

**REGULAR MEETING OF THE CITY COUNCIL**

**February 7, 2023**

The meeting was called to order by President McGee at 7:04 PM (5:15)

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

The Pledge of Allegiance was recited.

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

President McGee wished his daughter, Mac McGee, a Happy Birthday.

Motion was made and seconded to suspend the necessary rules to take up item 56 out of order.

MCGEE — That the City Council present a Proclamation to Amie Chrzanowski for her outstanding work and dedication as an interim director of the BPW

---> Received and Adopted.

President McGee stated that the new DPW Director, Carl Rossi, was in attendance and had met everyone. He added that Mr. Rossi would be back to help present the proclamation at the 2nd meeting in March. He added that Ms. Chrzanowski had been outstanding in helping out while the position was vacant.

**LAI D ON THE TABLE**

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

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “FY2022 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. Recommended that the order be adopted

**UNDER DISCUSSION:**

Councilor McGiverin stated that Sgt Hart was out of state when this was taken up and attempted to join but had technical issues. He then explained that in an email sent by Sgt Hart, the grant was to be used for equipment, including 5 mobile street cameras with installation, miscellaneous radio equipment with chargers and batteries, 25 Taser batteries, a UPS back up battery for camera system, totaling \$37,248 which included an administrative cost of \$3,695. He noted that while the committee recognized the Byrne grant, it was appropriately tabled at the last meeting in order to get more specifics.

Councilor Jourdain suggested that an email could be sent in the future if someone can't attend a meeting.

Councilor Rivera\_I agreed that communications would be helpful, noting that department heads often sent communications to address orders being taken up. He also expressed that while he did support this grant, he was seeking an update on the department's plan to hire a grant coordinator.

Councilor McGiverin stated that while that was good advice, he suggested that it not be the rule since emails cannot answer questions. He offered a reminder that Sgt Hart planned to attend that meeting but had technical issues.

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

President McGee stated that item 2 remain tabled.

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

(6:40)

Catherine Hamel, 231 Oak Street, stated that she built her house and got her certificate of occupancy (CO) in 2017. She then stated that an old Victorian burned down and that the property had been vacant since 1976. She then explained that she was requesting that the Council consider looking an issue such as what happened the previous Friday when a rotting tree on the property of an abutting house on the next street over fell, taking down power lines and scraping the side of her house. She suggested that many others in the city may have similar issues. She then explained that she called the emergency crew because power went out on the entire block, adding that they arrived within a half hour and had worked in frigid weather. She further explained that the issue was that it was a neighbor's tree, adding that this was the second time in as many years that a tree had fallen from that yard into her own yard. She noted that while the power was restored within a few hours. She then stated that the neighbor needed to be held accountable. She noted that the only way to access power lines in that area was from her yard. She then explained that she was requesting the Council change laws or make it so that people who own property with hazardous trees have to do something for preventative work and hold them accountable instead of making it someone else's problem if it lands on another property. She added that she would be contacting her ward councilor. She also noted that she spoke with Stephen Fry from the Mayor's office, who went out and took pictures. She added that she had also spoken with the City Forester.

President McGee suggested that she could contact her ward councilor or an at-large councilor and they could help her go through the process.

John Rivera, 125 Cabot Street, stated that the previous testimony illustrated the importance of funding a Public Safety Committee. He then suggested that the City Forester be funded more. He then asked that councilors appeal to the mayor during budget discussions to take funds from the Police Department to fund a Public Safety Committee. He also suggested holding hearings to discuss funding public safety of the city in a different way than through policing.

(Admin's note: the speaker's reference to a Public Safety Committee is a departmental proposal distinct from the City Council's subcommittee of the same name.)

Motion was made and seconded to suspend the necessary rules to take up items 45, 62 through 65, and Late Files E and F out of order as a package.

MURPHY-ROMBOLETTI — Ordered, that pursuant to Rule 9P, that the following order be discharged from the Ordinance Committee and returned to the Council and placed on the floor for immediate action:

Ordered that the Law Department be given the authority to hire a paralegal above mid range up to no more than max without needing further approval from CC due to special circumstances.

Received and referred to the Ordinance Committee on 12-20-22

---> Removed from the Ordinance Committee and referred to the Law Department to be drafted into legal form.

MCGEE — Ordered, that pursuant to Rule 9P, that the following order be discharged from the Ordinance Committee and returned to the Council and placed on the floor for immediate action:

Order that section 2-40 and section 2-41 of the City Ordinances regarding vacation leave be amended to credit a new employee and existing employees with additional paid vacation time based on relative prior employment experience and/or based on the new vacation schedule below:

Vacation leave\* with full pay shall be accrued based upon the length of continuous employment as of the benefit eligibility date as follows:

Less than five years 15 days\*

At least five years 20 days\*

At least 10 years 25 days\*

At least 20 years 30 days\*

Received and referred to the Ordinance Committee on 12-20-22.

---> Removed from the Ordinance Committee and referred to the Law Department to be drafted into legal form.

MCGEE — Ordered, that pursuant to Rule 9P, that the following order be discharged from the Ordinance Committee and returned to the Council and placed on the floor for immediate action:

Ordered, that Sections 2-40 and 2-41 of the Holyoke City Ordinances be updated to correct accrual language in 2-40 (e) and (g) and 2-41 (b)

Received and referred to the Ordinance Committee on 12-20-22.

---> Removed from the Ordinance Committee and referred to the Law Department to be drafted into legal form.

MCGEE — Ordered, that pursuant to Rule 9P, that the following order be discharged from the Ordinance Committee and returned to the Council and placed on the floor for immediate action: Order that Sec 2-40 and Sec 2-41 of the City Ordinances regarding Vacation Leave be amended to add language that the City may credit a new employee with additional paid vacation time based on relative prior employment experience.

Tabled in Ordinance Committee on August 23, 2022.

---> Removed from the Ordinance Committee and referred to the Law Department to be drafted into legal form.

MCGEE — Ordered, that pursuant to Rule 9P, that the following order be discharged from the Ordinance Committee and returned to the Council and placed on the floor for immediate action: Order that section 2-35f personal days be amended to 4 days.

Received and referred to the Ordinance Committee on 12-20-22.

#### UNDER DISCUSSION:

Councilor Bartley asked for a motion to clarify what action was to be taken.

Councilor Anderson-Burgos stated that the intent was to act on the orders.

President McGee asked to clarify that the motion was to receive, pull from committee, and vote to put them into legal form.

Councilor Anderson-Burgos confirmed that was the intent.

Councilor Jourdain stated that the first motion would have to be to remove from committee, as nothing else could happen before that.

Motion was made and seconded to remove the relevant orders from committee.

Councilor Anderson-Burgos stated that in a recent meeting, there had been discussion about how it was hard to staff, not just in the city but in businesses throughout the country. He suggested that one reason for it was that many of the employees working for the city, who work hard and have families, deserve more. He added that this led him to feel that these should be acted on that night.

Councilor Vacon stated that while she understood the interest in getting them addressed, one was still waiting for information - noting some had been provided that evening - and the others had just been filed at the end of December. She emphasized that every committee chair had orders in their jackets much older than these. She suggested that as a matter of process, she explained how she created agendas. She further explained that many agendas were time-controlled due to state laws and other regulations. She then stated that she and Admin Asst Anderson-Burgos coordinate on those items to assure items are taken up within their timelines. She added that other items are active orders that had been taken up by the committee and fit into future agendas. She further stated that other items that seem to be needed relative to legal matters before the city were considered as priorities. She then stated that after putting all of those things together, she and the administrative assistant compare notes and she then inquires if there had been specific requests to remove other orders from the jacket that may have been overlooked. She then emphasized that once an agenda gets up to around 20 items, things may get pushed off. She also noted that she will try to fit in an extra meeting if the committee is available. She further emphasized that in the past, there would be communication with the chair if there were matters that needed to be moved. She then expressed surprise to see these orders on this agenda after not hearing any requests to move anything. She also understood wanting to look out for employees, noting that the Council had been very supportive of employees, especially the Law Department. She then suggested that adding more benefits would require more due diligence on the part of the committee. She also suggested that the rules should be followed, observing that handling matters in this manner was highly irregular.

Councilor Givner expressed understanding that most of these orders had not been in committee for long. She then emphasized that they affected city employees and were being brought before the Council in an effort to be able to hire and fill positions, as well as to show appreciation to city employees. Specifically emphasizing vacation changes, she expressed her understanding that it had not changed since 1972. She suggested there needed to be more urgency in changing these things, noting that many employees such as the Police and Fire Departments, had unions to fight for them and update their agreements every year. She suggested that the Council should be fighting for them and were like their union. She stated that while she understood the Chair's process, it would be a good idea to get these on the floor for a vote.

Councilor Rivera\_I offered his thanks to Councilor Vacon for chairing the committee, noting that he understood the work that went into it as a chair of his own committee. He then emphasized that the Law Department had been trying to fill positions and needed the Council to make it a more pressing matter. He then suggested that other issues in the city appeared to be more pressing matters than making sure the department was fully staffed. He then recalled that there was an order filed in December of 2021 to change the ordinance regarding city employees running for City Council. He noted that he communicated with the Ordinance chair on multiple occasions to ask why it had not come up in Ordinance. He emphasized that it had been over a year without it coming up. He then asked for more transparency in how things were being put together. He also noted that he tried to put as many things as possible onto Public Safety agendas. He then emphasized that while it was a lot of work to chair a committee, it was the job to make sure it all gets balanced so that everyone in the community is heard.

Councilor Vacon made a point of order. She clarified that Councilor Rivera\_I appeared to be stating that the order he was referring to was never taken up. She emphasized that it was taken up, voted on by Council, and disposed of.

President McGee stated that it was tabled in committee.

Councilor Vacon stated that there was a vote on that matter.

President McGee stated that it was referred back to committee.

Councilor Vacon stated that it was taken up and failed to pass.

Councilor Murphy-Romboletti stated that while she understood there were a lot of things to take up, these matters were more urgent and time sensitive. She expressed her understanding that the Law Department provided all that was asked of them, and that they had missed out on several new hires due to the delay. She emphasized that it was the Council's responsibility to address orders and rules that limit the city's ability to be competitive. She further emphasized that all city services are tied to who the city is able to hire, adding that it was currently an employee's market.

Councilor Jourdain observing that evolving rules was intriguing. He emphasized that the Council had committees to have thoughtful discussions about items. He suggested that if people felt things weren't going fast enough, they should have a discussion with the Chair. He suggested that other councilors appeared to not have issues with the orders just filed in December. She also emphasized that countless orders during his time on City Council had not been taken up in 45 days. He also suggested that Ordinance was meeting on February 28th and the items could be discussed then. He also questioned the urgency in light of the point made that these had been the vacation rules for 50 years. He then emphasized that department heads needed to understand what leadership was. He then suggested that all of the information the committee asked for had not yet been provided. He questioned the estimate of the changes having a cost of \$30,000. He then suggested that the changes proposed in item 62 would not tie out to that. He also suggested that the proposed changes would give the mayor authority to authorize up to 30 days of vacation. He questioned the argument that not giving people that many days was not being competitive. He also questioned the argument that 15 sick days was not competitive, noting that employees get little to none in the private sector. He emphasized that the state had to pass an FMLA law just to get 5. He added that most private sector employees did not get 13 paid holidays, but usually averaging 6 or 7, as well as 3 personal days. He then suggested that all of this added up to around 8 1/2 weeks of time off. He also emphasized that city employees have a 35 hour work week. He then suggested that the proposals were being led by the City Solicitor who was beating the drum for her own vacation. He also emphasized that these positions were filled and that the existence of employees proved that there wasn't an issue filling positions. He also stated that the city's per capita income was around \$19,000. He then

emphasized that the city's balance sheet from a recent report shows that the city's balance, factoring assets minus liabilities, was -\$237 million. He then stated that the City Council had not had a pay increase in 25 years and that it should not increase from \$10,000 until the city can afford it. He also emphasized that the department had already been given salary increases, allowed them to have part time employees, as well as allowing them to have flex schedules. He suggested that the orders should be discussed at the next Ordinance meeting on the 28th, noting that there were laws that were going to prevent these from being adopted that night anyway. He also noted that he had never received a call about the order for hiring a paralegal.

Councilor Vacon stated that she had also never received a call about hiring a paralegal.

Councilor Jourdain questioned that the issue was a dire, pressing need. He also suggested that if there was going to be a move to start pulling items from committee, there were other items he would want to take up, such as a legal opinion regarding ward council seats. He suggested that the opinion was bogus, paper-thin, and ignored specific state laws not mentioned in the opinion. He noted that he would allow that to be taken up when the committee chair chooses to. He then asked that these ordinances be allowed to go through the normal process.

Councilor Givner questioned the argument that something not being changed for 50 years meant that it was not urgent. She then suggested that the solution for addressing it should be voting on it that night. She then expressed concern on hearing about the things that the city cannot do, further suggesting that the Council should be focusing on what they can do. She then questioned the argument that these changes were about benefiting one person. She suggested that this was about a city with several employees across several departments that would benefit from a vote on these items. She added that they could hire additional people with better benefits. She then questioned if it was a bad thing for people to get more personal time. She then emphasized that this was not the private sector and that it was not an awful thing to get vacation days and holidays off. She also suggested that asking people to spend an extra \$20 a month on real estate taxes would help the city offset some of the other things the city needed, including school budgets and sewage system budgets, for example.

Councilor Anderson-Burgos stated that now that it was his 3rd term, he had observed how business was conducted and seen many of his own orders held up intentionally. He also stated that if President McGee filed these orders, it was done for good purpose and was why he chose to motion to take them up. He further suggested that condescending scare tactics, in which others are belittled, was a shame. He then suggested that the opposition to this was intentional, adding that communications on these orders had gone out and were ignored. He noted that if newcomers were catching on, it must be clear what was happening. He then questioned anyone conducting themselves by making threats. He also suggested that there was retaliation happening. He noted that the Law Department had been asking for these matters to be addressed and he felt that there was retaliation against that department taking place and that everyone should know why it was happening.

Councilor Rivera\_I questioned that there would be divisive narratives being brought up. He suggested that was not leadership. He then stated that moving the city forward did not require tearing down departments or the community. He suggested that there could be conversations if there were issues with specific department heads. He then observed that there was often an us versus them mentality on the Council since he took office. He suggested that while everyone wasn't always going to agree, there were ways to come up with solutions so that everyone could work with each other instead of against each other. He then emphasized that as there was a debate over giving people vacation days, there were people who had been out of work on injury for 5 years and those budgets continued to be approved. He then questioned why some departments seem to get more scrutiny than others. He then noted that he had filed an order to get a traffic squad going, and would likely approve extra funding for it even though he had concerns about putting more in the Police Department budget. He also expressed concern about tearing down some departments. He then suggested that even if employees got everything they were looking for, people may still not want to continue to work here because this was a difficult Council to work for. He also emphasized that in the private sector, people get overtime while they were not in the public sector. He added that the private sector had more opportunities to advance, with more flexibility to provide greater pay and providing bonuses. He also questioned that the Council had not been able to raise its own pay 3% a year when many other communities were raising their own.

Councilor Vacon attempted to return to the topic at hand. She then offered a reminder that they were an elected body to represent constituents, not a union. She then suggested that these were a challenging combination of orders and that the matter of affordability was related to the issue of time, noting time is money. She then clarified that on the order in committee since August, there had been no additional communication based on questions asked in the committee until December. She also emphasized that when the order was discussed to make changes to compensation and benefits for the DPW Director, the Public Works Commission provided documentation and information on recruitment efforts that had lasted for more than a year. For contrast, she then stated that the orders being discussed on this evening had no correspondence provided other than a request to waive and there had been no explanation on special circumstances. She then explained that on the matter of affordability, the costs were not just what would change in the moment but what would be built on that in additional years. She noted that in a recent audit report, not enough information had been provided on what the city's liabilities were when factoring in max accruals and payouts. She questioned the proposal to increase them when there had not been good tracking of what they were. She then emphasized that taxpayers had been hearing the "just another \$20 per year" argument for years. She added that taxes were now double what they were 20 years earlier. Noting that legal language had been provided on providing flexibility for vacation leave, she stated that the rules were clear that legal form was not to be provided until the Ordinance Committee requested it and that it was out of order for a department to provide draft language before the committee has debates and reviewed information.

Councilor Maldonado Velez stated that his eventual goal was unlimited time off for workers. He then suggested that if people were doing their work and assuring that everything gets accomplished for the city, he did not care how much time they took off. He then commended Councilors Councilor Murphy-Romboletti for President McGee for invoking Rule 9P so that orders get put on agendas that had not been taken up. He also emphasized that he had additional orders to create more committees. Noting that there would be 30 orders that evening to be referred to various committees, he questioned why there could not be more committees meeting and discussing the different orders. He then suggested that there were political beliefs involved, and that some individuals would rather have less government involvement, leading to real issues to help the city not being discussed.

Councilor McGiverin stated that he would support removing the items from committee but did not want that to reflect the work of the Ordinance Committee, or any other committee, recognizing the volume of the work that they all do. He then explained that he supported the removal due to urgency. He then emphasized that employees would be impacted by these changes, noting that the Chief Assessor had gone 15 years without a pay increase. He also stated that many of the salaries did not reflect comparable positions in other communities or those in the unions. He emphasized that this would impact 21 people, most of whom could not join a union because they were confidential employees or appointments, or it did not make sense to have them as part of the Professional Supervisors Association (PSA). He added that these employees did not have a collective bargaining unit working for them and that most of what was being proposed was comparable to many of the collective bargaining agreements with other city employees. He further expressed his support for crediting new hires for experience, noting that it was standard practice across the board in the private sector. He also emphasized that Holyoke's Law Department had the lowest base salaries in Western Massachusetts. He then reiterated that voting to remove these from committee was not meant as disrespect to Councilor Vacon but that he saw an urgency with getting these done. He also emphasized that they would need to be referred to the Law Department to draft a final legal form and that there would not be a final vote this evening.

Councilor Puello expressed concern about others speaking of tearing down the community while having personal blogs and ripping other councilors apart. He also questioned if that was building up community. He further questioned councilors attacking orders filed by others and then filing the same orders for their ward. He then emphasized that this matter came down to the financials. He then commended councilors for diligently looking into the details. He also questioned how councilors can vote to raise the tax rate and then go onto Facebook and complain that the taxes and rent were too high.

Councilor Jourdain noted that the communication from the Personnel Director would appear to show the Chief Assessor would not get more vacation time while the order from President McGee would show her getting more time. He suggested this was an example of the numbers not adding up. He suggested that it could be different for all 34 down the list and that the real number was not known. He recalled that he had raised concerns about increasing

vacation leave to 5 weeks when it was discussed in the Ordinance Committee, leading to the department's communication capping it at 4 weeks. He then noted that the order was putting it at up to 6 weeks. He then agreed that there were different political views on the Council and that it was his view that Holyoke was not a wealthy community. He emphasized that he had documents and financial statements to back that up. He also stated that in all of the talk about supporting employees, there was no talk about the impact on taxpayers. He then explained that the tax levy in 1999 was \$28 million and was currently at \$60 million. He then emphasized that the tax levy took 150 years to go up to \$28 million and another 24 years to go up another \$32 million. He then suggested that more affluent communities can afford extra benefits but the people who work for Holyoke needed to know they were working for a poor community. He then stated that between all of the types of leave balances being proposed, it would all add up to over 3 months off every year for those working for the city over 25 years. He then questioned if people in the private sector and others paying the taxes get that many days off. He then reiterated that the committee process should not be dismantled.

Councilor Maldonado Velez clarified that regardless of what the tax rate would have been this year, the taxes would have gone up. He then suggested not allowing any other councilor to gaslight the public.

Councilor McGiverin emphasized that the vacation leave was a progressive schedule with incremental increases happening every 5 years of employment. He further emphasized that in looking at union contracts, this effort was about getting people into a comparable position with other employees working for the city. He then recognized that taxes always needed to be considered and to be aware of. He noted that he voted against the tax rate this year. He then explained that much of the increase of the tax levy was a result of new growth, adding that the state sets the taxing scheme because they don't want to deal with property taxes. He suggested that it was the worst way to do it. He emphasized that new construction adds to the tax levy more than anything else.

Councilor Vacon stated that when Ordinance began looking into one of these orders, they sought to compare the PSA with the ordinances and found that they were almost exactly identical. She suggested that if this was increased, the PSA would be asking for the same. She noted one difference was that the PSA went up to 30 days after 25 years. She then stated that they had done many things to improve the working conditions for city employees but not everything they want can be done. She then requested that the order be left in committee, and they could be taken up at the next meeting on the 28th. She also stated that no member of the committee had asked for these to be taken up before.

Councilor Puello expressed frustration that councilors were making side comments while others councilors had the floor. He then questioned the comment about gaslighting. He emphasized that the residential tax rate could have been lower and other councilors should own and be proud of their votes if they took them.

Motion was made and seconded to suspend the necessary rules to allow Councilor Maldonado Velez to speak for a 3rd time.

Motion was made and seconded to suspend the necessary rules to allow Councilor Maldonado Velez to speak for a 3rd time.

Councilor Maldonado Velez expressed his understanding that any tax rate proposed would have raised taxes.

Councilor Puello clarified that they were higher than they could have been.

President McGee stated that the current motion was to take up items 45, 62 through 65, remove the relevant orders from committee, and take up late files E and F. He suggested that the late files were for informational purposes and could be received or have a vote to take final action.

Councilor Jourdain stated that the late files would be handled differently since they were not currently in committee.

Motion to remove 5 orders from committee Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 4 (Bartley, Jourdain, Puello, Vacon)--Absent 0.

President McGee suggested that the next motion would be to refer them to the Law Department for legal form.

Councilor Jourdain emphasized that it would require a motion to suspend the rules since only the Ordinance Committee can request legal form.

Motion was made and seconded to suspend the necessary rules to request that the Law Department put the orders into legal form for the next meeting in two weeks.

Councilor Jourdain asked if there would be amendments when those forms come back or if they would just be adopted without any opportunity for feedback. He noted that in the Ordinance Committee, there would usually be discussion of recommendations. He also noted that on the order about crediting vacation leave for prior experience, there was no mention of who was making that decision. He added that they discussed it being the mayor. He reiterated that they would have discussed the exact wording in committee.

President McGee stated that there had been a legal draft form on it at one point.

Councilor Maldonado Velez clarified that the motion was to have the Law Department draft legal form based on the discussions that had taken place over the last 6 months.

Councilor Vacon made a point of order, offering an amendment to item 62 that there be no vacation leave that would exceed 30 days after 25+ years as currently existed in the PSA. Councilor Bartley seconded the motion.

Councilor Vacon stated that under the PSA, the current benefit was 20 to 25 years receiving 25 days and 25 years or more receiving 30 days. She suggested that no benefit should be in excess of any other benefit that currently existed for employees of the city.

Result of motion to amend unclear due to lack of votes from all members.

Councilor Jourdain suggested that a lack of votes may have been due to not having enough information. He then expressed his understanding that the proposal was meant to mirror the PSA.

Councilor Vacon confirmed that was correct.

Councilor Jourdain suggested that the argument appeared to be give employees what the PSA was getting.

Councilor McGiverin stated that DPW supervisors were received 42 days after 20 years. He suggested that if contracts were being compared, they should all be compared.

Councilor Jourdain suggested that the argument was that these were largely department heads. He then stated that the argument in committee was that employees should have what the Professional Supervisors Association had, which was the bulk of the other department heads. He then suggested that if there was to be a comparison with other contracts, they could also be comparing to the Police and Fire Departments. He emphasized that nobody else had 42 days. He reiterated that the argument was to match what the PSA was given.

Councilor Rivera\_I suggested that was not the argument. He further suggested that the point was to have them provide the necessary tools to be able to hire people effectively within the needed time. He noted that people were not applying or refusing offers due to what was being offered. He then suggested that they were struggling to do their jobs to hire people because of the systems currently in place, and that they were asking for help.

Councilor Jourdain expressed his understanding that the PSA was the guideline. He added that based on the PSA, people could negotiate up to an extra week based on background and other factors.

President McGee stated that the current motion on the floor was an amendment to change the 20 and 30 year leave details.

Councilor Vacon clarified that it would be easier to amend it to say that the leave policy should mirror the PSA leave policy.

Motion failed on a show of hands vote, 5-8.

Councilor Vacon made a motion to amend the cap vacation days at 25. Councilor Bartley seconded the motion. Motion failed on a voice vote.

President McGee stated that the current motion on the floor was to refer the orders to the Law Department to draft legal form for the next meeting.



Councilor Vacon suggested that it appeared these were going to pass. She then requested that colleagues remember this then next time a department head comes in and says that they need more staff because people weren't available for enough hours to get their work done when they're off for 3+ months a year. She suggested that this was irresponsible government, conceding that majority rules.

Councilor Rivera\_J expressed disagreement with that comment. She then explained that she was currently a Director of Operations, had worked as a legal assistant, and worked for many years. She then explained that she went on vacation 3-4 times a year and did her job before going on vacation, adding that when she returns, her job is done.

Councilor Vacon made a motion to amend item 64, crediting additional vacation time for previous experience, in order to clarify that only the mayor would have that authority, and that the legal form should reflect that.

President McGee stated that the Law Department would take that into consideration.

Motion to request that the Law Department draft legal form on items 45 and 62 through 65 Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 4 (Bartley, Jourdain, Puello, Vacon)--Absent 0.

---> Removed from the Ordinance Committee and referred to the Law Department to be drafted into legal form.

### COMMUNICATIONS

(1:51:40)

Motion was made and seconded to suspend the necessary rules to take up items 3, 4, and 6 as a package.

From Mayor Joshua A. Garcia, letter reappointing Mr. Michael Dodge, 203 Ontario Ave. to serve as a member of the Conservation Commission for the City of Holyoke: Mr. Dodge will serve a three-year term; said term will expire on February 1, 2026.

---> Received and Appointment confirmed.

From Mayor Joshua A. Garcia, letter reappointing Ms. Bernice Bowler, 26 Claren Dr. to serve as a member of the Conservation Commission for the City of Holyoke: Ms. Bowler will serve a three-year term; said term will expire February 1, 2026.

---> Received and Appointment confirmed.

From Mayor Joshua A. Garcia, letter reappointing Dr. John A. Perdrizet, 210 Linden St. to serve as a member of the Conservation commission for the City of Holyoke: Dr. Perdrizet will serve a three-year term; said term will expire on February 1, 2026.

---> Received and Appointment confirmed.

From Mayor Joshua A. Garcia letter appointing Ms. Jean Jonker, 198 Locust St. to serve as an Alternate of the Historical Commission for the City of Holyoke: Ms. Jonker will serve a three-year term; said term will expire on January 30, 2026.

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

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Ass't. to City Council minutes of January 17, 2023.

---> Received and Adopted.

From Michael D. Bissonnette, Associate Solicitor opinion regarding Elected official appointment to Retirement Board.

Councilor Jourdain stated that the legal opinion alluded to legal opinions from PERAC and from Atty Gibson from the Retirement Board, as well as a request to Ethics Commissions by President McGee. He then asked if copies of those documents could be provided to see what the opinion was based on. He then stated that there was no discussion in the legal opinion to refer to Section 14 of the City Charter which says that councilors cannot participate in the executive or administrative functions of the city. He emphasized that a legal opinion should cover all of the legal issues at hand and that anything speaking against the position should be included as differentiation to clarify why it would not apply in the situation. He noted that a previous opinion only referred to city laws without mentioning relevant state laws. He then stated that this opinion did not discuss the City Charter. He emphasized that

the charter was adopted by the state legislature, meaning that it was not necessarily trumped by state law. He then suggested that it could be taken up in committee.

Councilor Bartley asked if the rules still needed to be suspended to allow President McGee to participate in debate.

President McGee stated that the rules could be suspended to do that.

Councilor Bartley made a motion to suspend the necessary rules to allow President McGee to address the matter. Councilor Vacon seconded the motion.

Councilor Jourdain asked if President McGee even wanted to.

Councilor Bartley stated that it was about giving him a choice.

President McGee asked what was being addressed.

Councilor Bartley noted that the opinion stated that President McGee contacted to the State Ethics Board for advice on the matter, and submitted a voluntary disclosure to the mayor and the City Clerk following their advice. He then asked that the voluntary disclosure be provided, as well as any details on when that advice was sought, and if the advice was oral or written. He then asked for permission to contact the State Ethics Board himself.

President McGee stated that he was not planning to enter into debate.

Councilor Jourdain noted that he doesn't seek out opinions but understands that there are rules to follow and that when opinions come up such as one stating that ward councilors only need to live in their ward on Election Day, he does not believe that is true according to state law. He then emphasized that he is forced to address these issues because they could come up years later and be taken as gospel. He then emphasized the importance of understanding these things precisely. He then suggested that allowing a councilors to sit on the Retirement Board would mean they could also serve on other boards.

Councilor Bartley emphasized that a vote needed to be taken on motions to request documentation. He reiterated that the voluntary disclosure filed with the City Clerk should be included. He then asked President McGee if he wanted to answer the question of when he contacted the State Ethics Board and provide the advice they gave.

President McGee stated that it could be discussed in committee.

Councilor McGiverin called the motion to refer to committee.

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

President McGee, after reading an email sent to the administrative assistant, suggested suspending the rules to allow Atty Bissonnette to clarify his email which stated that item 45, the order regarding a paralegal position did not require a legal form, would only require an authorization vote of the Council.

Atty Bissonnette stated that this item would be the same procedure as when the Council voted to authorize the mayor to offer up to the max salary to the Director of Public Works. He emphasized that this was not an ordinance change but just an authorization that could be passed on a simple majority vote.

President McGee asked to clarify that on item 45, the vote should just be to authorize the mayor to allow him to go above the mid-range for paralegals.

Councilor Jourdain stated that this would be a change in the salary schedule, which was an ordinance. He emphasized that this was already discussed with the DPW Director salary, which previously stated that the mid could not be exceeded with a new hire absent an ordinance change.

Atty Bissonnette suggested referring to the tape or minutes on what the Council did.

Councilor Jourdain expressed his understanding that an ordinance change was passed for the DPW Director salary.

Atty Bissonnette stated that an ordinance change was passed for the title.

Councilor Jourdain stated that it was also passed to allow the mayor to go beyond the mid-range.

Councilor Vacon noted that there was also a sunset provision that took effect once the position was filled.

Councilor Jourdain noted that the previous vote asked the Law Department to draft the language and if it wasn't needed, they were covered either way.

Councilor Vacon asked for clarification relative to special circumstances on the paralegal position. She then stated that it had been put forward that the reason for the request was that there were several applicants that could not be hired because of the pay that was offered. She then asked for documentation explaining that. She noted that was the special circumstance relative to hiring the DPW Director.

Atty Bissonnette state that most of the testimony relative to the DPW Director salary was oral arguments. He added that there was a comparison providing in writing of other DPW Director salaries.

Councilor Vacon clarified that she was seeking that information on the paralegal position.

Atty Bissonnette stated that from April to December, City Solicitor, Lisa Ball, interviewed 8 candidates and was unable to hire anyone at the offered salary. He added that while the new budget increased the salary, it remained difficult to hire someone. He noted that one person was hied but they then moved on to fill the role of Assistant Purchasing Director. He added that there were 5 offers made up to that point. He then suggested it was up to the Council to decide if it was urgent.

President McGee suggested that following the way it was voted on, it would be on him and the Law Department to determine and get back to the Council to clarify if it needed legal form.

From Tanya Wdowiak, City Auditor, List of Holyoke Disability Retirements as of February 28, 2023.

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

From Board of Assessors FY 2023 Tax Rates.

---> Received.

. From Jeffery Anderson-Burgos, Admin. Ass't. to City Council letter to Governor Maura Healey regarding two orders adopted on December 20, 2022.

Councilor Bartley suggested referring the item to DGR for a discussion that will take place with State Rep Duffy and State Senator Velis.

---> Received and referred to the Development and Government Relations Committee. Copy to Councilor Jourdain.

From Alicia M. Zoeller, Administrator Office of Community Development Re: American Rescue plan Act Small Business Grant Program.

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

From Chief Pratt, update on order filed by Councilor Puello regarding Mayor Garcia Accident on city Vehicle, Vehicle Summary and Crash report.

Councilor Puello suggested referring the item to Finance.

Councilor McGiverin asked what Finance would be doing with it.

Councilor Rivera\_I stated that Public Safety could have a discussion of it.

Councilor Jourdain stated that the report only provided information relative to the damage to the city's vehicle and not the insurance payout information for the damage done to the parked car.

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

From Melanson, City of Holyoke 2021 Financial Audit documents.

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

From Board of Fire Commission minutes of December 29, 2022.

---> Received.

From Blossom Flower, LLC notice of a community outreach meeting for a proposed marijuana transportation business at 1 Cabot St.

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

From Various Marijuana Establishments, Annual Reports

---> Received referred to the Ordinance Committee.

### **PETITIONS**

(2:09:30)

Petition of Karen Spear for a renewal of a Home Occupation for a Nail Salon at 778 Homestead Ave.

Councilor Jourdain stated that the original conditions should remain in granting the renewal.

President McGee confirmed that all fees were paid.

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

Petition of The High End Management Company LLC, for a special permit extension for Marijuana Establishment at 110 Winter St.

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

Petition of Eloy Arocho, for a new special permit for a Auto body repair shop at 41 North Summer St.

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

### **RESIDENT'S REPORT**

(2:11:10)

President McGee stated that there would be a public hearing to discuss ARPA funding at the Senior Center on February 13th at 5:30 PM. He stated the mayor would be explaining use of the funds.

He then stated that there would be an employee recognition day on March 17th at City Hall. He added that it would be a breakfast that councilors were invited to attend.

He then stated that City Hall would be dedicated on April 6th at 3 PM as part of the city's 150th year celebrations.

He added that it would be held in the ballroom.

He then stated that the ViewPoint with Dennis Quaid screening featuring Holyoke would be held at Gateway City Arts on February 9th at 5:30 PM.

He then stated that the police audit report would be provided later that week.

Councilor Jourdain asked if the Council would be receiving a pdf version of that audit.

President McGee confirmed that they would.

Councilor Jourdain asked to clarify where the ViewPoint screening was.

President McGee stated that it would be at Gateway City Arts.

### **REPORTS OF COMMITTEES**

(2:13:00)

The Committee on Ordinance to whom was referred an order Special Permit Application Evergreen Industries LLC at 1 Cabot St (048-01-010) to operate a marijuana cultivation establishment.

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

1. That the owner of the building always pay the commercial property tax rate to the extent allowed by federal, state, and local laws for the duration of the Special Permit.
2. That the business retains a minimum 30% Holyoke residents for non-security jobs.
3. That the hiring preference be given to security personnel that are retired Holyoke police or are a retired member of another police department that now lives in the city of Holyoke.
4. There shall be no marijuana consumption allowed on site.
5. That the hours of operation be set according to City ordinances.
6. That the applicant must abide by Massachusetts General Laws and guidances from the Cannabis Control Commission.
7. That the petitioner/applicant shall conform with city and state health laws, rules, and regulations, including odor

nuisance controls, for the duration of the permit.

8. That if substantial progress has not occurred within 2 years of issuance of the Special Permit, an extension shall be required.

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that it was a complete application with little for the committee to do other than routine follow up of open items. She added that it was so complete that no additional conditions beyond the standards ones were necessary.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 1 (Rivera\_I)--Abstain 1 (Murphy-Romboletti). Councilor Murphy-Romboletti did not vote or participate in discussion on this item.

The Committee on Ordinance to whom was referred an order Special Permit Application Infused Element LLC at 1 Cabot St (048-01-010) for a marijuana manufacturing establishment.

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that the discussion of marijuana manufacturing included an interesting discussion around their plan to not use solvents. She noted that they came to an understanding that if they ever moved to using solvents - which would be a much more involved process - they would have to come back in for an amended special permit.

Councilor Rivera\_I expressed his support for the applicant, noting that they were Holyoke residents opening the business. He suggested that it would be great to have more Holyokers starting businesses and employing more Holyokers.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas

12--Nays 0--Absent 0--Abstain 1 (Murphy-Romboletti). Councilor Murphy-Romboletti did not vote or participate in discussion on this item.

The Committee on Ordinance to whom was referred an order that an ordinance is created for “Pavement Cut Moratorium” proposed as new Section 78-59

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that this and the next order were initiated by the City Engineer to formalize and codify practices already in place. She then explained that this was about making sure that if the city repaved a road, it would not be cut within 5 years which would defeat the purpose of improving the road’s condition. She added that this was a practice the department was already following.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays-- Yeas 13--  
Nays 0--Absent 0.

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order that the Sewer Use Policy be revised to include recent requirements of the Environmental Protection Agency. This would modify Chapter 90, Utilities, Article III- Sewers, Sections 90-81 “Definitions”, 90-83 “Use of public sewers” and all of Division 2 which is 90-111 through 90-122.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that this was part of the consent decree with the city and the federal government, which included some time considerations. She then explained that as part of the consent decree, they wanted federal regulations to be added to local ordinances in order to be more clear about enforcement and implementation going forward.

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

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

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

Report of Enrollment received.

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

Approved by the Mayor.

(2:21:10)

The Committee on Finance to whom was referred an order 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.”

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that this was a change to generic language, noting that Action Ambulance was no longer contracted with the city, and were replaced by Cataldo. He then explained that the revolving fund was paid into from the lease payments paid by the ambulance company to the city, which could be used for repairs, maintenance, and improvements to the station.

---> 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 (Givner).

Approved by the Mayor.

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “2022/2023 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

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 gifts to the city were treated in the same way as grants, almost treated like appropriations, allowing them to be accepted and spent. He then emphasized that it was a generous donation from Marcotte Ford which included 120 pairs of extraction gloves, 2 Rit Pak upgrades, 12 picketts for tech rescue, and 1 Rescue 42” ripper for laminated glass.

---> 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 (Givner).

Approved by the Mayor.

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the grant would allow for the Conservation Department to continue their efforts to inventory trees, including their conditions, in the city. He added that this phase of the grant would include Rock valley, with over 800 trees. He added that this would work with efforts to replant trees to ensure the city's canopy of trees was regularly replaced, emphasizing the importance to the environment.

---> 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 (Givner).

Approved by the Mayor.

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY23 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.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the grant was provided through the Office of the Governor, which was received by the city almost annually. He then explained that it would allow the Fire Department to purchase necessary equipment not part of the city's capital outlay budget. He stated that they planned to use it for 2 battery powered compression fans, 2 sets of hands for a forklift, gloves to protect hands of firefighters when they use jaw of Life, as well as 8 sets of tactical gear for firefighters.

---> 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 (Givner).

Approved by the Mayor.

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

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 annual grant had always been put to good use by the Fire Department. He then stated that the grant would support fire awareness and safety education for students.

Councilor Tallman emphasized that the grant also supported education for seniors. He recalled a discussion at the Senior Center led by Lt. Pelchar which included the topics of fire alarms, stove safety, as well as awareness of entrances and exits. He added that they were also doing inspections and providing smoke and CO2 detectors.

---> 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 (Givner).

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, 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

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 transfer would correct an error resulting from a miscommunication that occurred during the budget process. He then stated that the surplus in the accounts was due to retirements and changes in position.

---> 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 (Givner).

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, 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

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 reimbursement grants was that the city first had to pay for salaries prior to the state reimbursing the funds. He then stated that the city received around the same dollar amount each year, which could be used for E911 dispatchers and some patrolmen. He added that they discussed overtime and found that it was running a little higher this year, adding up to close \$40,000 per pay period, a significant part due to long term injured on duty claims, as well as higher than usual family medical leaves, as well as some vacancies. He noted that 6 new officers had recently come out of the academy and 11 additional candidates were about to start the academy.

Councilor Maldonado Velez asked if this would bring overtime in the department to over \$1 million at this point for the year.

Councilor McGiverin stated that he would work on getting the answer after looking into how much the department started with. He recalled that this would be the second big transfer into the account. He suggested that it was likely around \$850,000 - \$900,000.

President McGee checked the budget book and found that they had started with \$250,000.

---> 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 (Givner).

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up items 22H through 22L as a package.

The Committee on Finance to whom was referred an order that the Mayor be invited to a Finance meeting for presentation of a draft 5 year forecast model.

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 order was filed to have the presentation in committee. He added that a workbook was presented and discussed by Andrea Terkelsen, the consultant hired by the city to help with the Mayor and City Auditor to work on revenue forecasting. He noted that 5 year forecasting was standard practice and that the workbook would be adjusted the following year to account for what may or may not happen. He then noted that Councilor Jourdain asked many questions on where the city was going, especially pertaining to wastewater treatment and sewer fund.

Councilor Jourdain stated that the City Auditor had been doing an extremely thorough and thoughtful job, and was very responsive with giving detailed information.

Councilor McGiverin added that a copy of the workbook was kept in committee for comparison the next year.  
---> Report of Committee received and recommendation Adopted.

The Committee on Finance to whom was referred an order that our auditor review accounts to find any available funds in departments that are available for transfer to DPW for snow removal

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 this order reflected concerns in 2021, noting that it was likely better in the current year.

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

The Committee on Finance to whom was referred an order That Auditor please provide the City Council with a financial summary of how much revenue is generated by each department (not counting tax revenue) in FY 20 and FY 21 broken down by grant revenue and all other revenue. Please also exclude Sewer dept, Water dept, and G&E user fees. Goal is to understand how much revenue by dept is being generated excluding tax revenue

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 a comprehensive report was provided by the report by the City Auditor.

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

The Committee on Finance to whom was referred an order That a request be made to the mayors office to provide the current list of businesses that received ARPA funding through the city business grant and each dollar amount awarded, to include rejected applicants

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 mayor provided the requested list of the businesses that received help during the first phase of ARPA. He added that the third phase was about to begin.

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

The Committee on Finance to whom was referred an order From Tanya Wdowiak, City Auditor, FY 2022 and FY2023 Pilot Payments

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

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

The Committee on Finance to whom was referred an order Second hand license application for Joseph Mazzola at 332 Pleasant St for Paper City Fabrics

have considered the same and Recommended that the application be returned to the petitioner.

Committee Members:

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

**UNDER DISCUSSION:**

Councilor McGiverin stated the application had not had a business address when it was initially discussed. He then stated that they had been informed that the application was no longer necessary. He added that they could not vote it down but could return it to the petitioner since it was incomplete.

Councilor Jourdain stated that he spoke with Mr. Mazzola and found him to be extremely entrepreneurial. He noted that he was also told that he was all set with regards to the application.

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

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

(2:44:20)

The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Ms. Callie Niezgodá Flanagan, 38 Jefferson St. to serve as a member of the Holyoke Economic and Industrial Corporation (HEDIC): This seat on the Board of Directors represents the Finance Sector. This is a three year term; said term will expire on June 30, 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 Ms. Flanagan was very capable and had been involved in different boards, including the leadership board for Pioneer Valley, PTO at the schools, and was born and raised in Holyoke. He then stated that this was an exceptional appointment.

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

The Committee on Public Service to whom was referred an order that the City Council invite a representative from Soldier On as well as out Veterans Services Director to discuss support services for Veterans who fail to meet the requirements of Soldier On programs.

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

Committee Members:

Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that Matt Buckley and Bruce Buckley from Solider On in Pittsfield joined the committee, as well as Jesus Pereira from the Veterans Services Department. He stated that there were ways to help veterans who often fall through the cracks. He noted that flyers had been left with the Council. He also stated that there was a new building for veterans at a facility in Leeds. He also stated that they received funding from the state for their program, through a \$500,000 grant. He noted that both he and Mr. Buckley received calls for assistance following the meeting. He emphasized that people should there were services available for veterans and their families.

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

The Committee on Public Service to whom was referred an order that the dpw work on putting up signs welcoming people to Holyoke at every highway entrance in 7 different languages.

have considered the same and Recommended that the order has been complied with and be referred to the Tourism Advisory Committee.

Committee Members:

Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that the Engineer provided a communication stating that there were areas where signs could not be placed. He added that there would be a cost to consider. He also stated that they referred it to the Tourism Advisory Committee so that they could look into it. He further explained that they could not go on state highways coming into Holyoke.

Councilor Rivera\_I stated that his idea came from driving into New York or D.C. and seeing signs on highways, mostly with languages of people who resided in that region. He conceded that if there was a restriction with state highways, he would seek out the right people to talk to.

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

The Committee on Public Service to whom was referred an order The Holyoke City Council encourages all city department heads to provide correspondence to Spanish-speaking persons in Spanish to the extent feasible. The Holyoke City Council particularly encourages that technical letters from the Mayor's office, School Dept., Law Dept., Building Commissioner, Planning Board, City Clerk, License Board, and City Council, by translated into Spanish, upon request.

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

Committee Members:

Peter Tallman  
Will Puello  
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that they spoke with Mayor Garcia who explained that they were working to get as many documents as possible translated into Spanish. He noted that the City Council already had their meetings translated and that the School Department was also having their documents translated. He further stated that they were

working on getting someone to do that work, particularly with Law Department, Planning Department, and the License Board documents.

Councilor Rivera\_I commended Councilor Bartley for filing the order. He noted that sign up forms outside the Parks and Recreation Department were not translated into Spanish, likely leading many people walking by them if they could not read them.

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

(2:51:00)

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

The Committee on Development and Governmental Relations to whom was referred an order Cataldo Ambulance come before a future DGR meeting to discuss neighborhood concerns relative to parking, upkeep, siren noise and any other relevant issues at the South St. location.

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\_J  
Linda L. Vacon

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

The Committee on Development and Governmental Relations to whom was referred an order City of Holyoke License Agreement Cataldo Ambulance at 490 South St, 600 High St. and 33 Whiting Farms Rd

have considered the same and Recommended that the order be advanced to the City Council

Committee Members:

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

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that the license would need to be voted on. She then stated that Frank McNeil from Cataldo as well as the Fire Chief attended. She explained that any license or lease over 30 days did require City Council approval. She then stated that neighbors were having concerns with parking, especially at the South Street location. She added that there were additional concerns regarding sirens going off at 3 in the morning. She then stated that Mr. McNeil understood the concerns and would keep the City Council updated. She added that Chief Kadlewicz described the recent transition to Cataldo as initially a little rocky but that things were now running smoothly.

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

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

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

Approximately 6,360 square feet in size

Zoned Downtown Residential (DR)  
Assessed value is \$34,700.  
301 Elm Street (Assessors Map 004, Block 04, Parcel 006)  
Approximately 6,316 square feet in size  
Zoned Downtown Residential (DR)  
Assessed value is \$34,700  
303 Elm Street (Assessors Map 004, Block 04, Parcel 007)  
Approximately 8,276 square feet in size.  
Zoned Downtown Residential (DR)  
Assessed value is \$35,000.

have considered the same and Recommended that the order be adopted

Committee Members:

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

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that Carrie and Arthur Naatz planned to purchase the properties to create 24-32 apartment units. She added that they already owned adjacent properties at 287 and 291 Elm Street, as well as a vacant building at 123 Pine Street. She then stated that this had been the second time the city attempted to sell the properties through RFP. She noted that the purchasers had lived in Holyoke for decades. She added that the construction would be dependent on water infrastructure improvements planned for that neighborhood. She then explained that the Water Department had confirmed those improvements would be done in 2024 or 2025.  
---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Givner).

Motion was made and seconded to suspend the necessary rules to take up items 25D, 25E and 25F as a package.

The Committee on Development and Governmental Relations to whom was referred an order 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.

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\_J  
Linda L. Vacon

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that representatives from the Appalachian Mountain Club discussed various programs and trails they maintained. She noted that she learned a lot about what they did that she had not known before. She then encouraged people to check out outdoors.org to learn more about their work. She then explained that they maintained two trails running through Holyoke, the New England Scenic Trail and the Connecticut River Paddlers Trail. She then noted that they were always looking for volunteers to help maintain the trails. She added that they worked with MassHire's summer youth job program.  
---> Report of Committee received and recommendation Adopted.

The Committee on Development and Governmental Relations to whom was referred an order Whiting Street Reservoir Committee Study Report

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\_J  
Linda L. Vacon

**UNDER DISCUSSION:**

Councilor Murphy-Romboletti stated that the project had been in the works since 2019. She noted that Sue Ellen Panitch had been the chairperson and had contributed a lot to get the study completed prior to her recent passing. She emphasized appreciation for all of the work that went into the report. She then explained that the goal of the committee was “to consider all aspects of the Whiting Street Reservoir to include reviewing costs to maintain and repurposing it for future use as well as ensuring that reasonable environmental considerations are maintained.” She noted that much was learned about the reservoir and that the committee had 5 recommendations from their work, which was included in the report. She then summarized that they were encouraging the City Council to ensure long term protection of the reservoir, assure availability of the reservoir for future water needs, encouraging passive recreation, and enhancing visitor safety and accessibility. She noted that many not living in the surrounding neighborhood had not been to the reservoirs. She added that they were encouraging the city to develop a vision statement, specifically the North Holyoke Area Master Plan to guide use and protect resources.

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

The Committee on Development and Governmental Relations to whom was referred an order With Holyoke celebrating its 150th anniversary as a City, ORDER that DGR committee invite the committee chair (A. Vega) and any other committee members to a meeting to hear about any plans and to offer any suggestions.

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\_J  
Linda L. Vacon

**UNDER DISCUSSION:**

Councilor Murphy-Romboletti stated that the current year was the 150th for the city of Holyoke. She noted OPED Director, Aaron Vega spoke on the topic as the 150th Committee’s chair. She noted that Admin Asst Anderson-Burgos was also involved in the committee. She then stated that they were looking for volunteers to help with their activities, would be marketing many events in the city under the umbrella of the anniversary. She noted that people could add their own events to the 150th calendar through ExploreHolyoke.com. She then explained they were meeting twice a month, and would also be holding a gala toward the end of the year. She then reiterated that there would be a City Hall dedication on April 6th.

---> 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**

(3:03:50)



MCGIVERIN, JOURDAIN — Order that the Director of the Office of Planning & Economic Development be authorized to provide a flexible work schedule for PSA members. Flexible work schedule will allow for evening meetings to be incorporated into the formal work day. A flexible schedule will still be required to fulfill the 35 hours a week requirement. All additional contractual and ordinances related to these positions will be adhered to.

Motion was made and seconded to refer to Ordinance.

Councilor Jourdain suggested suspending the rules and sending this to the Law Department now along with the earlier orders, noting that it would be discussed and sent back out anyway.

Councilor McGiverin suggested that the order should be referred to committee, noting there were things to discuss in terms of what was being proposed. He further suggested that flex schedules were important, noting that many employees were asked to attend committee meetings on a regular basis, as well as supporting other commissions and public bodies and still had to arrive at work in the morning. He emphasized that flex schedules may help address the lack of ability to pay overtime. He then motion to refer it to committee.

President McGee noted that the first motion was to refer it to the Law Department.

Councilor McGiverin stated that the original motion was to refer to committee.

Councilor Jourdain stated that he motioned to amend that motion.

President McGee confirmed that was accurate.

Councilor McGiverin suggested returning to the original motion.

Councilor Jourdain stated that the amendment required a vote first.

Councilor Rivera\_I noted that the motion was made without asking the President to speak.

President McGee clarified that he acknowledged the motions.

Motion to refer the order to the Law Department failed on a show of hands vote.

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

Motion was made and seconded to suspend the necessary rules to take up items 29 through 31, 33 through 39, 42 and 43 as a package.

MCGIVERIN — Ordered that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “Marcotte Ford Holyoke Police Department Equipment Donation, Est. Value \$10,000” 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, February 7, 2023.

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, TWO HUNDRED TWO THOUSAND AND 00/100 Dollars (\$202,000.00) as follows:

FROM:

8815-10400 CANNABIS STABILIZATION \$202,000.00

TOTAL: \$202,000.00

TO:

.-. DPW MAIN STREET SAFETY PROJECT \$202,000.00

TOTAL: \$202,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

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, TWENTY SIX THOUSAND AND 00/100 Dollars (\$26,000.00) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$26,000.00

TOTAL: \$26,000.00

TO:

16302-52420 EQUIPMENT R & M – RECREATION \$26,000.00

TOTAL: \$26,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

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 AND 00/100 Dollars (\$3,000.00) as follows:

FROM:

15432-57700 VETERANS BENEFITS-DIRECT \$3,000.00

TOTAL: \$3,000.00

TO:

.-. FY2023 VETERANS HERITAGE GRANT \$3,000.00

TOTAL: \$3,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

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 HUNDRED NINETY NINE THOUSAND AND 00/100 Dollars (\$399,000) as follows:

FROM:

8815-10400 CANNABIS STABILIZATION \$399,000

TOTAL: \$399,000

TO:

.-. DPW RACE STREET IMPROVEMENT \$399,000

TOTAL: \$399,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

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 THOUSAND AND 00/100 Dollars (\$70,000) as follows:

FROM:  
8815-10400 CANNABIS STABILIZATION \$70,000  
TOTAL: \$70,000  
TO:  
.-. OPED CONTRACTED LEGAL SERVICES \$70,000  
TOTAL: \$70,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

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, SEVEN THOUSAND AND 00/100 Dollars (\$7,000.00) as follows:

FROM:  
14261-51102 AUTOMOTIVE-MOTOR EQUIP REPAIRMAN \$7,000.00  
TOTAL: \$7,000.00  
TO:  
14261-51300 OVERTIME \$7,000.00  
TOTAL: \$7,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

Joshua A Garcia, Mayor

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

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE HUNDRED THOUSAND AND 00/100 Dollars (\$100,000) as follows

FROM:  
8815-10400 CANNABIS STABILIZATION \$100,000  
TOTAL: \$100,000  
TO:  
.-. OPED PUBLIC ART/COMMUNITY BENEFIT \$100,000  
TOTAL: \$100,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

Joshua A Garcia, Mayor

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

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$150,000) as follows:

FROM:  
8815-10400 CANNABIS STABILIZATION \$150,000  
TOTAL: \$150,000  
TO:  
.-. OPED MUNICIPAL SUPPORT/MASTER PLAN \$150,000  
TOTAL: \$150,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

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, EIGHT THOUSAND SEVEN HUNDRED EIGHTY EIGHT AND 00/100 Dollars (\$8,788.00) as follows:

FROM:

2601-10400 TNC RIDESHARE \$8,788.00

TOTAL: \$8,788.00

TO:

11752-53010 OTHER CONTRACTED SERVICES \$8,788.00

TOTAL: \$8,788.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

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 “STATE HISTORICAL RECORDS ADVISORY BOARD (SHRAB) FY2023 VETERAN’S HERITAGE GRANT, \$26,238, 50% MATCH \$13,238, \$3K CASH & IN KIND,” 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, February 7, 2023.

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 SENATOR CHARLES E. SHANNON, JR., COMMUNITY SAFETY INITIATIVE (SHANNON CSI), \$566,355.26, 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, February 7, 2023.

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 32 and 40 as a package.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2023, TWENTY EIGHT THOUSAND ONE HUNDRED SEVENTEEN AND 37/100 Dollars (\$28,117.37) as follows:

FROM:

12101-51104 LIEUTENANT \$3,883.22

12101-51105 SERGEANT 10,085.70

12101-51107 PATROLMEN 14,148.45

TOTAL: \$28,117.37

TO:  
12101-51180 INJURED ON DUTY \$28,117.37  
TOTAL: \$28,117.37

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 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  
(Bartley, Givner).

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2023, EIGHT HUNDRED NINETEEN AND 25/100 Dollars (\$819.25) as follows:

FROM:

12201-51105 FIREFIGHTER \$819.25

TOTAL: \$819.25

TO:

12201-51180 INJURED ON DUTY \$819.25

TOTAL: \$819.25

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President McGee stated that item 31 covered 11 employees and item 40 covered 1 employee.

Councilor McGiverin stated that the transfers were for accounting of the salaries that public safety employees continue to receive while they are out of work due to being injured on duty. He noted that Police Chief Pratt stated at the last Finance meeting that an expected police audit report was coming soon.

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

MCGIVERIN — that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “” 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, February 7, 2023.

Joshua A Garcia, Mayor

President McGee stated that the order was a misprint.

---> Received and returned to the Auditor.

MURPHY-ROMBOLETTI — Ordered that the City Council invite our state delegation to attend a Development & Government Relations meeting to provide the City Council with a legislative update for the year ahead.

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

TALLMAN — Ordered, That the City Engineer consider a Do Not Block the Box at 56 Jackson St. Since the state started detouring traffic for the 391 construction project, it has been difficult at times to exit and enter the premises for employees and customers at all businesses located at 56 Jackson St

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

ANDERSON-BURGOS — Ordered that the DPW place a “STOP SIGN AHEAD” on the G&E pole #8 near 59 Magnolia Avenue. (Refer to Public Safety copy to DPW)

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

ANDERSON-BURGOS — That a flashing stop sign be installed to replace the current standard stop sign located on Magnolia Ave going up Portland St. Cars are speeding and ignoring the current stop sign.

(Refer to Public Safety copy to DPW)

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

GIVNER — With Community support, That all four way intersections include either red blinking lights or solar powered stop signs, AND that any new stop signs installed include solar powered lighting.

-To DPW / Copy to public safety.

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

GIVNER — With Community support, That the City Forester provide a safety action plan and timeline for annual maintenance/tree trimming at intersections throughout the city.

-To Public Safety / Copy to City Forester

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

GIVNER — Per Constituent request, that an additional handicap parking space be added at 204 Oak St. for Josephine Rivera. Although a designated handicap space was created during the summer of 2022, that space is regularly occupied by other vehicles with handicap plates, indicating additional need.

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

JOURDAIN, VACON — Ordered, that City Council Rule 9P be modified to add: Only those items that are reasonably expected to be taken up at the meeting (per open meeting law) will be published on the meeting agenda. Items “deemed tabled” by virtue of their existence in the committee jacket for 45 days will not be published on the active agenda. Listing every item in the entire committee jacket on every agenda will create confusing agendas for Councilors and the general public when the vast majority of items will never be considered at that meeting and create the false impression that they will be. This will create an absurd result that appears to be a violation of the Open Meeting Law.

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

JOURDAIN, VACON — Ordered, that Ordinance 2-421 be amended to include all public hearings so that the public has an opportunity to truly participate in their government and to advance transparency.

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

JOURDAIN — Ordered, that Administrative Assistant of the City Council please remind all Boards and Commissions to publish their minutes on the city website, as well as, video if the meeting had a remote option.

UNDER DISCUSSION:

Councilor Jourdain noted that the administrative assistant planned to help with this.

President McGee noted that emails had already been sent.

---> Received and Adopted. Copy to Admin Asst.

MCGEE — Ordered, that the residency requirement for the CPO/Purchasing Director position be removed.

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

MCGEE — That the Board of Public works Commission provide an update on the new sewer rate.

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

MCGEE — Ordered, that the City Treasurer be invited into a Finance meeting to update on his cleanup efforts within the department.

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

MCGEE — Ordered that all roads and sign issues (including ordinances) be sent to the Public Safety Committee instead of Ordinance Committee

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

MCGEE — Ordered that all employment related ordinance issues be sent to the Public Service Committee instead of Ordinance Committee

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

MCGEE — Ordered that the Public Service Committee be renamed the Public Service and Human Resources Committee

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

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

(3:17:50)

From Rory Casey, City Treasurer, 2022 Salary Reports, City of Holyoke Top 100, Holyoke Public Schools Top 100, Elected Officials

Councilor Jourdain asked if they were getting posted on the website.

President McGee confirmed they were already posted.

Councilor Rivera\_I asked if they included overtime or would that be on top of these figures.

President McGee stated that it was included.

Councilor Rivera\_I asked to clarify that these showed the base salary without overtime.

Councilor Jourdain clarified that overtime was included. He added that they didn't break it out but only showed their total earnings.

Councilor Puello noted that the number 2 employee for Holyoke Public Schools was in Chicago.

---> Received.

Release and Settlement agreement between the City of Holyoke and Travelers Insurance

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

MCGIVERIN -- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, FOUR HUNDRED THIRTY TWO THOUSAND AND 00/100 Dollars (\$432,000) as follows:

FROM:

2602-10400 INSURANCE CLAIMS/SETTLEMENTS > \$150K \$432,000

TOTAL: \$432,000

TO:

14102-53009 CONTRACT SERV. -CLAIMS/SETTLEMENTS \$432,000

TOTAL: \$432,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

Joshua A Garcia, Mayor

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

MCGEE -- Order to make the entrance to the Warehouse as Jimmy Curran Way.

Motion was made and seconded to suspend the necessary rules to take final action.

Councilor McGiverin asked to confirm this would be an overlay.

President McGee confirmed, much like many other similar signs.

Councilor Jourdain asked if that was a public way, and if it was the road that went along the canal to the building coming off of Lyman.

Councilor Tallman stated that was correct.

Councilor Jourdain stated that Lyman was a public street but the drive going toward the building might be private property.

Councilor McGiverin stated that it might be next to the railroad bridge.

President McGee stated that they could confirm.

Councilor Rivera\_I noted he received a similar question about a road going up toward the back of the high school.  
---> Received and Adopted.

Councilor McGiverin stated that Late Files E and F were taken up earlier in the meeting but had not been voted on.

From Kelly Curran, Personnel Director, Vacation and Personal Day Data

---> Received.

From Mayor Garcia, letter in support of Councilor McGee's orders to update vacation ordinance

---> Received.

Settlement agreement between the City of Holyoke and the International Brotherhood of Police Officers, Local #409

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

MCGIVERIN -- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2023, FIFTY ONE THOUSAND NINE HUNDRED FIFTY TWO AND 00/100 Dollars (\$51,952.00) as follows:

FROM:

12101-51510	SICK BUYBACK	\$51,952.00
LOCAL #409 HPD SUPERVISORS MOA	.	
TOTAL:		\$51,952.00

TO:

12101-51103	CAPTAINS	\$9,409.00
12101-51104	LIEUTENANTS	16,218.00
12101-51105	SERGEANTS	26,325.00
TOTAL:		\$51,952.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 7, 2023.

Joshua A Garcia, Mayor

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

*Brenna Murphy McGee*  
Adjourned at 10:26 PM