

## REGULAR MEETING OF THE CITY COUNCIL

April 4, 2023

The meeting was called to order by President McGee at 7:06 PM

The Clerk called the roll. Absent members: 0 Present Members in person 11 (Anderson-Burgos, Bartley, Givner, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera\_I, Rivera\_J, Tallman). Present Members on Zoom 2 (Jourdain, Vacon).

The Pledge of Allegiance was recited.

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

Motion was made and seconded to take a roll call vote that for the purposes of this meeting would be applicable to all motions to remove items from the table, lay items on the table, suspend the rules, or package items together, unless there is an objection.

President McGee read a message from Community Development Director, Alicia Zoeller, regarding the passing of Jennifer Martins:

“Jennifer Martins, OCD Compliance Manager, passed away last night after a valiant battle with cancer. Holyoke City Hall has lost one of its finest public servants. Jenn served the people of Holyoke for exactly 29 years.

Jennifer was smart, kind, and funny. She learned her way from Executive Secretary to Compliance Manager ensuring that the City expertly managed its federal grants. Jenn took enormous pride in her work and was a woman of integrity. We affectionately referred to her as *Princess Persnickety* for her meticulous office management. Just weeks ago she was frustrated that her files were being handled (read: touched) in her absence so she created a file sign out system.

Jennifer was incredibly kind to all. In December (as her own cancer grew worse), Jenn noticed a wayward young man outside the office and kept an eye on him for weeks, gathering supplies and ensuring that he knew about available services. She was the coworker who remembered that your mom had been sick, and offered support. Jenn never met a stranger. She had the ability to put anyone she met at ease- a skill she used over and over at work.

Being a public servant in these times can be challenging. But there is great pride and honor in this work- serving the community to meet people’s basic needs- housing, food, parks, healthcare, education, and safety. Jennifer loved Holyoke. She truly believed and demonstrated that public service matters.

Thank you to everyone who supported Jennifer over the past 14 months. She came to work every day, even on the worst days, because Room 400 was her happy place and she knew that she would be surrounded by love and comfort.

Today, and always, be a little like Jennifer. Be kind, work hard, love your community, care for the people around you, and always smile. As she said- *Believe that today will be a great day.*”

He then stated that there would be arrangement for visitation that Thursday 2-4 and 6-8 at Barry Farrell Funeral Home.

A moment of silence was observed for Jennifer Martins.

LAI D ON THE TABLE

(4:40)

Motion was made and seconded to suspend the necessary rules to remove item 1 from the table and take up with item 9 as a package.

Petition of Steven P. Glaude for a zone change application from BG to BH for 2203 Northampton St.  
---> Refer to the Clerk to contact the petitioner.

From Michael Bissonnette, thread of email regarding Kmart Plaza.

Councilor Vacon stated that the applicant was not the owner of the property, adding that the owner had no interest in seeking a zone change at that time. She then stated that the application should be referred to the Clerk to return it to the applicant.  
---> Received.

Motion was made and seconded to suspend the necessary rules to remove items 2 and 3 from the table and take up with item 8 as a package.

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

Taxes will increase by over \$200.00 per year for a house valued at \$236,262 due to repeated inability to achieve 7 votes of the City Council for lower taxes for homeowners. This increase is taking place along with significant increases in sewer, gas, electricity, food & heating prices. Voters should have the right to decide the rate. City Council initiated the CPA tax here originally, so needs to vote to place it on the ballot again for voters to decide. Recommended that the order be adopted, as amended to 1%.

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 7--Nays 6 (Anderson-Burgos, Givner, Maldonado Velez, Murphy-Romboletti, Rivera\_I, Rivera\_J)--Absent 0.

The Committee on Finance to whom was referred an order that we invite in the CPA board members to give an update on the program. Recommended that the order has been complied with

---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 7--Nays 6 (Anderson-Burgos, Givner, Maldonado Velez, Murphy-Romboletti, Rivera\_I, Rivera\_J)--Absent 0.

From Kathleen Degnan, Asst City Solicitor Community Preservation Act Ballot Question and Draft Summary.

#### UNDER DISCUSSION:

President McGee read from the language of the ballot question:

“Shall the City of Holyoke amend the current Community Preservation Act real estate surcharge, as established in accordance with the provisions of Section 3 of Chapter 44B of the Massachusetts General Laws, and which amendment of such surcharge is permissible pursuant to Section 16 of Chapter 44B of the Massachusetts General Laws, and approved by its legislative body, from 1.5% to 1.0%, a summary of which appears below?

Councilor Vacon clarified that the committee recommended a compromise to 1.0% instead of the 0.5% suggested in the original order. She then asked councilors to give voters the right to weigh in on this.

Councilor McGiverin stated that as part of the committee studying the proposal, they invited the chair, Meagan Magrath Smith, of the CPA Committee to provide an update on incredible work the program had been doing. He then explained that they also updated on the impact of how the percentage worked. He noted that 1.5% was not the highest allowed by MGL, but could be 3.0%, adding that a handful of communities had adopted that. He then stated that Holyoke had been contributing 1.5% for close to 5 years and that those funds were coupled with additional funds provided by the registry of deeds per state law. He then stated that the Law Department had done well in keeping it a simple yes/no question, noting that ballot questions are rarely simple because there is usually more to a yes or a no. He then noted the importance of the summary explaining what a yes or a no vote would mean. He then suggested that opponents and proponents should offer their positions leading up to November. He then mentioned the concern Ms. Magrath Smith had with continuing to cover the administrative cost of paying a part time staff person if the surcharge were reduced.

Councilor Givner expressed her understanding that the question of reducing the CPA percentage had twice been put on the ballot since the CPA had initially been voted in. She then questioned doing unnecessary work, noting the funds were needed for projects.

Councilor Anderson-Burgos stated that he would not be voting to place the question on the ballot. He then clarified that while he did not disagree with the intent, he believed something this important should be put to voters the following year when there would be a larger voter turnout.

Councilor Rivera\_I asked to clarify if voting yes meant voting for the decrease, and if voting yes the last time was in favor of adopting CPA.

Councilor McGiverin stated that was accurate.

Councilor Rivera\_I noted that this was different than the first time and could be confusing. He then stated that he would not be voting for it. He then emphasized that while the voters chose this, the voters also elect councilors to make these decisions. He then noted that while increasing taxes was an issue, there was a lot of value to what the CPA was doing, adding that the people who voted for him had asked him to not vote in favor of this.

Councilor McGiverin agreed that this was not as simple as what the language was the first time. He then expressed his concern with referendum questions, agreeing that councilors were elected to make decisions because most issues have multiple sides that needed to be vetted out. He then agreed that voters had a right to a choice because they initially put it in. He then emphasized that the Council did not need to initially put the ballot question on and that it could have been done through a circulated petition with signatures.

Councilor Vacon clarified that this would be only the second time any question about the CPA would appear on a ballot, emphasizing that it had not been asked of the voters since the first vote. She then reiterated that because the City Council voted to put it on the ballot in the first place rather than requiring citizens to present a petition, voters could only weigh in again if the City Council voted to put it back on the ballot because of the way it was written in the CPA law. She also noted that the vote had not been overwhelmingly endorsed but was within a 10 point margin, adding that economic changes had since

moved in a challenging direction. She then suggested that voters did not elect councilors to substitute for their judgement but to represent them.

Councilor Murphy-Romboletti stated that she would feel differently if voters had approved the Council with a petition. She then stated that as an at-large councilor representing the entire community, she had not once been pushed to decrease the CPA. She suggested that while there were ways to improve the CPA, the answer was not to decrease it. She then recognized that while economic conditions were challenging, she expressed concern that the method for going about this was not the best. She then emphasized that the only emails she had received about the CPA were advocating for the program and talking about the great things being done. She then stated that she was not inclined to vote for this.

Councilor Rivera\_I reiterated that the question was not the same as the last time, noting that support for keeping it the same would be a no vote. He then expressed his belief that people who vote councilors in expect them to stand their ground on certain issues, adding that he had been hearing that this was an issue he needed to dig his heels in on.

Councilor Tallman recalled that the Council voted to put this on the ballot in 2016. He then emphasized the importance of choosing to do it that way. He then suggested that this should not wait another 2 years and that the citizens should get to vote on it in this term. He also recognized that voters were struggling, and that they were also intelligent and would not be confused. He then expressed support for the projects that the CPA had funded over the years, adding that he believed it should stay at 1.5%. Given that, he reiterated that the voters should decide and that he would vote to put it on the ballot.

Councilor Bartley commended the Law Department for writing a good summary. He then reiterated Councilor Vacon's points that this would only be the second time the CPA would be on the ballot. He then recalled that when he chaired the committee this question went through the last time, they believed the Council placing it on the ballot was the fairest way to do it instead of torturing residents by requiring them to get thousands of signatures and then inundating the Clerk's office. He then questioned how a yes or no straightforward vote was confusing. He also suggested that waiting to place it on the ballot in an off municipal year made no sense. He emphasized that this was a municipal question and placing it on a state/federal ballot made no sense. He also suggested that it was trying to get a specific result because there would be a higher turnout, adding that he believed there was no evidence that would hold. He then commended the committee for accepting his suggestion for a compromise at 1.0%. He also stated that this was a chance to give the voters a chance to voice their opinion on the important issue of their taxes.

Motion was made and seconded to suspend the necessary rules to allow Councilor Vacon to speak for a third time.

Councilor Vacon offered a reminder that because the City Council voted to put it on the ballot the first time, that was the only way to put it back on the ballot this time. She further stated that a citizens' petitions could not be accepted.

Councilor Givner emphasized that statistics showed more people vote when there is a state election. She then suggested that if the interest was getting as much input as possible from the voters, it should be put on the ballot in 2 years. She also mentioned that respect for voters meant making sure as many of them were heard as possible. She added that she had not heard from any constituents about this issue other than complements for what the CPA was doing.

Councilor Jourdain recalled that he took a lot of heat for voting to put this on the ballot the first time, noting that many were concerned about another tax. He added that he voted to do so because he did not believe he should stand in the way of voters having their say about this. Recognizing that not everything should be a ballot question, he suggested that the big things like this should be the choice of the voters. He then emphasized that this was the same election that would be selecting members of the School Committee and the City Council and that it should be good enough for voters to pick the CPA tax. He then stated that the voters were smart people and there should be no confusion about what a yes or a no vote was.

Councilor Maldonado Velez recalled that when this first came up, the vote took place in 2016 which was also one of the biggest presidential elections in modern American history. He then stated that while he was initially against the point that it should wait another year, he now believed that point made sense if it was going to be handled in the same way it was the first time. He noted that around 8,000 voters supported it in 2016 and that last year's election had around 8,000 voters total. He then stated that while a petition was not needed to put it on the ballot, it would be great to see a petition with people expressing that they want it to be reduced. He added that he had not received any emails or heard anything on it other than that the CPA had been doing a great job.

Motion was made and seconded to suspend the necessary rules to allow Councilor Rivera\_I to speak for a third time.

Councilor Rivera\_I stated that he was interested in consistency so that it is handled the same way it was done before as much as possible. He then asked if citizens would have been able to petition for a ballot question the Council had voted against doing the first time around.

Motion was made and seconded to suspend the necessary rules to allow the Law Department to address the question.

Atty Degnan stated the citizens could still have done their own petition to put it on the ballot.

Councilor Rivera\_I asked rhetorically if councilors voted to put it on the ballot recognizing that citizens were going to get the signatures and get it on the ballot anyway. He then suggested that the only councilors seeking to put it on the ballot now were the ones who were against it the first time, except for Councilor Jourdain. He then commended Councilor Jourdain for taking that vote. He then suggested that games were being played now.

Councilor Anderson-Burgos suggested that what was happening now was calculated. He emphasized that he and many other colleagues had not received any calls or emails regarding anything about the CPA other than appreciation for their investment in the community. He then explained that it was calculated in that an election with low voter turnout was an easy opportunity for local groups some councilors were involved with to persuade voters to lower or remove the CPA.

Councilor McGiverin stated that he voted to place CPA on the ballot in 2016 and voted to support it at the ballot box because he thought it could do some good, adding that it had gone far beyond what he expected. He then explained that while he did not want to vote to chance that the funds going to good projects would be reduced, he believed that it was a legitimate request to give the option to the voters. He then stated that he believed voters were intelligent enough to understand that 1.5% was not a lot to ask for but when combined with the funds from the registry of deeds, it was doing a lot of good. He then

questioned the assertion that the proposal was calculated. He then expressed his intent to advocate for the program between then and the election in November. He also suggested that people watching the CPA meetings were amazed by the work they were doing.

President McGee stated that he fought for the CPA in 2016, believing in what it could do even though adding a tax may not have been a favorable thing to do. He added that he also believed it was better for the Council to take it up than to expect people to get a petition. He also noted that he was in favor of giving people another chance to vote again in 5 years if the people wanted that chance.

---> Received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 7--Nays 6 (Anderson-Burgos, Givner, Maldonado Velez, Murphy-Romboletti, Rivera\_I, Rivera\_J)--Absent 0.

President McGee stated that item 4 would remain on the table as they were still waiting for an update.

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.

Councilor Maldonado Velez asked for an update from Law Department and OPED, noting that he had heard conflicting information on if the Council needed to approve anything.

---> Laid on the table.

### **PUBLIC COMMENT**

(42:45)

Steve Superba, 17 Glen Street, quoted a statement from Mayor Garcia during the early stages of seeking a police risk analysis report, "for all we know, the report could come back and say that we are 100% perfect or they could come back and we might get some surprises." He then credited the mayor for evaluating these positions and doing the right thing. He then called on the mayor to do the right thing and follow through on the intent of seeking the report which was to rectify problems with the Police Department. He then suggested that the report uncovered clear neglect and negligence and was a scathing account and indictment of the management and leadership of Chief Pratt. He then called on the mayor to remove all impediments so that the process of timely and aggressive implementation can begin. He then suggested that Chief Pratt was the most notable impediment, adding that he believed Chief Pratt had indicated he would not be a part of the solution through both his statements and in his performance.

Patricia Devine, 58 Magnolia Avenue, stated that her mother was born before the 19th Amendment was ratified, giving her the right to vote. She then stated that while women had come a long way since then, she felt that there was a long way to go after the previous Council meeting. She then emphasized that there were currently 4 women on the City Council, as well as women serving as department heads and various city personnel. She then suggested it felt like being in Communist Russia watching the interrogation of one of the newer attorneys in the Solicitors office. She then emphasized that interrogations like this do not happen in this country. She then demanded that respect be shown by allowing Atty Mantolesky and others have a chance to answer questions. She added that she often has to cringe watching how department heads are treated during Council meetings. She then expressed that she was proud by the integrity and knowledge shown by Atty Mantolesky, as well as the maturity in the responses from Councilor Murphy-Romboletti, Councilor Givner, and Councilor Rivera\_J in the face of the

bully in the room. She then expressed her appreciation and understanding for the hours they put in, knowing it as a former councilor herself, as well as the work accomplished by newer councilors in a short amount of time. She then called on councilors to stay respectful and continue making good laws and good history.

Richard Purcell, 279 Suffolk Street, spoke in support of establishing a police commission through items 48 and 49, noting that the citizens of the city had voted twice to do so. He stated that it would be an extra tool in the Police Department and provide real community policing. He then suggested that if the audits were saying something was wrong, the citizens should be allowed to be a part of fixing the issue by having a commission with the power to hire, fire, promote, and listen to citizen complaints. He noted that every other city department had a board or commission governing it but the Police Department. He then asked that the orders not be sent to committee to be hidden away but be voted on right away using the archives of when it was voted on before.

Anne Thalheimer, 97 Brown Avenue, Apt 2L, stated that her original intent to speak was to address crosswalks in her neighborhood that had not been painted in multiple years. She noted that a request had been sent to the DPW a year earlier but had not yet been acted on. She added that she watched a school bus run a stop sign because nobody could see the lines at the location where Laurel meets Brown. She noted that the funds were there to paint shamrocks on the streets but crosswalks were needed. She then recalled that a previous time she attended a meeting, she spoke about how a councilor referred to her as a reoccurring nightmare. She then observed that the same kind of tone was present at the previous City Council meeting. She then commended Ms. Devine for her comments. She then asked that the City Council not just talk about being civil but actually doing it. She then stated that how professional women were talked over and yelled at was reprehensible.

Nathan Chung, 9 Prue Avenue, Apt 4A, referencing items 1 and 9, stated that MGL made a zone change request from a non-owner invalid unless there were additional in the Holyoke City Charter. He added that a zone change could only be initiated by the City Council, the property owner, 10 registered voters, the Planning Board, a regional planning agency, or by other methods provided by municipal charter. He suggested that the non-owner did not appear to fit within any of those groups. He also suggested that the requested change was likely a spot zone. Referring to item 22D on allowing accessory dwelling units, he then suggested that it was a good start but questioned adding another special permit burden to the City Council. He suggested that most applicants would be 'mom-and-pop' property owners hoping to create multigenerational homes for family members. He suggested that the process should be transparent and streamlined while minimizing street. He also noted that adoption of the change to the zoning ordinances allowing accessory dwelling units only required a simple majority and not two-thirds, according to MGL. Referring to the CPA question, he then suggested that there needed to be more transparency about what people would actually be saving, noting that the first \$100,000 of assessed value of properties was exempt from the tax. He added that every additional \$100,000 of assessed value, residential property owners would see \$9.38 per year of savings with the proposed reduction and commercial property owners would see a savings of \$20.09 per year.

Spencer Fox Peterson, 51 Portland Street, thanked the Council for making meetings available online and asked that they remain going forward. He then expressed support for establishing an Office of Tenants Rights. He then noted that one of the captains in the Police Department was currently in court regarding sexual misconduct against another officer. He then suggested that it was an unsafe working environment. He further suggested that the department had an internal rot that could not be fixed, that there needed to be more oversight and transparency, adding that he believed the department should be defunded and eventually abolished.

Councilor Bartley asked if items 1 and 9 had been handled, noting he walked in a couple minutes late.

President McGee stated that they were referred back to the Clerk.

## **COMMUNICATIONS**

(56:55)

From Mayor Joshua A. Garcia, letter reappointing Ms. Kate Kruckemeyer, 63 Fairfield Ave. to serve as a Commissioner of the Planning Board for the City of Holyoke: Ms. Kruckemeyer will serve a five year term; said term will expire on June 30, 2028.

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

From Mayor Joshua A. Garcia letter reappointing Mr. George W. Mettey, 7 Hemlock Dr. to serve as Fire Commissioner for the City of Holyoke: Mr. Mettey will serve a three year term; said term will expire on May 13, 2026.

---> Received and appointment confirmed.

Letter from Mayor Joshua A. Garcia, and School Building Committee, Chair, Erin Brunelle, School Committee Member, & Anthony Soto, Superintendent and SBC member regarding the Progress on Middle School Building Project.

Councilor Jourdain stated that the School Building Committee would likely meet with the Finance Committee in May.

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

From Tanya Wdowiak, City Auditor re: General fund and Sewer budget reports.

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

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Asst to City Council minutes of March 21, 2023.

---> Received and Adopted.

Settlement Agreement By and Between The City of Holyoke and the International Brotherhood of Police Officers Local #388.

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

From HEDIC minutes of October 27, November 29, 2022, January 26 and February 23, 2023.

---> Received.

From members of the Holyoke Conservation Commission letter re: views on the Holyoke Community Preservation Act in its present form.

---> Received.

From Board of Public Works, Holyoke Waste Management Study Report and Recommendations to Keep Holyoke Green and Clean.

Councilor Bartley noted that there were good discussions of this during the Board of BPW meeting the previous night. He then suggested that an additional discussion in committee would allow councilors to digest and think about it more, with additional conversation and recycling and waste disposal, particularly about the timing relative to the disbursement of ARPA funds for new trash bins.

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

From David Conti Manager Water Works Annual report of the Violations issued by Mass Environmental Police, 2022 Patrolling Program.

Councilor Bartley noted that former councilor, Jim Leahy, proposed receiving reports on this a few years back. He then commended Dave Conti and the Water Commission for staying up with this and clamping down on violators to keep the area as pristine as possible.

---> Received.

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

Communication From Councilor Jourdain, regarding a legal opinion of June 1, 2021 regarding Rule 66.

From Atty Jane Mantolesky, Supplement to legal opinion on voting requirements

Councilor Bartley suggested that there should be a discussion in Charter and Rules.

Councilor Jourdain pointed out that there was an opinion from a couple years earlier that appeared to come to an opposite conclusion than the opinion at the last meeting. He then noted that a footnote at the bottom of the recent opinion indicated the reason for the reversal was due to a change in the City Council rules between 2017 and 2022. He emphasized that the wording of the relevant rules had not changed but that only the numbering of the rules had changed. He added that the discussion of rules were more appropriate to discuss in committee instead of at the last minute at a Council meeting.

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

From Katie Talbot, Lead organizer at Neighbor to Neighbor letter regarding the need for an Office of Tenant Protections in Holyoke.

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

From Board of Fire Commission minutes of February 16, 2023.

---> Received.

## **PETITIONS**

(1:07:10)

Motion was made and seconded to suspend the necessary rules to take up items 20 and 21 as a package.

Petition of Tai Woong Kang for a renewal of a second hand license at 311 High St.

President McGee confirmed that all taxes were paid.

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

Petition of Tom Lucchesi, (Ivory Billiards) for a renewal of 19 pool tables and 1 Billiard Table at 151 Chestnut St.

President McGee confirmed that all taxes were paid.

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

## **PRESIDENTS REPORTS**

(1:08:35)

President McGee stated that the City Hall dedication ceremony would take place that Thursday, at 3 PM. He added that it would take place in the upstairs ballroom due to expected rain.

He then read from a communication from the mayor:

*"In response to inquiries from members of the council regarding the desire for a special hearing of the council to take place to discuss plans for implementation of the recommendations of the recent police audit, please know I do not plan to have such a dedicated hearing with the council at this time. I do however look forward to having discussions at council meetings in regards to updates as we present plans for implementation of strategies that require legislative approval. More on this to come especially as we prepare our proposed budget for FY24.*

*I do want to express my support of an order that will be submitted soon if not already, to establish a civilian board known as a Police Commission. Having a dedicated board overseeing the department will help with oversight of implementation of the strategies and also properly navigate the department obligations to mitigate liability. These powers currently sit with the Mayor per our charter. By delegating these executive powers to a board (similar to the Fire Commission for the Holyoke Fire Department), I believe it will strengthen oversight and accountability as business would have to be done following Open Meetings Laws."*

Councilor Bartley recalled attending the Sikh flag raising. He commended Rep Pat Duffy for her remarks, particularly regarding work done in the House recognize the Sikh faith in the Commonwealth. He then noted a discussion with the mayor about filing an order to discuss in Public Service to find candidates for a recycling commission, noting there was an ordinance already on the books. Referring back to the flag raising, he stated it was a nice event even with the weather. He also commended former councilor, Dan Bresnahan, for his work to initially make the event happen.

Councilor Tallman stated that there would be a public meeting held by the School Building Committee the following evening at Holyoke High on Beech Street from 5:30-7 PM. He added that there would be a virtual meeting the following week on April 10th, 12-1 PM. He explained that the intent was to understand if the city was going to be able to afford a new school.

## **REPORTS OF COMMITTEES**

(1:12:30)

The Committee on Ordinance to whom was referred an order That an ordinance be created that requires that when notices need to be sent to abutters for public notices involving lots without buildings that the address closest to the subject property be listed as a reference point plus a plot plan/lot lines of the

subject property be included so abutters can determine the exact location of the subject property they are being notified about.

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

Committee Members:

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

**UNDER DISCUSSION:**

Councilor Vacon stated that the order was motivated by the zone change where the White Hut would soon be opening. She noted there was confusion in the neighborhood that required the notice to be resent. She then explained that the ordinance would require a reference point for the general public providing the closest address in situations where only a parcel number without a building address was available.

Councilor Jourdain commended the Ordinance Committee for acting on the order. He noted there were issues when citizens couldn't figure out where a notice was referring to when they were only getting a lot number.

---> 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 City Council create an ordinance that creates food truck zones in the city with the goals of eliminating food deserts, managing the locations, and promoting various neighborhoods.

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 there had not previously been definitions for food trucks. She then explained that the legal language would define the activity within the city as well as create the possibility of designating specific areas within the city so that anyone licensed to have a food truck through the Board of Health could be allowed to go to those areas.

Councilor Maldonado Velez noted that there was a lot of back and forth in committee to determine if it was a zoning matter. He then stated that this would be a good first step in having language that defines what food trucks were. He noted that concerns had been brought to him on whether this would create added barriers. He added one new stipulation created was that food trucks could not be located within 150 feet of brick-and-mortar restaurants, recognizing the higher costs associated with those restaurants and the concern of having food trucks as competition so close nearby. He also noted that many parts of this ordinance already appeared in other ordinances but this made it easier for people trying to get licenses to see all of the requirements in one place.

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

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 just a matter of adopting updated state law so that as long as the state continued it, the city would as well.

---> Report of Committee received and recommendation 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 Holyoke City Council review and amend Section 5.4 of the Zoning Ordinance to allow for Accessory Dwelling Units (ADUs) in the DR zone, in addition to amending Section 2 Definitions, and any other sections that may apply to allow this use in

the DR zone. Accessory dwelling unit (ADU) is a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home.

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

Committee Members:

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

**UNDER DISCUSSION:**

Councilor Vacon stated that the this would be a new step to try a variation for housing within the DR zone as a way to offer flexibility for people. She added that they would plan to continue looking at innovative ideas like this and see if they could be expanded to other areas of the city if successful in this zone.

Councilor Bartley expressed his support, noting that he and former mayor, Terry Murphy, worked on this together. He emphasized that this would give more housing opportunities for people in the city.

Councilor McGiverin asked for clarification of language in the legal form, which stated “definition is added after ATM and before Accessory Use.” He then asked to confirm that there would be no impact on the definition or locations of ATMs.

Councilor Vacon stated that it was just an alphabetical reference.

---> 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 Special permit extension application of Four Trees Holyoke LLC to operate a dispensary and cultivation establishment at 1 Cabot Street (048-01-010).

have considered the same and Recommended that the special permit extension be granted, with all original conditions.

Committee Members:

Linda L. Vacon  
Jose Maldonado-Velez  
Kocayne Givner

Kevin A Jourdain  
Israel Rivera\_I

UNDER DISCUSSION:

Councilor Vacon noted that the extension request was complicated. She then explained that after the original special permit for Four Trees was granted, there were challenges with COVID and with financing, as well as a change of ownership. She then stated that the committee felt they were safe to recommend granting the extension, given the consideration of the significant investment that had been put into the project, as well as after receiving guidance from the Law Department.

---> Report of Committee received and 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 Special permit extension application of High End Management LLC to operate a Retail Establishment and Recreational Marijuana Cultivation Facility at 110 Winter Street (032-01-009 & 031-01-004)

have considered the same and Recommended that the special permit extension be granted, including all original conditions.

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that this was straightforward in that it was the original permittee continuing their development. She then stated that they had shown a significant amount of progress had been made but they needed to complete a few more steps. She added that they anticipated operating within the year of the extension.

---> Report of Committee received and 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 we create a Food Economy Coalition (Attached). Request that it is taken up at a meeting ASAP as the order is attached to potential grant funding.

have considered the same and Recommended that the order has been complied with, with a request that OPED provide updates to the City Council on the progress of the grant.

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that the committee was informed that the language of the grant allowed the mayor to take the actions originally requested of the committee. She added that they were still seeking updates on the coalition.

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

The Committee on Ordinance to whom was referred an order That 1 out of the 2 handicap parking signs at 588 South Summer Street, as well as the 3rd sign on the Morgan side of the street, please be removed. Only one spot was requested by constituents, 3 were installed and school parking is on the city owned lot. Additionally requested that a no parking sign at the same address please be removed.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated the order was being given a leave to withdraw at the request of its maker, Councilor Puello. She added that he met with the City Engineer to figure out what language was actually needed and had filed a new order that appeared on this evening's agenda.

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

(1:27:40)

The Committee on Finance to whom was referred an order FY23 Community Preservation Act Committee Recommendations

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 requested that the vote be done in 2 parts in order to take a separate vote on 1 of the 6 recommended projects at the request of a couple councilors. He then stated that the first vote would be for city-owned projects while the separate vote was for a privately owned project.

Motion was made and seconded to suspend the necessary rules to split the votes.

Councilor McGiverin stated that the first project was \$100,000 for Phase 2 of the Scott Tower/Anniversary Hill project. He commended the Conservation Department and Kestral Land trust for their work on this. He then stated that the next was \$46,000 for Phase 2 of the Gloutak Woods Trail Improvements. He then explained that this would provide for investments and improvement in the design of the trails. He noted that these two were open space projects. He added that the third project was \$32,500 for Jones Point Park as a recreational space project. He explained that this would provide for improvements and amenities at the park. He noted the park was actively used and needed the help. He then stated that the next project was \$95,000 going to Wistariahurst for preservation planning and damage repairs. He noted that the building was used as a museum through the donation of the former Skinner family. He emphasized that this was an aging building that needed to be taken care of. He then concluded that \$9,900 would be used for a basement document recover project. He noted that the subbasement of City Hall had records going back several decades that had not been preserved as well as they should be due to dampness of the area.

Councilor Bartley emphasized the value of all 5 projects. He commended the City Clerk for her focus on preserving records. He then expressed a hope that additional projects would be focused on, including needed work in the City Council chambers. He noted many older government photos were currently being stored in a stack and could use better preservation. He also noted past and continued support of the use of CPA funds for all of the projects, such as Wistariahurst and the trail projects.

Councilor Rivera\_I expressed his support for the projects. He also noted the importance of CPA funds being at their current levels so that they were able to do these kinds of things. He then suggested that their capacity could change if they did not have the funding for an administrative assistant.

---> On Scott Tower, Gloutak Woods, Jones Point, Wistariahurst, and City Clerk Document Recovery, Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--  
Yeas 13--Nays 0--Absent 0.

Approved by the Mayor.

Councilor McGiverin noted that on the Wright Block project, Councilor Jourdain had concerns about the ownership. He then stated that a majority of the committee believed that this was for historic preservation. He then explained that this was at 106-120 High Street, historically known as the Wernick Furniture store. He emphasized that the architecture was unique and part of the city's historic district. He added that the CPA found that the project qualified under their historic category. He then suggested that historic buildings needed to be preserved as part of the city's infrastructure as well as part of the economy and wellbeing. He also suggested that the CPA was designed not just for public projects but for the betterment of the whole city. He noted that a list of needed city projects had recently been provided but had not yet been put before the CPA for funding.

Councilor Jourdain thanked Councilor McGiverin for separating the votes to allow him to take a principled position on the final project. He then stated that he expected to be in the minority position on issues like this. He then commended the mayor for embracing some of his points. He then emphasized that he did not take issue with this project or its proponents. He explained that his concern was that the city was not

yet at the stage to fund private projects. He noted that funds not spent in the current year could be held onto for future years. He reiterated that public projects needed to be focused on first, including walls falling at Wistariahurst and murals falling from the walls in City Council chambers. He also emphasized that these were tax dollars from the citizens of Holyoke, adding that city projects had not been addressed in the past due to a lack of funding. He suggested that if public projects were done and the city wanted to tackle worthy private projects, that would be great in the future, but the city needed to invest in itself and not pretend the city did not have financial problems. He then expressed an expectation that while public projects had not been applied for through the CPA in the past, that was likely to change soon with the provided list.

Councilor Rivera\_I asked if it was allowed to ask questions of the proponents of the project.

President McGee stated that the discussion had already been taken up in committee.

Councilor Rivera\_I emphasized that they were also taxpayers. He then noted that for every project recommended out of the CPA, there was a requirement for some form of public good. He then suggested that this project fit that criteria in that it would be preserving a building that had been around a long time and would be around for much longer if properly maintained, preserving a historic building for the city. He recalled several buildings the city had lost in recent years. He also noted that the CPA did not currently have applications for city buildings, otherwise would be advocating for those projects.

Councilor Murphy-Romboletti expressed her understanding that the CPA was not passed only to fund public projects. She then suggested that both public and private could be addressed. She added that CPA was about encouraging growth and development in the community. She also emphasized that the proponents of this project had invested a lot of money in the city and had paid quite a bit of taxes.

Councilor Givner emphasized that the CPA project applications were heard before the committee who tediously mulled over how to hand out the funds. She also suggested that preserving the building was a public good by taking away an eyesore and creating preservation. She then expressed agreement that public projects should be prioritized but those projects would not get funds if they did not apply for it.

Councilor Vacon noted the significance of the point that CPA funds can be carried over and that should be taken advantage of in order to address the needs of public buildings that fall into the 3 categories of the CPA. She also suggested that the CPA's administrative assistant would not be lost if the CPA tax went down to 1.0%. She noted that was the potential scenario if the initial proposal of 0.5% was adopted, adding that this was a large part of the compromise of 1.0%. She then expressed that the CPA had done some good projects, adding that the city departments should look at it as a tool to work on public buildings first. She suggested that giving \$250,000 to this project made it seem like there were not a lot of other needs.

Councilor Anderson-Burgos emphasized that there was a process followed by the members of the CPA. He added that they followed the process by reviewing the application they had before them and then recommending it to the City Council. He then stated that parts of the identity of the city had been disappearing, noting that buildings such as the Essex were no longer standing. He added that the building in this project was not just a storefront but would provide for 19 apartments. He emphasized that the need for housing was a struggle for people in the city. He then suggested that while the proponents of this project were investing in and proud of the city, some councilors don't live or visit the High Street area and don't care if buildings crumble.

Councilor Jourdain questioned personal references being made about some councilors, noting that he lived in various parts of the city throughout his life and had been paying taxes for many years. He then noted that the problem of the CPA not having any public projects before them had been identified and a solution was coming. He then suggested that the funds for this project could be saved and then fund public projects the following year. Noting that \$30,000-\$40,000 of taxes would be coming from this building once completed, he emphasized that it would take at least 10 years for the \$250,000 to be repaid. He questioned when any of the city's taxpayers get free taxes for 10 years. He reiterated that he was not speaking against the project or the wonderful people working on it, but he did not believe the city was in the position to help finance it when there were many other needs in the community. He also suggested that the city had been throwing money away for years through a series of bad votes of the City Council.

Councilor McGiverin stated that he did not disagree with prioritizing public projects. He then noted that the CPA had 3 categories of funding, with historic preservation tending to be the most popular. He noted that CPA funds had been used to restore the stained glass windows in the upper floor of City Hall, for Wistariahurst, and many other projects. He then recalled a recent conversation with a friend who commended how the Civil War monument currently looked compared to how it looked 7 years earlier. He then noted that block grant funds were taxpayer funds, adding that one of the most popular programs that came out of that funding was the façade improvement program for High and Main Streets. He emphasized that this kind of investment brought back dollars by helping properties get back on the tax rolls and creating more jobs. He added that more people were comfortable going downtown for entertainment and for restaurants, making this project worth the investment. He further stated that housing was the category least used by CPA dollars. He recalled that CPA dollars were used for the private Library Commons project, which was once of the most rundown parts of the city. He emphasized that this project about investment through private and public partnership, enhancing the entertainment district and addressing housing needs.

Councilor Rivera\_I added that if there was to be consistency in how city funds were managed, the needed to be more attention paid to how funds were invested in city departments across the whole budget. He emphasized that employees in one department were taking home over \$200,000 while nobody appeared to be making an issue of that. He then clarified that this issue was not about that, but it was about reaping future benefits as Councilor McGiverin had explained.

Councilor Bartley stated that historic preservation could be public or private. He then recalled that when the CPA Committee was set up, the committee would only be recommending. He then noted that while he voted against it at the ballot box after voting to put it on the ballot, it was appealing that the projects would still come before the City Council. He then emphasized that even with this passing, the message had been sent that the Council would rather have public projects be the beneficiary of these funds. He then expressed his intent to vote for the project, noting he had generally not voted against projects the CPA Committee had recommended. He added that it was important to preserve some of the city's historic buildings.

Councilor Tallman emphasized that this project was an investment in the community and in the downtown area. He then stated that he understood Councilor Jourdain's concerns about prioritizing public projects, noting that those projects would be coming. He noted that the proponents were investing around \$1 million into this project, adding that this would bring people to the area to live, to eat, and to shop.

Councilor Rivera\_I noted that this issue was not brought forward by the CPA but by councilors. He also noted that people were welcome to volunteer for the CPA.

President McGee stated that he and the mayor were working on getting new furniture and preserving the murals in Council chambers. He added that he would provide an update once those plans were finalized.  
---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 3 (Jourdain, Puello, Vacon)--Absent 1 (Maldonado Velez).  
Approved by the Mayor.

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

The Committee on Finance to whom was referred an order Memorandum of Agreement by and Between the City of Holyoke and NAGE R1-180, Clerical Union.

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

Committee Members:

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

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, SEVEN THOUSAND FIVE HUNDRED NINETY AND 00/100 Dollars (\$7,590) as follows:

FROM:

15101-51109 SANITARIAN I \$7,590

TOTAL: \$7,590

TO:

15101-51103 SANITARIAN II \$5,060

15101-51107 SANITARIAN III 2,530

TOTAL: \$7,590

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the agreement was with Health Department employees in the clerical union. He then stated that Mayor Garcia and Health Director, Sean Gonsalves, explained that the department had become a training ground for employees who would get their initial start in Holyoke but would then be grabbed by other communities offering higher salaries. He then explained that the proposal would change the grades of 3 different positions. He then stated that the transfer honoring the proposal would allow money in the budget to keep inspectors through providing salary increases. He then noted that the surplus in the Sanitarian I position was due to a vacancy in one of that role's 2 positions during the current fiscal year. He added that the Sanitarian III position would become the Assistant Health Director in addition to their field work.

Councilor Jourdain stated that while he planned to vote for this, he emphasized that these were expensive adjustments of roughly 25% rate increases. He noted that Mayor Garcia and Mr. Gonsalves had done salary comparisons of comparable communities, making the adjustments warranted to be competitive. He then emphasized that adjustments like these were necessary while added expenses like the additional vacation time were expenses the city could ill afford. He then reiterated that these adjustments were necessary, noting that the employees had specific skillsets and training that was very desired by other communities.

Councilor Tallman noted that the committee had asked for comparative salaries from surrounding communities, which turned out to be substantially higher. He emphasized that there was also an added cost of having to train new people. He also emphasized the value of keeping employees who were trained here and already knew the city.

---> 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.

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, NINETY SEVEN THOUSAND SIX HUNDRED FORTY AND 20/100 Dollars (\$97,640.20) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$97,640.20

TOTAL: \$97,640.20

TO:

12102-55860 PERSONNEL EQUIPMENT \$97,640.20

TOTAL: \$97,640.20

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

Committee Members:

Joseph McGiverin

Kevin A Jourdain

Will Puello

Juan Anderson-Burgos

Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the funds would replace firearms for the Police Department. He then

explained that after receiving bids, they accepted the proposal from Interstate Arms of \$97,640.20 to purchase 160 new firearms. He then stated that these would come with personnel equipment such as holsters, lights, and other items required for police officers to carry firearms. He then explained that this would replace aging firearms, noting that most firearms have a 7 to 10 year life expectancy with the current firearms now hitting around 12 years old.

---> 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.

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE HUNDRED THOUSAND AND 00/100 Dollars (\$100,000) as follows:  
FROM:

8815-10400 CANNABIS STABILIZATION \$100,000

TOTAL: \$100,000

TO:

..-. SUBSTANCE ABUSE PROGRAMS \$100,000

TOTAL: \$100,000

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

Committee Members:

Joseph McGiverin

Kevin A Jourdain

Will Puello

Juan Anderson-Burgos

Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the topic of the appropriate use of cannabis impact funds had come up in the past in the context of legal challenges. He noted that the funds were paid by new companies that had come to the city, mostly manufacturers of cannabis and could only be used for certain projects. He then explained that one use that was identified was for substance abuse programs. He noted that OPED Director, Aaron Vega, had reached out to several programs in the community, including CHD, BNH, and Gandara. He then stated that many councilors were in favor of this use, noting the substance abuse concerns in the city. He added that many of the people of concern in the city were transient and had come to Holyoke because there was too much high trafficking of drugs, even while the city had made great strides in that area over the last decade. He added that many had become part of the city, becoming homeless or ending up in shelters. He emphasized that all had agreed the needed services should be handled by the experts.

Councilor Rivera\_I suggested that it would be ideal if most of the substance use programming would focus on cannabis since that was where the funds were coming from. He also suggested that if programs already doing this work were to get this funding, there should be added value through extra work or extra people being hired to do their work instead of just subsidizing the work they were already doing.

Councilor Bartley expressed his intent to vote against this, suggesting that it would be a mistaken use of cannabis stabilization funds. He further suggested that this was the kind of thing that could lead to lawsuits. He also asked if this would be funding additional positions or programs. He also suggested that

this was the basis for lawsuits in other communities from the cannabis industry. He also expressed concern that this could lead to future votes for uses similar to this. He suggested that funding this kind of use should be done through CDBG funds as a part of their non-public service allocations.

Councilor Jourdain expressed strong support for this. He then emphasized that the source of these funds was impact funds. He then noted that many arguments had been made about the need for sidewalks or road improvement. He added that this use of funds would be for education and substance abuse prevention and was an obvious impact of the growth of the recreational marijuana industry. Noting that users had to be at least 21 years old to purchase marijuana, he emphasized the importance of education in schools telling children to think twice about getting involved in it. He reiterated that this was exactly what cannabis impacts were, noting the impact on lives for people who had not done well with the expansion of marijuana and did need help.

Councilor Anderson-Burgos suggested that the Law Department address the concerns expressed by Councilor Bartley.

Motion was made and seconded to suspend the necessary rules to allow the Law Department to address the Council.

Councilor Anderson-Burgos asked if there were potential legal concerns if this use of impact funds was adopted.

Atty Bissonnette stated that OPED vetted the use through the Law Department prior to submitting the request. He added that this was likely one of the more appropriate uses as it would have a direct relationship with what impact was. He then noted that there was litigation in other communities due to extreme connections between cannabis sales and impact. He then stated that much of these issues would be corrected with an expected model host community agreement to be put out by the Cannabis Control Commission (CCC). He then explained that the city had been negotiating with the cannabis industry as a whole in the meantime and that this was one of the agreed upon uses for those funds.

Councilor Anderson-Burgos suggested that this made sense when considering what an impact would be.

Councilor Rivera\_I noted that in his work with youth, he found that those seeking help specifically for substance abuse for cannabis, there was no programming available. He added that the available programming focused on heroine, pills, and other related drugs. He suggested that a marijuana company may have issues if impact funds were used on substance abuse programs focused on drugs like heroine rather than cannabis. He then asked Atty Bissonnette if cannabis impact funds needed to be used to address cannabis substance abuse.

Atty Bissonnette expressed his understanding that OPED would be inquiring about what types of broader services were available rather than just contracting. He then stated that he expected to provide an update soon on final settlements coming in from national lawsuits related to opioids. He added that he expected Holyoke to receive up to \$2 million paid out over around 15 years from the Johnson & Johnson settlement. He then stated that another settlement from pharmacies would provide a little over \$1 million paid out over 6-7 years.

Councilor Rivera\_I asked if impact funds could be used for other substance abuse issues beyond cannabis.

Atty Bissonnette stated that in the context of substance abuse, cannabis was an eligible creator of abuse. He then stated that it would be unlikely that there would be a large independent cannabis abuse program. He then stated that the purpose of this transfer was partly to help find out what programs were already out there that could include substance abuse for cannabis.

Councilor Rivera\_I stated that he had no issue if it was used for all substance abuse issues but had a preference for addressing cannabis knowing that there no programs available specifically for that.

Councilor McGiverin stated that while the substance abuse crisis was not created by cannabis and not the crux of the problems usually talked about in the context of the crisis, it was part of the industry. He then stated that the fentanyl being laced into heroine was the scariest drug out there. He added that there was a new drug going beyond that and was starting to hit the eastern part of the state. He then emphasized that addressing substance abuse was about helping people who had addictive natures, and was also about mental health, often with one leading to the other. He then stated that this was all a part of what impact dollars could be used for. He then explained that the funds through this transfer would put the city at the table with the main providers so that industry funds could help alleviate many of the issues that. He then emphasized that the type of cannabis discussed in City Council was the legal kind sold at retailers. He added that cannabis currently sold on the streets was nothing like what many may have known in decades past but was being laced with other substances such as PCP, fentanyl, and cocaine because drug traffickers wanted people to get addicted. He also emphasized the value of education in schools to make kids aware of what was out there on the streets before it was too late.

Councilor Maldonado Velez recalled the early discussions of use of cannabis funds included concern about other communities getting sued for how they were using the impact funds. He noted that the Council requested a review committee be created to include members of the community as well as people in the cannabis industry. He noted that the committee had vetted this request, but that did not mean there wasn't still an opportunity for a lawsuit. He then questioned if a cannabis business would want funds addressing addiction when they were in the business of getting people to consume more of their product. He added that on the contrary, the discussion was not focused on abstinence but more about education of the effects and how it can be used responsibly.

Councilor Bartley noted that the debate had been healthy and positive, adding that he expected to be in the minority. He then commended Atty Bissonnette for bringing up the opioid settlement, noting that the funds would be a wonderful resource for these kinds of programs. He then expressed his concern that cannabis impact funds and addressing substance abuse were reasonably related, noting that cannabis was a legal substance and addressing substance abuse was well beyond that. He then questioned if the city wanted OPED involved in addressing substance abuse, further asking if that should be a Board of Health matter. He reiterated his concern that this could lead to future similar requests, leading to more after that.

Councilor Maldonado Velez noted that the transfer did not appear to have a line number for where the funds were going. He then asked if cannabis stabilization funds could only be used for OPED or if they could be transferred into other departments. He then asked if there was a special line item where the funds were being transferred to.

President McGee stated that he could work on getting an answer on that.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--  
Yeas 11--Nays 1 (Bartley)--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, 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

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 a motor pool department was created years ago which brought mechanics from Police, Fire, and the DPW into one pool with the plan that it would save money and combine resources. He then explained that the Police and Fire Departments had specialty needs and that mechanics were being assigned to police cars which had accessories to them beyond just engines. He noted that fire apparatuses were very specialized in terms of repair and maintenance. He then explained the surplus was due to a vacancy during the course of the year and the overtime was to pay the police mechanic. He further explained that there was some back and forth between the Police Chief and the DPW Director over who was monitoring the overtime, leading to the discussion being tabled until they could discuss and clarify an answer. He added that the result was both department heads understanding they needed to monitor the overtime for mechanics in that pool.

---> 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.

Approved by the Mayor.

President McGee provided a follow up on an earlier question to explain that City Auditor, Tanya Wdowiak, was waiting to create a line item for the substance abuse transfer until it was approved. He then stated that there were no reports from the Public Safety Committee or the Public Service Committee.

(2:55:40)

Motion was made and seconded to suspend the necessary rules to take up items 26A, 26B, and 26C as a package.

The Committee on Development and Governmental Relations to whom was referred an order That our state delegation and Mayor be invited before the finance committee to have a dialogue on how we can improve our local aid funding formulas with the state and together develop a plan of action. Then collectively discuss our strategy on how to act upon that plan to ensure Holyoke is actually receiving the money it needs to operate effectively and is getting its "fair share."

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 that the City Council invite our state delegation to attend a Development & Governmental Relations meeting to provide the City Council with a legislative update for the year ahead.

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

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 state delegation provided an update on their priorities and what they would be working on in the coming year. She added that they discussed the committees they were assigned to, including the Ways and Means Committee, Healthcare Financing Committee, Higher Education, Veterans, Agriculture, and Mental Health and Substance Use. She added that they all

discussed concerns about continued increases in the cost of living, as well as focusing on workforce development. She further added that local aid was discussed, noting that Chapter 70 funds were increasing by \$7 million to \$97 million, while unrestricted local aid was only increasing by \$200,000 to \$12 million. She noted that they expressed their belief that economically challenged cities should pay less in taxes and that local aid formulas were flawed and that there was more work to do on that. She added that representatives from Tapestry joined the discussion on the order regarding the needle exchange program. She noted that July of 2022 marked the 10 year anniversary of the program, providing a good opportunity to learn about the impact of the program. She noted that it was only the 5th in the state at the time, had since grown to several locations all over the state including several surrounding communities. She added that date was provided on resources. She also added that they were focused on taking in more needles than they gave out, and that they also provided a support hotline to report needles, which was 413-650-2679. She added that they did regular cleanups that anyone could participate in on the second Saturday of every month.

Councilor Puello suggested that it was not a true needle exchange program because people could go in and request and receive needles. He emphasized that his order was a request that it be a true needle exchange program. He then stated that while he was disappointed in the response, he believed it was a good discussion. He then asked that the information they provided be forwarded to councilors.

Councilor Murphy-Romboletti stated that she would ensure it was circulated.

Councilor Jourdain commended the state delegation as well as the mayor for a thoughtful and productive discussion with him about local aid. He added that while he was glad the state recognized that the city was radically underfunded for schools, it was unfortunate that they were still in a cookie cutter approach to unrestricted local aid. He expressed a hope that the delegation would continue to advocate for the needs that Holyoke had, including addressing massive capital needs and unfunded liabilities. He emphasized that Holyoke had greater needs and budgetary demands than other communities such as Wilbraham, Westfield, or East Longmeadow. He suggested that the case could be made for at least another \$4 million a year. He emphasized that this needed to be a top priority to help Holyoke transition from a city of poverty to one of prosperity.

Councilor McGiverin observed that Stet Rep Duffy and Senator Velis were working hard for the city. He noted that numerous topics were covered during the meeting. He then recalled that when Tapestry began their program, the issue was that when the state passed legislature taking governing away from local legislative bodies and gave it to the Board of Health, it was correct to recognize it as a health and public safety but it took away the ability for the legislative body to talk about the socioeconomic issues of having 1 needle exchange program in Western Massachusetts at that time. He then emphasized the importance of understanding that public safety and public health were a main part of the program, and they did well in addressing it. He then stated that the funds needed to be prioritized to combat trafficking and the drug trade. He noted that Rep Duffy and Senator Velis both agreed to continue supporting more funding for this coming to Holyoke. On the topic of local aid, he added that revenue sharing needed to be much fairer in terms of what was coming back to the city. He recalled that the formula used to be based on the income ratio of cities. He added that millions had also been lost in terms of federal block grant funding.

Councilor Vacon stated that while she understood the public health aspect of the needle exchange program in terms of preventing communicable diseases and the reuse of contaminated needles, she had hoped they would provide reports on how many they served and how many they were transitioning into treatment programs. She noted that more were dying from drug overdoses than from the communicable diseases that were the driving concern at the beginning of the program.

Councilor Maldonado Velez emphasized that there were bills in the state legislature to have safe injection sites created. He noted that he had often seen people shooting up in the streets with no shame. He expressed a hope that when those bills get passed, the city would be one of the first to get a site to help get people the medical attention and the help they need.

---> 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**

(3:11:45)

BARTLEY — The DPW and City Engineer provide an opinion as to whether a “do not block the box” can be installed on Northampton St. at Longwood Ave. This is a multiple constituent request. Refer to committee and copy to city engineer

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

Motion was made and seconded to suspend the necessary rules to take up items 30 through 36 as a package.

BARTLEY — The DPW review the condition of WOODLAND ST and offer any suggestion to improve the roadway. Please report back to city council in 30 days.

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

BARTLEY — The DPW review whether NORTHAMPTON ST. between W. Glen and Gilman Streets should be resurfaced especially in the southbound lane. Please report back to city council in 30 days.

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

BARTLEY — The DPW restripe the “do not block the box” areas on Northampton St asap. Please report back to city council in 30 days with an update.

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

BARTLEY — The DPW restripe the mid-block pedestrian crosswalk on Hillside Ave (near Coit St) asap. Please report back to city council in 30 days with an update.

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

BARTLEY, JOURDAIN, PUELLO — The DPW install appropriate signage at Main St. and Brightside Dr to prevent ongoing illegal U-turns back to Route 5 south and illegal left-hand turns into the former Providence Hospital campus for motorists traveling north on U.S. Route 5. Receive, Adopt and refer to DPW. Also, the DPW send a communication to city council giving it an update within 45 days on this matter.

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

BARTLEY, JOURDAIN, PUELLO — DPW either install or work with MA DOT to install better signage to direct northbound motorists on U.S. Route 5 (Maim St.) in front of the former Providence Hospital to use the “jug” handle turn onto Brightside Dr and/or to make a legal u-turn back to Route 5 south. Receive,

Adopt and Refer to the DPW and MA DOT, District 2. Also, the DPW send a communication to city council giving it an update within 45 days relative to this order.

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

BARTLEY — DPW install “no trucks” signage at Michigan Avenue and Edbert Drive (where they meet Westfield Rd.). This is (at least) the third request. The DPW & Mayor Murphy did a great job posting similar signs along Westfield Rd. and Homestead Ave and residents appreciate it. Once this order is fulfilled residents in these areas should see very limited to No truck traffic. Receive, Adopt & refer to DPW. Copy to HPD to ensure enforcement.

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

GIVNER, Maldonado Velez — With community support, that a 4 way stop be created at Oak and Essex streets due to safety issues including visibility and speeding.

Councilor Maldonado Velez asked to be added to the order.

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

GIVNER — Per constituent requests, that a right turning lane be designated on Hampden at the corner of Pleasant St in an effort to enhance traffic flow.

Councilor Bartley asked to clarify if this was near the former Peoples Bank.

Councilor Tallman stated that it was.

Councilor Bartley asked if this was asking to make a right hand turn lane onto Pleasant.

Councilor Tallman stated that it was coming up Hampden and onto Pleasant.

Councilor McGiverin quipped that then people could make a left hand turn into the White Hut. He suggested that the lane would be well used soon.

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

JOURDAIN, VACON, Bartley, Tallman — Ordered, that the John Mackenzie monument at Mackenzie stadium be considered for re-location by the Parks dept and DPW to a more prominent location at the Stadium in light of all the entrance changes that have been made there. This is his stadium and we want everyone to see his monument and know about this great man and hero. If money is required to restore or re-beautify the original monument please let us know.

Councilor Bartley asked to be added to the order. He then stated that he thought this had been done.

Councilor Tallman noted that in talking to John Twohig, City Forester, he understood that the monument was there but Coach McCarthy wanted to see if it could be cleaned up.

President McGee noted the last part of the order focused on restoring it. He suggested that could be a use of CPA funds.

Councilor Jourdain suggested that it should be added to the list of public projects. He emphasized that this would be great to do on behalf of Mr. Mackenzie's legacy. He added that one question was on considering the prominence of the monument, noting the whole park was named for him. He then explained that Mr. Mackenzie wrestled with a mine and saved his ship during World War 1. He also suggested doing something more prominent for Mr. Mackenzie to explain who he was and what he did as a Congressional Medal of Honor winner.

Councilor Bartley suggested the order be referred to the CPA as well as the Parks Commission.

President McGee suggested that it also be sent to the DPW and the mayor with regards to funding.

Councilor Tallman asked to be added to the order. He then recalled speaking with the great grandson of Mr. Mackenzie and that he was working on trying to have him throw out the first pitch at a game at the park.

---> Received and Adopted. Copy to Parks Commission, DPW, Mayor for CPA funding.

Motion was made and seconded to suspend the necessary rules to take up items 40 through 44 and 46 as a package.

JOURDAIN — Ordered, That the Board of Public Works, DPW Director, City Engineer, City Auditor, and Treasurer update the City Council Finance Committee regarding recent sewer breaks and the sewer enterprise account.

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

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE HUNDRED TWENTY FIVE THOUSAND AND 00/100 Dollars (\$125,000) as follows:

FROM:

12101-51510 SICK BUYBACK \$125,000

TOTAL: \$125,000

TO:

12101-51107 PATROLMEN \$125,000

TOTAL: \$125,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 4, 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 TWENTY FIVE THOUSAND AND 00/100 Dollars (\$125,000) as follows:

FROM:

12101-51117 E-911 DISPATCHERS \$125,000

TOTAL: \$125,000

TO:  
12101-51300 OVERTIME \$125,000  
TOTAL: \$125,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 4, 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, THIRTY THREE THOUSAND AND 00/100 Dollars (\$33,000) as follows:

FROM:  
12101-51204 PT POLICE PRINCIPLE CLERKS \$18,000  
12101-51322 ELECTIONS 2,652  
12101-51323 SNOW REMOVAL 7,348  
12101-51915 EDUCATION PLAN 5,000  
TOTAL: \$33,000

TO:  
12101-51109 RESERVES \$10,000  
12101-51110 POLICE PRINCIPAL CLERKS 6,775  
12101-51123 BOOKKEEPER 1,225  
12101-51321 SPECIAL EVENTS 10,000  
12101-51900 TRAINING 2,000  
12101-51920 INCENTIVE 3,000  
TOTAL: \$33,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 4, 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, SIXTY ONE THOUSAND THREE HUNDRED FORTY FIVE AND 00/100 Dollars (\$61,345) as follows:

FROM:  
12201-51500 VACATION BUYBACK \$61,345  
TOTAL: \$61,345

TO:  
12201-51300 OVERTIME \$60,000

12201-51302 HAZMAT OVERTIME 1,345  
TOTAL: \$61,345

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 4, 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 “FY23 REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION (REDO) PROJECT – “The ARTery Project”, \$28,500, 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, April 4, 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, SEVENTEEN THOUSAND THREE HUNDRED TWENTY EIGHT AND 10/100 Dollars (\$17,328.10) as follows:

FROM:

12101-51105 SERGEANT \$6,858.28

12101-51107 PATROLMEN 10,469.82

TOTAL: \$17,328.10

TO:

12101-51180 INJURED ON DUTY \$17,328.10

TOTAL: \$17,328.10

UNDER DISCUSSION:

Councilor McGiverin stated that this was an accounting move to have officers who were injured on duty continue to get their salary but take it out of the salary line item to injured on duty line to account for their service as being offline.

Councilor Vacon asked if there was an update on the segreant that had been out for a long time.

Councilor McGiverin stated that there had been general discussions, but it was difficult to discuss specifics for personnel issues. He added that both the Police and Fire Chief had promised to provide

more information in their general reports. He then stated that for long term injured on duty, there were 3 in the Police Department remaining, adding that the 1 in the Fire Department had been resolved.

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

PUELLO — That Sec. 86-321. – Schedule I: Parking remove both of these entries. Reviewed with city Engineer. To ordinance.

– South Summer St/ Westerly/ A point 78 feet north of Adams St/ A point 18 feet further North/ No parking

– South Summer St/ Westerly/ A point 96 feet northerly of Adams St/ A point 42 feet further northerly/ Handicapped Parking Only

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

RIVERA\_I, GIVNER, MALDONADO VELEZ, MURPHY-ROMBOLETTI, RIVERA\_J — Ordered, that Chapter 50, Article II of the Holyoke City Ordinances be amended to add Section 50-56 establishing a Police Commission.

Councilor Rivera\_I suggested having the discussion in Public Safety and then Ordinance could make a decision after that.

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

RIVERA\_I, GIVNER, MALDONADO VELEZ, MURPHY-ROMBOLETTI, RIVERA\_J — Ordered, that Section 34 of the Holyoke City Charter be amended to establish a Police Commission by virtue of a Special Act in Accordance with the provisions of Articles of Amendment, Article II, Section 8 of the Massachusetts Constitution.

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

RIVERA\_I — That city engineer add these street Sidewalks to the list of sidewalks that need to get repaved.

Race St. (the section where Lyman begins to Dwight St., all of Bowers St., all of Samosett St., WinterSt./north bridge St.

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

VACON — That the crosswalk at County road near # 90 and at Homestead Ave at McMahon school be painted, and any remaining unpainted crosswalks and lines/markings in streets at intersections in Ward 5 and throughout the city be painted ASAP as this is a safety hazard

Councilor Vacon noted that the topic came up during the public comment period. She emphasized that this order requested that all lines throughout the city be painted. She added that the new DPW Director was currently addressing potholes and would be paying attention to the line issue. She noted that many had gone without painting for a few years.

Councilor Givner stated that in speaking with the DPW, she learned that their budget for painting had been depleted. She suggested this should be considered during budget approval. She also noted that the City Engineer mentioned during a meeting that they would prefer to paint them all annually but it was always a financial issue.

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

Adjourned at 10:31 PM