announced from a CVS/Walgreens settlement.

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

Committee Members:
Israel Rivera_I
Kocayne Givner
Todd A McGee

UNDER DISCUSSION:

Councilor Rivera_I stated that the city would be receiving around \$4 million over the next several years from a variety of different lawsuits. He then stated that their plan was to hire a housing navigator and someone to help educate the public on the resources available and to help find homes and combat homelessness. He noted that Councilor Vacon pointed out the need for more education on the dangers of drugs. He suggested that another order be filed in the future to dive deeper into the plan.

Councilor Vacon recalled that it had been a thorough discussion on the process for using the funds. She then stated that the first focus should be on those who are drug addicted and trying to intervene to get people off drugs. She added that much of the discussion also focused on education as another part. She also stated that another part should be on matters of enforcement, emphasizing that the police never

seemed to have enough officers to try to reduce the number of dealers in the city. She emphasized that more than 50% of those who overdose in the city are not from the city. She expressed her understanding that they would come back in a few months to provide an update.

Councilor Bartley questioned if grant funded positions needed to be established by ordinance first.

Councilor McGiverin stated that the funds likely had not yet been accepted by the City Council, adding that it would need to be appropriated like any funds. He added that he would prefer the city work with consultants rather than creating a position in order to avoid having to deal with unemployment and other types of benefits

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

The Committee on Public Safety to whom was referred an order that the mayor and the flex squad be invited in to discuss what it is, as well as its effectiveness and what steps they're taking to make sure that the neighborhoods are cleaned, not just on private property but public property as well. have considered the same and Recommended that the order has been complied with.

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A McGee

UNDER DISCUSSION:

Councilor Rivera_I stated that they had the Fire Chief, Mayor, and Health Department in for the order. He then stated that the goal of the order was to understand the approach and the reasoning behind the Flex Squad. He noted that while they understood it was about combating trash and illegal dumping in neighborhoods, some councilors sought understanding on how they chose the locations and how councilors can help in identifying additional locations.

Councilor Vacon stated that she had received an email that day suggesting that there be a program that could be used in neighborhoods to address quality of life issues that if left unaddressed, would lead to increasing criminal problems. She emphasized that the Flex Squad appeared to put the city ahead of the curve.

Councilor Bartley stated that the Flex Squad was restricted by census tracts due to being paid for by ARPA funds. He suggested that the Board of Health website page add a section showing where the Flex Squad can investigate and address issues. He also suggested that additional orders being filed annually to invite the Flex Squad to update on their activities and investigations.

Councilor Maldonado Velez stated that part of the goal was to make sure that property owners were aware that Flex Squad could come around on Saturdays and that properties should be in order. He added that the larger focus of the meeting was helping set the city up for success.

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

President McGee stated that there were no reports from the Public Service Committee or the Development and Governmental Relations Committee Reports

(43:45)

The Committee on Charter and Rules to whom was referred an order that we revert committee name (Council Rule 9Bvii) to read "The Joint Committee of the City Council and School Committee" instead of "Youth Services Committee" have considered the same and Recommended that the order be adopted.

Committee Members:
Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez stated that this was reverting the name of the committee to its previous one, noting that the intention of the previous name change was not what was accomplished by changing it. He then stated that they would need to create another committee that could take up more youth service issues that could not be taken up by the joint committee. He noted the other order remained in committee. ---> Report of Committee received and Adopted on a call of the roll of the yeas and nays --Yeas 12--Nays 0--Absent 1 (Anderson-Burgos).

The Committee on Charter and Rules to whom was referred an order From Councilor Maldonado-Velez, City Council Rules examples with titles and sections. Send to Charter & Rules Amherst(
<https://www.amherstma.gov/DocumentCenter/View/46001/Amherst-Town-Council-Rules-and-Procedures?bidId=>)
Boston (<https://www.boston.gov/departments/city-council/city-council-rules>)
have considered the same and Recommended that the order has been complied with and be archived.

Committee Members:
Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A McGee
Linda L. Vacon

UNDER DISCUSSION:

Councilor Maldonado Velez stated that these were examples sent in when the committee was working on reorganizing the Council rules, and that the committee was just clearing out the jacket to archive them. ---> Report of Committee received and recommendation adopted.

Motion was made and seconded to suspend the necessary rules to take up items 17C, 17D, 17E as a package.

The Committee on Charter and Rules to whom was referred an order relook at committee responsibilities and restructure.
have considered the same and Recommended that the order has been complied with.

Committee Members:
Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez stated that this one of the first orders he filed in an effort to consider restructuring committees or expanding the number. He noted some cities have as little as 4 while others have as many as 17 committees. He added that the conversation was likely exhausted at that point. ---> Report of Committee received and recommendation adopted.

The Committee on Charter and Rules to whom was referred an order that our city solicitor draft a ballot question for the next eligible election for voters to decide if the CPA tax should be reduced from 1.5% to 0.5% in light of current financial hardship of our taxpayers.
have considered the same and Recommended that the order has been complied with.

Committee Members:
 Jose Maldonado-Velez
 Tessa Murphy-Romboletti
 Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez stated that one question was whether or not ballot questions needed to come out of Charter and Rules, adding that they learned they can come out of any committee. He then stated that as the Finance Committee was already taking up this matter, they were disposing of these orders to allow the conversation to continue in that committee. He added that CPA Chair, Meagan Magrath, was available if anyone had questions about the CPA.

Councilor McGiverin noted that the original question had been handled in the DGR Committee. He then stated that his reason for asking it to be handled in Finance was that all of the CPA's projects were vetted before the Finance Committee. He then stated that there needed to be an effort to provide education from multiple sides if there was going to be a ballot question. He also stated that CPA was planning to put together a packet of information explaining what CPA had done. He suggested that having a concise question would be the best way to handle it.

Councilor Vacon agreed that education should be balanced and present so that voters could make an informed decision. She then noted that there was some confusion over how a question needed to get to the ballot, including needing to get a petition with 10 signatures. She then clarified that because the City Council voted to put it on the ballot in the first place, it was the responsibility of the City Council, through a majority vote, to put it on the ballot again if it were to be brought up again. She noted there had been confusing articles put out about it.

Councilor Maldonado Velez clarified that 10 signatures would be required to petition the City Council to put a question on the ballot. He then stated that the only way for citizens to get a question on the ballot without the City Council was to get 10% of eligible voters to sign a petition if the City Council didn't act on a petition.

President McGee confirmed that was correct. He reiterated that voters can petition the City Council or get the signatures of 10% of voters for a ballot question. He recalled that the Council took up the original question for the voters instead of requiring them to get signatures.

Councilor Vacon stated that they would not have to petition the Council with 10 signatures this time because they didn't have to the first time.

President McGee confirmed that was correct.

Councilor Tallman suggested that if the Council did not choose add a question to the ballot this time, the citizens could then put together a petition with a percentage of the voters. He then asked if there was a time frame for them to get it on the ballot for that year.

Councilor Vacon expressed her understanding that it was sometime in September.

Councilor Bartley recalled that while many councilors did not support it the first time, they voted to add it to the ballot for the citizens to vote on. He then suggested that it would be in the interest of comity and fairness to put it on the ballot this time.

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

The Committee on Charter and Rules to whom was referred an order that our City Solicitor draft a ballot question for the next eligible election for voters to decide if the CPA tax should be reduced from 1.5% to 0.5% in light of the current financial hardship of our taxpayers.

Taxes will increase by over \$200.00 per year for a house valued at \$236,262 due to repeated inability to achieve 7 votes of the City Council for lower taxes for homeowners. This increase is taking place along with significant increases in sewer, gas, electricity, food & heating prices. Voters should have the right to decide the rate. City Council initiated the CPA tax here originally, so needs to vote to place it on the ballot again for voters to decide.

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

Committee Members:

Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A McGee

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

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

The Committee on Charter and Rules to whom was referred an order That our city solicitor draft a ballot question to revoke the CPA tax and that it be placed on the next eligible election ballot for the voters to decide if they want to keep the CPA tax after 5 years.

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

Committee Members:

Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez stated that Councilor Vacon, as the maker of the order, chose to stick with proposing the reduction from 1.5% to 0.5% instead of seeking to revoke it.

Councilor Vacon stated that it would create more confusion if both questions were on the ballot, especially if both were approved.

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

The Committee on Charter and Rules to whom was referred an order that we add the following committees to the City Council:

Zoning Committee - dealing with zoning changes and language

Public Way Committee - dealing with handicap spots, parking, and traffic ordinances

Development Committee - focusing on grants and economic development

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

Committee Members:

Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A McGee

UNDER DISCUSSION:

Councilor Maldonado Velez stated that the committee was considering a few other committees but these three did not make the cut.

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

The Committee on Charter and Rules to whom was referred an order that when a vacancy open up in city council with more than 6 months left of the term, that a special election is required.

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

Committee Members:
 Jose Maldonado-Velez
 Tessa Murphy-Romboletti
 Todd A McGee
 Linda L. Vacon

UNDER DISCUSSION:

Councilor Maldonado Velez stated as they were still considering instituting a recall process and if it would just be for 4 year officials, they first needed to address that before considering this special election conversation.

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

ORDERS AND TRANSFERS

(57:35)

MCGEE, Murphy-Romboletti Ordered, that Order that we invite in the CPA board members to give an update on the program.

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

MCGEE Ordered, that Ordered, that 3 salary reports for calendar year 2022 be provided to the City Council as an update to the past reports published on the City website: the top 100 salaries for the City of Holyoke, the top 100 salaries for the Holyoke Public Schools, and a report of salaries for elected officials. Reports should not include confidential identifying information such as social security numbers.

Councilor Jourdain asked if there had been reports in the past for top pensions. President McGee expressed his understanding that it has always been just top salaries.

---> Received and adopted. Referred to the Treasurer.

MCGEE, Tallman Ordered, that "ORDERED: that the City of Holyoke, having previously accepted the provisions of MGL Ch 59, Section 5 (allowing the Board of Assessors to grant a real and personal property tax abatement to those active duty members of the National Guard and reserves serving in foreign countries) does now further adopt and extend such acceptance for as long as permitted under state law. "

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

MCGEE Ordered, that Ordered that City Council Rule 9H be amended and re-worded in order to make the process of changing or updating an ordinance a smoother process.

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

Motion was made and seconded to suspend the necessary rules to take up items 23 and 24 as a package.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY ONE THOUSAND TWO HUNDRED THIRTY SEVEN AND 47/100 Dollars (\$21,237.47) as follows:

FROM:		
12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	10,085.70
12101-51107	PATROLMEN	7,268.55
	TOTAL:	\$21,237.47
TO:		
12101-51180	INJURED ON DUTY	\$21,237.47
	TOTAL:	\$21,237.47

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, January 17, 2023.

Joshua A Garcia, Mayor

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

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, FIVE HUNDRED TWENTY TWO AND 16/100 Dollars (\$522.16) as follows:

FROM:			
12201-51103	FIRE CAPTAIN		\$522.16
		TOTAL:	\$522.16
TO:			
12201-51180	INJURED ON DUTY		\$522.16
		TOTAL:	\$522.16

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, January 17, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor McGiverin stated that this was accounting for public safety employees who were injured while on duty. He added that they could be short term of a few days or longer term. He then stated that the Police Department appeared to be getting healthier while the Fire Department appeared to be getting less healthy.

President McGee stated that item 23 covered 7 employees and item 24 covered 1 employee.

Councilor McGiverin expressed his understanding that the police transfer was more due to not having any the last meeting.

President McGee clarified stated that the documents did not appear to reference 2 pay periods.

Councilor Jourdain stated that they did approve some last time.

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

Motion was made and seconded to suspend the necessary rules to take up items 25 through 29 as a package.

MCGIVERIN Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, FIVE THOUSAND AND 00/100 Dollars (\$5,000.00) as follows:

FROM:			
12101-51104	LIEUTENANTS		\$5,000.00
		TOTAL:	\$5,000.00
TO:			
12101-51103	CAPTAINS		\$5,000.00
		TOTAL:	\$5,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, January 17, 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, TWO HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$250,000.00) as follows:

FROM:			
12101-51117	E911 DISPATCHERS		\$100,000.00
12101-51107	PATROLMEN		150,000.00
		TOTAL:	\$250,000.00
TO:			
12101-51300	OVERTIME		\$250,000.00
		TOTAL:	\$250,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, January 17, 2023.

Joshua A Garcia, Mayor

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

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "STUDENT AWARENESS OF FIRE EDUCATION & SENIOR SAFE, 7,958.00, 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 17, 2023.

Joshua A Garcia, Mayor

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

MCGIVERIN Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY23 FIREFIGHTER SAFETY EQUIPMENT, \$24,978.00, 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 17, 2023.

Joshua A Garcia, Mayor

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

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

hereby accepts the provisions of the "2022/2023 Marcotte Ford Fire Equipment Donation, Estimated Value \$9,890.52" 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, January 17, 2023.

Joshua A Garcia, Mayor

Councilor McGiverin stated that the Finance Committee would be meeting on February 1st and would be discussing the financial forecast with the finance consultant. He added that he would try to get as many of these financial orders on that agenda as he could but may try to work with committee members to schedule another meeting.

Councilor Jourdain asked if he was referring to the 5 year report received on that evening's agenda.

Councilor McGiverin stated that he wasn't sure but he believed so.

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

PUELLO Ordered, that That the city engineer please explore the feasibility of installing a divider(s) at the top of Saint Vincent street. Concerns have been raised about vehicles being able to turn safely.

---> Received and adopted. Copy to Engineer and Public Safety.

PUELLO Ordered, that That the city engineer please explore the feasibility or repairing the raised crossed walk on West Franklin and Magnolia Ave. Concerns have been raised about its effectiveness.

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

PUELLO Ordered, that That a police traffic trailer please be set up on Main and Vernon Streets adjacent to Springdale park as an additional speed mitigation measure while more permanent improvements are made.

---> Received and adopted. Copy to Traffic Officer & Police Chief.

PUELLO Ordered, that That the DPW please replace the older numerically "assigned" handicap spots with generic "un-assigned" handicap signs in the alley parking behind 588 South Summer st. Concerns have been raised about spot sharing. Please report back to the City Council.

Admin Asst Anderson-Burgos asked President McGee if the item needed to go to Ordinance.

President McGee stated that it was just changing the signs. He then stated that the placard numbers used to be put on the signs until the state said that couldn't be done. He added that people apply for a sign by showing they have a placard but the signs that go up can be used by anyone with a placard.

Admin Asst Anderson-Burgos noted to President McGee that the placard numbers were still in the parking schedule in the ordinances.

Councilor Jourdain stated that the ordinances were changed a while ago where the numbers were taken out. He recalled that a Law Department opinion may have come out in 2003.

Councilor Rivera_I asked if his order would be a city issue if the space was in the alley.

President McGee stated that many alleyways were owned by residents up to the middle of them while others were not owned in that fashion. He added that if there was already a sign there, it was already vetted by the city.

Councilor Rivera_I suggested that if it was on the building owner's property, it may be something they did rather than something the city did. He then stated that he had never seen a handicap sign put in an alleyway.

President McGee stated that the Council could adopt it with a request that the DPW report back.

Councilor Vacon stated that if it wasn't in the ordinance book, the Engineer could come back with that update.

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

PUELLO Ordered, that The the recently installed handicap sign at 363 Chestnut St please be removed by request of original petitioner.

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

PUELLO Ordered, that That the receiver of schools please explore the costs and feasibility of revamping current drivers Ed classes, so that upon completion students receive a drivers license/permit from DMV.

---> Received and referred to the Joint Committee of City Council and School Committee.

RIVERA_I, Jourdain, Murphy-Romboletti, Tallman Ordered, that Order that the honorable city council invite in the chief of police to discuss whether or not the department has a "Traffic Squad", ordinance references the designation of 6 officers that are required to act as traffic officers. Constituents are concerned with drivers that speed, eat stop signs, etc...

Investment in a "Traffic Squad" as city ordinance states, should help tremendously with mitigating some of our constituent concerns.

Sec 50-42. - Traffic squad—Designation and training of members.

The chief of police shall designate six members and such additional members as may from time to time be required to act as traffic officers. Such members shall receive and be given thorough and adequate training in the regulation and direction of traffic, in accordance with a uniform and recognized standard.

Councilor Jourdain asked to be added to the order.

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

Councilor Tallman asked to be added to the order.

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

RIVERA_I Ordered, that Order that honorable city council add a section to Holyoke code of ordinances titled "Human Relations".

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

RIVERA_I Ordered, that Order that the honorable city council work with the city solicitor's office to draft an ordinance prohibiting the discrimination or discriminatory practices based on an individuals, or the perception of an individual's race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, age, disability, criminal history or the use of a service animal.

Councilor Rivera_I stated that he already had language drafted that he found from another source. He then asked if that should be filed.

President McGee stated that it could be referred to that committee.

Councilor Vacon suggested that the Law Department provide any ordinance language the city currently had.

Councilor Rivera_I stated that he had not seen any language with the city.

President McGee stated that what he did have could be sent to the Law Department and then copied to the Admin to send it out to the rest of the Council.

Councilor Jourdain stated that there may be a statute already saying this, creating a potential preemption

issue. He added that the city can't create an ordinance that if state law says one thing, a local ordinance can't be created to say something else. He suggested that may be the reason there wasn't something in the ordinance book.

---> Received and referred to the Ordinance Committee. Copy to Law Department.

RIVERA_I Ordered, that Order that the honorable city council invite the representatives of Holyoke Public Schools Special Education Department to address IEP process and procedure as well as who they are working with to help ensure families understand information being presented. Constituents are concerned that they may not be receiving adequate counsel when making important decisions in such meetings. Being that a considerable portion of parents identify English as a second language, it is important families understand the information that is being presented them.

---> Received and referred to the Joint Committee on City Council and School Committee.

VACON, Puello Ordered, that the Cannabis Commission create a regulation that retail marijuana products be required to have a health safety warning. This is needed In light of studies showing significant medical emergencies among children and adolescents as well as adults, due to marijuana use.

Councilor Rivera_I stated that they may already have those warnings but they could have that conversation in committee.

Councilor Vacon stated that she filed it because so much of the products look like candy.

Councilor Murphy-Romboletti stated that there was already a regulation.

Councilor Rivera_I stated that there was already a caution box on the wrapper, but the conversation could be had.

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

VACON, Puello, Tallman Ordered, that local inspections of retail marijuana establishments for compliance with laws (selling to 21+) similar to those for cigarettes and alcohol be completed in coordination with the Cannabis Commission.

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

VACON, Puello, Rivera_I Ordered, that marijuana mitigation money be used to provide educational programs regarding the risks and dangers of marijuana use by children and adolescents, and how their growth and development are affected by it.

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

LATE FILED ORDERS & COMMUNICATIONS

MCGEE Ordered, that Ordered that 2-138 (e)(9)(b) Fire Department Stations Revolving Fund be updated to remove the language "payments received by Action Ambulance" and replace with "payments received from the City's contracted ambulance provider."

Councilor Vacon asked if this should go to Ordinance.

Councilor Jourdain stated that it was a revolving fund purpose change. He added that it was not set by ordinance but by state law. He further stated that with the recent change of vendors, they wanted to make it generic.

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

MCGIVERIN Ordered, that From Lisa A. Ball, City Solicitor Settlement Agreement By and Between The City of Holyoke and NAGE R1-180, Clerical Union.

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

MCGIVERIN Ordered, that Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "ADVANCING CLIMATE RESILIENCE & HEALTH THROUGH URBAN FORESTRY, \$13,500, 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.
---> Received and referred to the Finance Committee.

Adjourn at 08:25 PM.

A true record

ATTEST:


City Clerk