

REGULAR MEETING OF THE CITY COUNCIL

September 5, 2023

The meeting was called to order by President McGee at 7:05 PM

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

The Pledge of Allegiance was recited.

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 receive, refer items to committee, place items on the table, package items together, or suspend the rules, unless there is an objection.

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

PUBLIC HEARING

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

Petition for Joint or Identical Pole Location Verizon New England Inc and Holyoke Gas & Electric
Department:

Request permission to locate poles, wires, cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

JARVIS AVENUE: Place one (1) jointly owned mid-span pole numbered T.5 1/2/E.30 1/2 on the east side of Jarvis Avenue at a point approximately eight hundred seventy five (875) feet southwesterly from the centerline of Easthampton Rd.

Reason: This request has been initiated by the Holyoke G & E and is intended to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current

UNDER DISCUSSION:

Vincent O'Connell, representing Holyoke Gas & Electric, stated that they requested the petition for a new pole set on Jarvis Avenue, to be located approximately 60 to 70 feet from the entrance to University Park Apartments. He added that this would allow them to relate an overhead transformer feeding customers in the area and to make room for a reconductor that would be installed the following year.

Councilor Jourdain asked if abutters were notified and if there were any concerns or objections.

V. O'Connell stated that the abutters were notified, noting that he had not been the one to reach out. He then stated that no feedback had been received.

Motion was made and seconded to close the public hearing.

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

LAID ON THE TABLE

(5:40)

From Mayor Joshua A. Garcia letter of Veto for the CPA ballot question to be placed on the November 2023 local election.

---> Laid on the table.

Motion was made and seconded to suspend the necessary rules to remove items 3 through 6 from the table and take up with items 67 through 69, 75, 77, and 78 as a package.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, NINE THOUSAND NINE HUNDRED FIFTY TWO AND 4/100 Dollars (\$9,952.04) as follows:

FROM:

12101-51105 SERGEANT \$3,497.74

12101-51107 PATROLMEN 6,454.30

TOTAL: \$9,952.04

TO:

12101-51180 INJURED ON DUTY \$9,952.04

TOTAL: \$9,952.04

---> 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.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY FIVE THOUSAND FIVE HUNDRED ELEVEN AND 58/100 Dollars (\$25,511.58) as follows:

FROM:

12101-51105 SERGEANT \$11,542.48

12101-51107 PATROLMEN 13,969.10

TOTAL: \$25,511.58

TO:

12101-51180 INJURED ON DUTY \$25,511.58

TOTAL: \$25,511.58

---> 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.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWO THOUSAND TWO HUNDRED NINETY THREE AND 90/100 Dollars (\$2,293.90) as follows:

FROM:

12201-51105 FIREFIGHTER (PAY PERIOD #1) \$2,293.90

TOTAL: \$2,293.90

TO:

12201-51180 INJURED ON DUTY \$2,293.90

TOTAL: \$2,293.90

---> 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.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWO THOUSAND TWO HUNDRED NINETY THREE AND 90/100 Dollars (\$2,293.90) as follows:

FROM:

12201-51105 FIREFIGHTER (PAY PERIOD #2) \$2,293.90

TOTAL: \$2,293.90

TO:

12201-51180 INJURED ON DUTY \$2,293.90

TOTAL: \$2,293.90

---> 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.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY SEVEN THOUSAND EIGHT HUNDRED FIFTY THREE AND 36/100 Dollars (\$27,853.36) as follows:

FROM:

12101-51105 SERGEANTS \$10,493.16

12101-51107 PATROLMEN 17,360.20

TOTAL: \$27,853.36

TO:

12101-51180 INJURED ON DUTY- PAYROLL 8/5/2023 \$27,853.36

TOTAL: \$27,853.36

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 2023.

Joshua A Garcia, Mayor

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

Approved by the Mayor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWO THOUSAND TWO HUNDRED NINETY THREE AND 90/100 Dollars (\$2,293.90) as follows:

FROM:

12201-51105 FIREFIGHTER \$2,293.90

TOTAL: \$2,293.90

TO:

12201-51180 INJURED ON DUTY- PAY PERIOD #3 \$2,293.90

TOTAL: \$2,293.90

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 2023.

Joshua A Garcia, Mayor

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

Approved by the Mayor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWO THOUSAND TWO HUNDRED NINETY THREE AND 90/100 Dollars (\$2,293.90) as follows:

FROM:

12201-51105 FIREFIGHTER \$2,293.90

TOTAL: \$2,293.90

TO:

12201-51180 INJURED ON DUTY – PAY PERIOD #4 \$2,293.90

TOTAL: \$2,293.90

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 2023.

Joshua A Garcia, Mayor

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

Approved by the Mayor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY TWO THOUSAND TWO HUNDRED FOURTY NINE AND 22/100 Dollars (\$22,249.22) as follows:

FROM:

12101-51105 SERGEANTS \$9,793.62

12101-51107 PATROLMEN 12,455.60

TOTAL: \$22,249.22

TO:

12101-51180 INJURED ON DUTY PAYROLL W/E 8-19-2023 \$22,249.22

TOTAL: \$22,249.22

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 2023.

Joshua A Garcia, Mayor

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

Approved by the Mayor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY FIVE THOUSAND NINE HUNDRED FORTY FOUR AND 66/100 Dollars (\$25,944.66) as follows:

FROM:

12101-51105 SERGEANTS \$13,990.88

12101-51107 PATROLMEN 11,953.78

TOTAL: \$25,944.66

TO:

12101-51180 INJURED ON DUTY (PAYROLL W/E 9-2-2023) \$25,944.66

TOTAL: \$25,944.66

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 2023.

Joshua A Garcia, Mayor

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

Approved by the Mayor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWO THOUSAND TWO HUNDRED NINETY THREE AND 90/100 Dollars (\$2,293.90) as follows:

FROM:

12201-51105 FIREFIGHTER \$2,293.90

TOTAL: \$2,293.90

TO:

12201-51180 INJURED ON DUTY (PAY PERIOD #5) \$2,293.90

TOTAL: \$2,293.90

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor McGiverin stated that these transfers were for public safety employees who were injured on duty and still receiving their salaries. He added that the salaries were taken out of the line items for their salaries and put into the injured on duty line item for tracking purposes. He also stated that these covered 8 pay periods from over the summer.

---> 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.

Motion was made and seconded to remove item 7 from the table.

The Committee on Charter and Rules to whom was referred an order that all employment related ordinance issues be sent to the Public Service Committee instead of Ordinance Committee Recommended that the order be adopted, but striking out "instead of Ordinance Committee."

UNDER DISCUSSION:

Councilor Maldonado Velez stated that the language change was provided to everyone ahead of the meeting, and everyone could choose whether or not to agree with it.

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays--Yeas 10--Nays 3 (Bartley, McGiverin, Puello)--Absent 0.

Motion was made and seconded to remove item 8 from the table.

The Committee on Charter and Rules to whom was referred an order that all roads and sign issues (including ordinances) be sent to the Public Safety Committee instead of Ordinance Committee Recommended that the order be adopted, but striking out "instead of Ordinance Committee."

UNDER DISCUSSION:

Councilor Maldonado Velez stated that the rule language was provided as had been requested at the last Council meeting.

Councilor Vacon stated that she would oppose the change as it would result in unnecessary delays for people seeking handicap signs since the orders would first have to go to Public Safety before going to Ordinance.

Councilor McGiverin stated that while he was not against the concept due to good reasons that made sense but also believed it could delay votes on important issues such as those seeking handicap parking signs. He added that it would also require the Law Department to attend all subcommittee meetings.

Councilor Maldonado Velez stated that while he understood the points from both speakers, he noted that there was another rule about the process of Ordinance changes that could be worked on to make it smoother so that all ordinance changed did not need to go to the Ordinance Committee. He also noted that when orders come in, the Council could choose to refer orders to any committee, and that all handicap sign requests could go to the Ordinance Committee right away.

---> Report of Committee received and Adopted on a call of the roll of the yeas and nays--Yeas 9--Nays 4 (Bartley, McGiverin, Puello, Vacon)--Absent 0.

Councilor Vacon asked other members of the Ordinance Committee if they had a chance to review the language for item 9.

Councilor Jourdain suggested leaving it tabled for more review as it was a longer draft to read.

The Committee on Ordinance to whom was referred an order That Ordinance Section 12-4 Flags of the City of Holyoke be amended to include the new regulations for flying the POW flag. Recommended that the order be adopted.

---> Laid on the table.

Motion was made and seconded to remove item 10 from the table.

The Committee on Ordinance to whom was referred an order To amend section 2-156.1 to return the approval the assistant city solicitor for the city council by the President of the city council to the language: (1) City council. An assistant city solicitor shall attend all regular and special city council meetings and subcommittee meetings as necessary. The assistant shall work with the city council regarding legal questions posed to the law department by the council or by individual council members. The appointment of the assistant city solicitor for the city council shall also be approved by the president of the city council. Recommended that the order be adopted.

UNDER DISCUSSION:

Councilor Jourdain offered a reminder that this order was about having the City Council's President's input into assigning someone from the City Solicitor's office to the City Council.

President McGee noted it was adding back in language that has been taken out.

Councilor Bartley stated that there was an update following his request at the last meeting that there be language describing a date certain for the person to be slotted into the position following the beginning of a new term.

---> 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.

Motion was made and seconded to remove item 11 from the table.

The Committee on Public Safety to whom was referred an order that Ordered that DPW and Parks & Rec look into making Rohan Park a kids and dog park. As it stands only half of the park is being utilized. Recommended that the order has been complied with.

UNDER DISCUSSION:

Councilor Rivera_I stated that after the discussion, it was understood that the other side of the park was being utilized for toddler age baseball and softball.

Councilor Anderson-Burgos stated that they understood the idea was not going to be feasible.

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

Motion was made and seconded to suspend the necessary rules remove items 13 through 15 from the table as a package.

The Committee on Public Safety to whom was referred an order that That the DPW Superintendent provide the City Council with an update on the tree list. Update should include how trees are prioritized and the obstacles the DPW faces in addressing them. This is a constituent request. Recommended that the order has been complied with.

UNDER DISCUSSION:

Councilor Rivera_I stated that a study was being done to assess the trees that needed help throughout the city. He then stated that an outline was provided on a project to cut trees on Main Street, noting that a bid was put out to do the work on the entire street and then throughout the rest of the city. He added that the ones in need of cutting down would be replaced by small trees. He also emphasized that the work would happen more quickly once an additional person was hired to help man the truck.

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

The Committee on Public Safety to whom was referred an order that With Community support, order that the City Forester present his department's obligations and an action plan for addressing constituent concerns. Ongoing issues include dangerous dead and overgrown trees growing on or over city property. Understanding our Forester's action plans will help us understand how best to support the department's efforts. This will also help with understanding if an ordinance update or change is needed. Recommended that the order has been complied with.

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

The Committee on Public Safety to whom was referred an order That the Police Chief provide the City Council with a performance report on how Shot Spotter is performing and what we are learning about gun activity in the city so far. Please email the City Council all reports available asap for our review so we can be prepared for this discussion. Recommended that the order has been complied with.

UNDER DISCUSSION:

Councilor Rivera_I stated that the presentation provided a map that showed where sound was detected but they were not sure if the sounds were gunshots. He added that other areas were identified shootings after shells were found of they were reported by other people. He then stated that it appeared the information being provided was helpful in understanding where incidents were happening, noting that more was happening in uptown versus downtown. He then explained that some questions came up as a result of incidents being detected in areas outside of where ShotSpotter was installed, such as Wards 5 through 7 as well as in South Hadley. He added that because those sounds were from so far outside the boundary that it wasn't clear if those were shots or something different.

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

Motion was made and seconded to suspend the necessary rules to remove items 12 and 16 and from the table as a package.

The Committee on Public Safety to whom was referred an order that Ordered that the public safety committee meet with representatives from the Opioid Substance Abuse task force, the health director, and Judge William Hadley, to discuss the need for a short-term residential transition program to assist individuals returning from a treatment program. The goal of this would be to improve the chances of long-term success for these individuals. The resident capacity would probably be around 20 beds. Recommended that the order be given a leave to withdraw.

UNDER DISCUSSION:

Councilor Rivera_I stated that this order and the next one were older and while some discussions did happen over the last few years, the suggestion was to refile if there was a desire to bring these topics up again. He added that some of the councilors involved in those discussions were no longer on the Council.

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

The Committee on Public Safety to whom was referred an order that Ordered that the mayor and the health director appear before that public safety committee to provide an update on the potential for the city to establish a homeless shelter, potentially at the War Memorial Building. Recommended that the order be given a leave to withdraw.

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

PUBLIC COMMENT

(26:35)

Iris Espada, 128 Lyman Street, stated she was president of Lyman Terrace Association as well as a board member for Neighbor2Neighbor. She then thanked and acknowledged several councilors, the mayor, Superintendent Soto, and School Department for speaking with parents about busing concerns, specifically transportation taken away from students at Lyman Terrace. She added that she looked forward to a resolution of the issue. She then stated that her kids needed the bus and that many issues needed to be considered before taking the bus away.

Dr. Glorida Caballero, 5 Whiting Avenue, emphasized the need for busing, both as a safety concern for students as well as for quality of life. She then commended the work done to address it.

Spencer Peterson, 51 Portland Street, offered a reminder that the Captain Reyes, the Director of Internal Affairs in the Police Department had turned down many complaints over the years and was now accused by a subordinate in court of inappropriate activity. He suggested that it was disappointing to have this person still working while having a restraining order and still in a position of power. He suggested that the community needed clarity on safety. He suggested that the officer's salary, if he was found guilty, should be used to provide busing for kids to school.

John Rivera, 125 Cabot Street Apt 4, emphasized that the captain accused of crimes was still on paid leave making \$168,000. He then expressed concern that 2 alleged criminals were leeching off of taxpayers while kids could not be provided busing to school. He added that the wrong things were being defunded while toys such as ShotSpotter were being funded. He expressed further concern that budgets were being cut to not allow some of the most disenfranchised children in the city to use transportation, adding that transportation was a human right. He noted that many of those kids had disabilities and other issues.

Victor Machado, 40 Suffolk Street, noted he was running for City Council in Ward 1. He then spoke to echo the concerns expressed about busing for Lyman Terrace. He recalled that there was a meeting held and that no community representatives showed up for it. He then emphasized that it was important for city officials to be proactive and consider how they were serving the community.

COMMUNICATIONS

(35:40)

Motion was made and seconded to suspend the necessary rules to take up items 86 and Late File B as a package.

RIVERA_J, ANDERSON-BURGOS, GIVNER, -VELEZ, MURPHY-ROMBOLETTI, RIVERA_I, Jourdain — Ordered that the city council work with the mayor and school superintendent to address the reinstatement of bus services for Lyman Terrace as soon as possible, as a matter of public safety. This has been a service they have received for the past 20 years.

Councilor Anderson-Burgos suggested referring the items to the Joint Committee.

Councilor Rivera_I suggested referring them to Public Safety since that was the issue tenants were bringing up around this topic.

Councilor Maldonado Velez suggested that they could go to both committees, noting that Public Safety was meeting the following week. He emphasized that the issue should be dealt with soon.

Councilor Anderson-Burgos agreed to send to both committees. He noted that Joint Committee was also meeting on September 28th.

Councilor Jourdain asked to be added to the order. He then clarified that the City Council had not developed the bus plan. He then noted that residents had been given the suggestion to call their city councilors to ask for more money for the service, implying that it was the City Council that took the buses away. He also suggested that if the City Council was to be made responsible for the bus plan, that should also come with input over the plan. He then suggested that this bus issue at Lyman Terrace needed to be addressed immediately while a holistic discussion over funding and planning could still happen going forward. He questioned how this change was done without appropriate feedback. He also questioned the suggestion that the residents were told months ago. He then emphasized that the full Council would not be meeting for another month and that addressing the immediate need was a time sensitive matter that needed to be taken care of right away.

Councilor Anderson-Burgos questioned the implication that there was no transparency, emphasizing that the parents received letters on this decision in January. He then stated that the children did face safety issues and they did need the bus. He also stated that he and several other councilors had an in-depth conversation with residents and understood the need to be dire, but then questioned the implication that it could be fixed like a light switch. He added that it was much more complicated than that. He also took issue with some people running for certain Council seats exploiting the concerns of those residents and encouraging them to go the recent Finance Committee meeting. He also emphasized that Councilor Jenny Rivera had been working extremely hard to work with constituents on the issue. He then questioned the argument that this is not a City Council issue, noting that the Council makes cuts to the budget that impact how the School Department makes funding decisions. He also suggested that anyone with an interest in the issue should attend meetings when they are held.

Councilor Jourdain asked for proof of the vote the Council took to cut bus funding for Holyoke Public Schools. He emphasized that the City Council does vote on line items in the school budget.

Councilor Anderson-Burgos briefly interrupted.

Councilor Jourdain stated that people cannot make accusations without backing it up with facts.

Councilor Anderson-Burgos stated that Councilor Jourdain did it all the time, adding that he refused to bite his tongue.

President McGee called for order, emphasizing that it was a long agenda and that there were rules to follow. He then stated that Councilor Jourdain had the floor.

Councilor Jourdain reiterated that the City Council did not have line item votes over the school budget and no vote took place regarding the school transportation budget. He added that they only approve the macro budget for the School Department. He then noted that even the School Committee lacked that authority since the schools had gone into receivership. He then suggested that if the city wanted to return the service back to Lyman Terrace, they could do it tomorrow. He then pointed out that he had only learned of the meeting with residents earlier that day with 3 hours' notice and could not attend due to work.

Councilor Rivera_I commended the residents for standing up and organizing around this issue. He agreed that the service should be given back immediately. He also stated that the simple point was that kids needed a ride, adding that this was a concern at several schools around the city. He then expressed concern that this was creating a situation where taxpayers were being put up against communities that needed these services the most. He then noted that this issue was the result of a transition to community schools where students were going to the school closest to them, leading to cuts in transportation and busing. He then noted that the kids at Lyman Terrace were able to keep getting the bus because the bridge to their school was shut down for the past 20 years. He then explained that now that the bridge was good, the safety measures were improved, making it okay for them to not have a bus. He then suggested that there should be busing, expressing concern in seeing kids in 1st and 2nd grade walking in midwinter but then parents risking getting calls from DCF if their kids don't go to school.

Councilor Rivera_J stated that she had been very involved in this matter. She then stated that she had reasons for not attending the first meeting, adding that she won't attend a meeting without having something to say. She then stated that she proceeded to contact several officials, including school officials and School Committee members, as well as the mayor and the city solicitor. She added that there were a lot of obstacles to work through. She then emphasized that she did not agree with kids walking to school but the issue was not an easy fix. She also stated that she would not give people false information or tell them to go to a Finance Committee meeting to bring it up when that was not the way to address it. She then emphasized that there were not enough employees with the bus company and that they would have to hire somebody, which required a CORI check. She then expressed frustration that anyone would claim she was not involved. She then confirmed that she had called Councilor Jourdain that morning with 3 hours' notice and understood he could not make it. She added that it took time to confirm if they were going to have a space for the meeting.

Councilor Anderson-Burgos stated that he dropped everything with a half hour notice and went to the meeting because he knew it was important. He then offered an apology for his earlier frustration, emphasizing the difficulty of hearing a mother crying during the meeting with residents earlier that day, and that he was working on emotions.

Councilor McGiverin clarified that this matter was not before the Finance Committee the previous week and the committee had nothing on the agenda to discuss or act on without violating the Open Meeting Law. He then stated that the school bus administration was a matter handled by the School Committee, although receivership had an impact on that.

Councilor Tallman recalled having over 30 parents and several kids speak to them prior to the Finance Committee meeting expressing how this was going to impact them. He then emphasized the balance between addressing the safety concerns with the budgetary and contract issues. He noted that the mayor's letter explained that if this was implemented in this one area, there were several other areas of the city that would also need it, costing a substantial amount of money. He emphasized that everyone wanted safety for the children, expressing a hope that everyone can work together for the best result. ---> Received and referred to the Public Safety Committee. Copy to the Joint Committee of the City Council and School Committee.

From Mayor Joshua A. Garcia, letter regarding school busing services for Lyman Terrace. ---> Received and referred to the Public Safety Committee. Copy to the Joint Committee of the City Council and School Committee.

From Mayor Joshua A. Garcia, letter re: Progress report. ---> Received.

From Mayor Joshua A. Garcia, And School Building Committee, letter re: progress on Middle School Building Project. ---> Received and referred to the Finance Committee.

From Mayor Joshua Garcia, Congressional earmarks for CSO's Resolutions

Councilor McGiverin initially motioned to refer the item to the Finance Committee.

Councilor Jourdain suggested that the resolution be adopted right away. He then stated that this was about sending a joint message between the mayor and the City Council in support of a request that the federal government help fund the \$21 million needed for the CSO bond. He suggested passage right away instead of needing to go to committee.

President McGee read from the resolution:

Whereas, the Mayor and the City Council has resolved to request that the United States Congress earmark monies to provide the City of Holyoke with financial assistance to pay for costs incurred due to Consent Decree imposed upon it by the Environmental Protection Agency for the reasons cited in the attached letter signed by the Mayor and the Holyoke City Council;

Now Therefore, be it resolved by the City Council of the City of Holyoke:

the United States Congress earmark monies to provide the City of Holyoke with financial assistance to pay for costs incurred due to Consent Decree imposed upon it by the Environmental Protection Agency for the reasons cited in the attached letter signed by the Mayor and the Holyoke City Council.

Councilor McGiverin withdrew his motion to refer to committee, seconding the motion to adopt. He then expressed a hope that this could cancel out the bonding for the CSO. He recalled that funding for these kinds of projects had historically been provided through federal and state dollars, going back many decades.

Councilor Tallman stated that it was important to get this done at this meeting, noting that it would be the only meeting for September.

Councilor Jourdain stated that he spoke with Congressman Neal, adding that the mayor and the DPW had provided the whole package to him explaining the \$21 million need under the EPA Consent Decree. He then expressed frustration that support for funding infrastructure in foreign nations was being provided - recognizing that those things were often noble - but help was also needed for hometown communities.
---> Received and Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

Motion was made and seconded to suspend the necessary rules to take up items 20 through 22 as a package.

From Tanya Wdowiak, Auditor FY24 Sewer Fund.
---> Received and referred to the Finance Committee.

From Tanya Wdowiak, Auditor, FY2024 General Fund.
---> Received and referred to the Finance Committee.

From Retirement Board, 2022 PERAC Investment Report.

Councilor Bartley encouraged his colleagues to look at the report. He noted that in comparison to other cities, Holyoke was faring well in terms of return and in being fully vested.
---> Received and referred to the Finance Committee.

From Commonwealth of Massachusetts Office of the Attorney General, letter re: Open Meeting Law Complaint.
---> Received.

From Law Department License Agreement for 370-396 Main St.
---> Received and referred to the Development and Governmental Relations Committee.

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Ass't. to City council minutes of August 1, 2023.
---> Received and Adopted.

From Todd President McGee, ward 7 and President of the City council and Mayor Joshua A. Garcia, letter regarding Congressional Earmark for CSO's – City of Holyoke resolution.
---> Received.

From MassDOT Replacement of Bridges, Route 141 (Appleton Street) over first level and second level canals.
---> Received and referred to the Public Safety Committee.

Motion was made and seconded to suspend the necessary rules to take up items 28 through 35 as a package.

Grant Completion Form, FIR689, Firefighter Equipment Grant FY23, Department of Fire Services.
---> Received.

Grant Completion Form LWCF Anniversary Hill Park Land Acquisition \$150,000.
---> Received.

Grant completion Form Greening the Gateway Cities \$100,000 and \$20,000.
---> Received.

Grant Completion Form FY22 Municipal Energy Technical Assistance \$15,000.
---> Received.

Grant Completion Form DCR Urban & Community Forestry Award public tree inventory \$30,000.
---> Received.

Grant Completion Form Advance Climate resilience & Health through Urban forestry \$13,500.
---> Received.

From Board of Fire Commission minutes of July 27 & August 2, 2023.
---> Received.

From Holyoke Redevelopment Authority minutes of July 19, 2023.
---> Received.

PETITIONS

(1:13:05)

Petition of Blossom Flower LLC for a special permit for Transportation of Cannabis at 1 Cabot St.
---> Received and referred to the Ordinance Committee.

Petition of Laura Delmolino for a new special permit for a driveway in front yard (6.1.8.1) at 176 Lincoln St.
---> Received and referred to the Development and Governmental Relations Committee.

PRESIDENTS REPORTS

(1:13:30)

President McGee stated that September 19th would be Holyoke Day at the Big E.

Councilor Bartley stated that several councilors were slated to attend, adding that anyone else looking to attend should reach out to Admin Asst Anderson-Burgos by the end of the week. He then stated he would get the passes.

President McGee stated that an order for an overtime transfer for the Police Department may require a special meeting to be called since the meeting on the 19th was suspended.

Councilor McGiverin stated that the Friends of the Holyoke Merry-Go-Round would host a celebration of 30 years since they had opened. He noted it would be a 90's theme.

Councilor Maldonado Velez stated that with elections taking place this year, the last day to register for the September 26th preliminary election was September 16th. He added that the last day to register for the November 7th general election was on October 28th.

REPORTS OF COMMITTEES

(1:16:05)

The Committee on Ordinance to whom was referred an order From Kathleen Degnan, Assistant City Solicitor, OPEB Declaration of Trust Agreement

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 technical paperwork provided language from the state for the establishment of a fund. She noted that the committee agreed it would be wise to establish the fund in the same way other funds had been established in the past.

---> 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 Application of Red Barn Growers LLC to operate a Marijuana Manufacturing Establishment at 1 Cabot Street Units 5 and 6 (048-01-010).

have considered the same and Recommended that the special permit be granted 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 guidance's 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.

9. That the operations for the special permit begin after the completion of a host community agreement or approval of a waiver.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:

Councilor Vacon stated that this was the first application to be stuck in the middle of in regulations through the Cannabis Control Commission, and updates to the host community agreements, resulting in the addition of the 9th condition.

---> Report of Committee received and recommendation on a call of the roll of the yeas and nays-- Yeas 12--Nays 0--Absent 1--Abstain 1 (Murphy-Romboletti). Councilor Murphy-Romboletti did not vote or participate in discussion of this item.

Motion was made and seconded to suspend the necessary rules to take up items 38C and 38D as a package.

The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 19 Worcester Place for Mya Williams, PL 5160992. Exp: April 12. 2024.

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

---> 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 a handicap sign be placed in front of
565 So. Canal St. for Miguel Maysonet, Placard # PL 1400890.

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 applications were vetted by the Disabilities Commission and
recommended for approval.

---> 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 adjust the Sewer Rate
ordinance.

have considered the same and Recommended that the order be adopted, with a recommended rate of
\$8.02.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez
Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:

Councilor Vacon offered an objection to taking up the item that evening on the grounds that the legal form

had just been received at 5:30 and that the legal form was incorrect. She then made a motion to lay on the table.

Councilor McGiverin made a motion that the committee report be received and adopted. Councilor Tallman seconded the motion.

Councilor Jourdain emphasized that under rule 9, if one member objected, the item has to be tabled since the legal form was received less than 48 hours before the meeting. He then seconded the motion to lay on the table.

President McGee emphasized that a motion to table stops debate.

President McGee stated that the Chair was in doubt on the voice vote.

Councilor Jourdain stated that any number over 0 means it passes.

Motion to lay on the table failed on a show of hands vote.

Councilor McGiverin stated that the typo in the legal form of \$8.05 instead of \$8.02 was an easy one to fix, adding that this was the only language difference from what it should be. He noted that this kind of minor fix had been approved in the past.

Councilor Jourdain reiterated that there was a rule requiring that if legal form was not provided 48 hours prior to the meeting, upon objection of any member of the City Council, the matter will be tabled until the next meeting.

Councilor Vacon noted that the Ordinance Committee met on August 22nd without a lot of attendance from many councilors. She then emphasized that this was a serious matter with open debate relative to how the sewer fund can be funded. She also noted that there was a lot of bouncing around on what the proposed rate should be. She then stated that while the error was small, the rule was made because legal forms had been coming in late, and people were not being given time to read things.

Councilor Rivera_I suggested that this was procrastinating and blocking due process for a small issue. He then asked rhetorically if the body can create its own rules and vote on altering its own rules.

Councilor Vacon stated that the body can.

Councilor Rivera_I stated that for clarification and transparency, this was procrastinating on something that was important for the city. He then suggested that the rule was not meant for items that had been discussed at multiple meanings and everyone was aware of but for things that suddenly come up and people haven't had a chance to read. He then stated that the people of the city should understand what is happening, and that this was stopping things for a technicality.

Councilor Givner recalled that there was a lengthy discussion in Ordinance. She added that meetings get recorded and can be watched after the fact. She also emphasized that this topic was the reason the Ordinance Committee meeting took until midnight, adding that this was not a new topic. She then

suggested that she could use the same rule to kick something down the road that she didn't like but she was not an obstructionist. She added that the department needed this money to get things done.

Councilor Vacon stated that there was a fundamental disagreement on whether the rate needs to be increased from \$7.50 to \$8.02. She then suggested that councilors should now take an opportunity to watch the debate from the committee meeting. She then stated that the rules should be followed, especially with a serious matter that would have a big impact on taxpayers.

Councilor Anderson-Burgos expressed an interest in understanding how time sensitive this was, making a motion to suspend the necessary rules to allow BPW Chair, Mary Monahan, to address the Council. Councilor Tallman seconded the motion. Motion passed.

Mary Monahan clarified that there had been no uncertainty as to what rate was being proposed, with recent data supporting the need for the proposed rate. She added that the Division of Local Services was requiring that the Council vote a balanced budget for the enterprise fund before they would certify the tax rate, adding that this vote was delaying that. She emphasized that the \$8.02 would balance that budget. She added that the delay could potentially put off the billing cycle, likely increasing the necessary rate to accommodate the fiscal year.

Councilor Anderson-Burgos emphasized the importance of constituents understanding the consequences.

Councilor Murphy-Romboletti reiterated that the meeting was long, but she stuck around because it was an important issue and not being informed would impact taxpayers. She then suggested that the rule was meant for forms that were many pages long rather than a single sentence of the form for this order. She also emphasized that the Council was only meeting once in September.

President McGee clarified that Councilor Jourdain's interpretation of 9J was correct, in that if legal form was not provided more than 48 hours prior to the meeting, an objection by any member of the Council will table the matter until the next meeting.

Councilor Jourdain emphasized that he was not in favor of the sewer rate increase and he would be happy to delay it another month if it meant saving his constituents a month of sewer rate increases. He then explained that he did not support the increase because there were a number of expenses in the sewer account that should be funded by the general fund. He then expressed concern that this was a circumvention of Prop 2 1/2, capping the property tax ceiling. He suggested that items were being put into the sewer fund because there was no law limiting how much the rate can be set at. He added that this would result in an extra \$600,000 being paid by Holyoke taxpayers to pay for things like street sweeping, several MS4-related expenses that should be funded out of the general fund, as well as needed repairs to the streets. He then stated that their logic was that it was street related due to there being street runoff. He suggested that by that logic, any street paving should be added to the sewer budget.

Councilor Vacon asked to clarify if the cost of the bond being voted on later that night included in the recommended rate of \$8.02.

M. Monahan stated that it was not as that was a bond issue that would impact future fiscal years.

Councilor Vacon stated that would likely result in around another 50 cent increase in the sewer rate. She then stated that it would be a matter of further debate where that bond would be paid out of.

M. Monahan emphasized that the items being discussed as included in the sewer rate had been for at least 17 years. She added that the Board of Public Works was in support of a study to determine if some costs should be pulled out of the enterprise fund. She noted that those costs were historically put into the enterprise fund by the City Council, and it could choose to take them out, but a study would need to be done to identify which expenses. She then emphasized that this study was already an active request by the BPW.

Councilor Rivera_I stated that the way things had been done for years had resulted in where the city was at now, where rather than the enterprise fund making money, it actually owed money and had for several years. He added that there were many issues that the city was not keeping up with. He questioned how this approach was good for the city. He then suggested that intentionally delaying would cost people more money, likely leading to the rate needing to be higher. He added that those against it will then probably rhetorically argue about it costing more when their delay would be the reason is would cost more.

Councilor Maldonado Velez noted that this was discussed twice in committee, with higher rate suggestions that weren't acceptable to the committee, eventually leading to the proposal of \$8.02. He then emphasized that a decision needed to be made. He then suggested that the votes would eventually be there for \$8.02, even if the delay meant it didn't happen that night. He then emphasized that the city needed to pay its bills because things were breaking down. He also suggested that an alternative was not being offered. He agreed that a study to determine which costs should legitimately be paid out of the sewer fund should be done.

Councilor Tallman recalled being on the Ordinance Committee when an earlier increase was voted down, leading to calls in the newspaper for some councilors to be voted out of office. He then recognized that rules were to be followed, adding that when the new legal form was provided, this could still be voted on in order to take effect before October 1st.

Councilor McGiverin recalled that there were additional points made at the committee meeting. He then stated that one of the things to be reconciled was that the wastewater treatment plant budget was running in a deficit. He noted that due to issues in the Treasurer's office, there were revenues yet to be reconciled. He then suggested that without doing something quickly, anything in deficit would be paid from the city side of the budget, which would include funds from people who don't get sewer service. He noted that the City Council had already voted to take street sweeping out of that budget but the mayor and DPW Commission had ignored it for almost 2 years. He added that it made sense when it was originally done, as the purpose of it was to treat the water before it went into the Connecticut River. He then explained that due to the age of the city, the sewers were combined with storm water, requiring a lot of treatment to go through the plant. He then emphasized that as the sewer had quarterly billing, the first one had already gone out and this needed to be taken care to allow the Water Department to get the next one out in order to avoid a bigger deficit. He then clarified that there was a cap on what the sewer rate could be, noting that state law would not let the city collect revenue going above around 5%-10% of total revenue collected in one year.

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

Councilor Vacon took issue with the mischaracterization of those not in favor of the \$8.02. She then emphasized that the past year had been the most significant year in terms of highly unusual expenses due to repairs that needed to be funded out of the sewer fund. She suggested that a lower rate of \$8.02 would be okay.

Motion was made and seconded to suspend rule 9J.

President McGee read from Rule 8L:

No rule or standing order of the City Council shall be suspended unless two-thirds of the members present consent thereto; nor shall any rule or order be repealed or amended without giving notice thereof at the preceding meeting, nor unless a majority of the whole Council concurs therein.

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

Councilor Jourdain emphasized that it would require unanimous consent to suspend a rule relative to unanimous consent, adding that this comes from Roberts Rules. He then recalled that going back to 2005, many councilors led the charge against the way the current system. He then suggested that the fund could be balanced with cityside revenue without increasing taxes. He then noted that there were good people in charge who were working to correct the issues, but that he could not support what was essentially a backdoor tax override that was not necessary. He then reiterated that one person objecting to the rule suspension should mean that it does not pass.

Councilor Maldonado Velez questioned the claim that the people in charge are doing the right thing while not trusting what they are saying is needed.

Councilor McGiverin emphasized that the City Council had a rule on suspending the rules, adding that Roberts Rules only come into effect when there is no rule that addresses the situation.

President McGee stated that 8L would allow suspension of the rules with a 2/3 vote to act on a matter, while 9J allows for a single member to object, requiring the matter to be tabled.

Councilor McGiverin asked if the Council would get a vote on a motion to table. He also reiterated that one of the rules states that the Council can suspend rules.

President McGee stated that with the way 9J was written, tabling it is a requirement since a member has objected.

Councilor McGiverin made a motion to object to the ruling of the Chair. Councilor Givner seconded the motion. Motion failed on a show of hands vote.

---> Laid on the table.

The Committee on Ordinance to whom was referred an order That the handicap sign be removed from 282 Pine St. for Frank Collado as the sign user has passed.

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 removing a sign since it was no longer needed.

---> 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 (Anderson-Burgos).

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 36A Resnic Blvd. for Margaret Colon, Placard #PL2290916.

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 that it turned out that the spot was on private property that the city did not have jurisdiction on.

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

The Committee on Ordinance to whom was referred an order Special permit application for Small Wonders LLC at 109 Lyman St (023-01-014) for a marijuana manufacturing establishment.

have considered the same and Recommended that the special permit be given a leave to withdraw at the request of the applicant.

Committee Members:

Linda L. Vacon
Jose Maldonado-Velez

Kocayne Givner
Kevin A Jourdain
Israel Rivera_I

UNDER DISCUSSION:

Councilor Vacon stated that withdrawal was at the request of the applicant.

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

(2:15:00)

Motion was made and seconded to suspend the necessary rules to take up items 39A and 39G as a package.

The Committee on Finance to whom was referred an order that the sum of \$10,500,000 is appropriated to pay costs of the Holyoke River Terrace Sewer Separation Project, including the payment of all costs incidental and related thereto and, without limitation, all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as amended ("Chapter 29C"); that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow said amount and to issue bonds or notes of the City therefore under any enabling authority, including Chapter 44, Sections 7(1) or 8(14) of the General Laws and/or Chapter 29C; that such bonds or notes shall be general obligations of the City unless the Treasurer with approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust (the "Trust"); and in connection therewith to enter into one or more loan agreements and/or security agreements with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the request was for a bond up to \$10.5 million for paying Holyoke's CSO project. He then explained that this was a two-phase project, with this being the first phase. He then stated that the bonding would not be necessary for a couple years. He added that the design level was at 90%, and that the city needed to have the funding in place to complete the project. He then emphasized that the mandate under the Fresh Clean Water Act could be costly if the city didn't stay up to date with a long term plan and implementation of it. He noted the next one after this project would be the Springdale project, likely to take place around 2030. He then expressed a hope that this unfunded mandate could be at least partially funded by the federal government.

---> 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 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.

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 was in a response to a request for a report that addressed the recent sewer breaks.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, FORTY EIGHT THOUSAND FORTY FIVE AND 00/100 Dollars (\$48,045) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$48,045

TOTAL: \$48,045

TO:

14302-52410 REFUSE-R&M VEHICLES \$48,045

TOTAL: \$48,045

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 request was to repair a plow dump truck that required some engine work, keeping it on the road. He emphasized that a new truck could cost over \$200,000.

---> 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 2024, NINETEEN THOUSAND FOUR HUNDRED FIFTY AND 00/100 Dollars (\$19,450) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$19,450

TOTAL: \$19,450

TO:

14102-53010 PROFESSIONAL ENGINEERING SERVICES \$19,450

TOTAL: \$19,450

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

Committee Members:

Joseph McGiverin

Kevin A Jourdain

Will Puello

Juan Anderson-Burgos

Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin noted that there were many non-accepted streets in the city. He then explained that this request would allow Engineering Services to do the necessary survey and work to accept Lynn Ann Drive and portion of Richard Eger Drive as city streets, making them eligible for Chapter 90 funds and make it legal for the city to work on the streets.

Councilor Vacon noted that the roads were meant to be added to accepted streets in the 60's and it was only recently discovered that they were not.

Councilor Jourdain expressed a hope that would begin a trend of addressing the over 100 roads in the city that were unaccepted ways.

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, ONE HUNDRED TWENTY ONE THOUSAND EIGHT HUNDRED SEVENTY NINE AND 00/100 Dollars (\$121,879) as follows:

FROM:

12101-51510 SICK LEAVE BUYBACK \$121,879

TOTAL: \$121,879

TO:

12101-51103 CAPTAIN \$121,879

TOTAL: \$121,879

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 what was budgeted in sick leave buyback was more than needed because of some changes in retirement plans and requests from retirees to carry funds over into another fiscal year. He then explained that the request was due to an error in the amount budgeted for 4 captains. He added that one captain retired unexpectedly while another was on paid administrative leave.

---> 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 (Rivera_I).

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up items 29E and 39F as a package.

The Committee on Finance to whom was referred an order The Mayor provide an update on funding pedestrian safety signals at Hitchcock and Martin Sts. The City Engineer provide an update on any necessary plans.

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 history of the intersection showed it was a proven dangerous intersection. He then stated that the engineer was looking to do something at this intersection in the very near future.

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

The Committee on Finance to whom was referred an order The undersigned seek a meeting of the City council and have the question to vote for a CPA rate of 1% or 1.5% placed on the November 2023 ballot as voted by a majority of the City council on April 4, 2023. This is the first opportunity we have to vote on the tax surcharge since was approved 5 years ago. We object to any delay in our ability to vote on this tax surcharge, whether we support a reduction or support the current rate.

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 petition asked for the City Council to hold a discussion about the CPA ballot vote. He noted the veto from the mayor continued to be a part of that discussion. He noted that one resident, Steve Rosenbush, spoke in opposition to CPA funding, especially with the state level funding not being the same as it had been at the beginning.

Councilor Vacon noted that the committee meeting was delayed for close to a half hour, which may have led to confusion about what was going on. She added that many residents had spoken during public comment expressed their concerns about this topic.

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

(2:33:10)

The Committee on Public Service to whom was referred an order From Mayor Joshua A, Garcia letter Appointing Mr. R. Andrew Parker, 170 Mt. View Dr. to serve as a member on the Library Board of Directors for the City of Holyoke: Mr. Parker will replace Ms. Julia Santiago and will serve the remainder of her term; said term will expire on February 2025.

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

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that Mr. Parker was the library's Finance Director until it was defunded in the budget. He added that Mr. Parker was also a member of the Friends on the Library, including serving as an officer, and was well-versed in the library.

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

The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia letter appointing Greg Virgilio, David "DJ" O'Connor, Linda Pratt, Nayroby Rosa-Soriano, Frank Dailey. Matt Mainville, Meagan Magrath-Smith, Axel Fontanez, Markeysha Dawn Davis & Camilia Garcia as members on the Recycling Advisory Committee for the City of Holyoke: They will serve a three year term; Said term will expire on August 1, 2026.

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

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that this was a new committee. He noted that almost all of the appointees were able to attend, adding that they ranged in backgrounds, including homeowners and businessowners, a representative of the Housing Authority, residents, parents, and people from all walks of the city.

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

The Committee on Public Service to whom was referred an order that the Edward Kennedy's monument plaque be redone/invest in a new upright granite monument along with a listing of his heroic acts and participation in the 82nd Airborne's biggest operation, including Market Garden where he was gravely wounded.

have considered the same and Recommended that the order has been complied with, and be referred to the mayor for appropriation.

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that they were trying to get a standup monument much like those already in place to honor several others. He added that the War Memorial Commission members attended and were all on board with this. He also stated that they would be looking into funding, such as ARPA or CPA funding, or other sources of grants.

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

(2:38:05)

The Committee on Development and Governmental Relations to whom was referred an order Council approves the Resolution for the Certified Project Application and Special Tax Assessment (STA) Agreement with Valley Malt LLC for the purpose of the company's acquisition and expansion of 4 North Bridge St. Holyoke, MA 01040 (Assessors Map 042, Block 01, Parcel 005).

have considered the same and Recommended that the order be adopted, contingent upon receipts of annual reports

Committee Members:

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

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that the owners of Valley Malt were in attendance. She then explained that it was founded in 2019 and then they moved it to Holyoke in 2020 after they outgrew their initial Hadley location. She also stated that they planned to start off as a brewing company but came to understand there was also a big need to provide the hops. She also stated that the tax assessment would only apply to the 51% of the property that Valley Malt would occupy, adding that West Mass ElderCare occupied the other part that this assessment would not apply to. She also stated that this would represent a \$2.7 million investment, and that they planned to double the amount of jobs from 8 to 16 by 2028. She also noted the agreement would begin with a 50% exemption, dropping by 10% each year for 5 years. She also explained that after the local approval, they would also have to submit to the state.

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

The Committee on Development and Governmental Relations to whom was referred an order that the City Council approves the Amendment to the Special Tax Assessment (STA) Agreement with Aegis Energy Services, Inc., Aegenco, Inc. and Jackson Canal, LLC, for the development that occurred at 55 Jackson Street and 84 Sargeant Street (now known as 59 Jackson Street). The STA was originally approved by the City Council on January 19, 2016.

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 this was related to the former Parsons Paper property, which was part of the Urban Renewal Plan. She then explained that the Redevelopment Authority developed a project in 2016 that would redevelop the property. She added that there was a \$400,000 shortfall to meet the cost and that the owner of Aegis, Lee Vardakas, had already been engaged with OPED to acquire and develop the property, initially at no cost in exchange for developing the site. She further explained that in exchange for him buying the property for \$400,000, with his investment in expanding and creating jobs, they were approved for a 10 year, 100% special tax assessment for 55 Jackston Street and 84 Sargeant Street. She further explained that while all of the stipulations were met and the incentives began in 2022, the business was sold in 2018 to Dalkia, while Mr. Vardakas remained in management. She added that the business operations were consolidated to 59 Jackston Street, 55 Jackston Street did not have a tenant, both that address and 85 Sargeant were listed with a broker in 2022, and in 2023, Mr. Vardakas informed OPED he would no longer be affiliated with Dalkia but would continue to own the real estate. She then explained that OPED proposed amending the agreement from 10 years to 5 years, as well as the incentives only be applied to the properties occupied by operating businesses, and that as

they had received the 10% incentives for years 1 and 2, the amendment would provide for 3 more years. She also noted that Mr. Vardakas spoke and was not thrilled with the agreement and could not guarantee he would sign it even if the Council approved it. She then explained that in the time since the meeting, OPED contacted informed her that they were working to negotiate an amendment to the agreement. She suggested that he was looking for the exemption to be longer than 5 years. She then noted the tough situation the Council was being put in.

Councilor Vacon asked if the Law Department was asking for it to be tabled until an amendment was provided.

Councilor Murphy-Romboletti stated that it appeared to be more about what the Council was comfortable with.

Councilor Vacon noted that the Council was relying on them.

Councilor Bartley stated that the committee report should be adopted. He emphasized that it was a complicated issue. He also noted that the process was initiated by Mr. Vardakas in February, but then walked into the committee meeting as if it was the first time he had heard about it. He also emphasized that Mr. Vardakas had not paid taxes since the process began in 2016, all while making a handsome profit by selling his business. He then stated that he confirmed with the departments, and with the mayor, that they had met with Mr. Vardakas. He then noted that there was still an appeal process available to him in Boston.

Councilor Tallman agreed that this should be moved forward and allow OPED to continue the discussion.

Councilor Bartley emphasized that Mr. Vardakas got all of the benefits with his \$400,000 tax break, and now wanted it to keep going. He then questioned how much is too much.

Councilor McGiverin stated that Mr. Vardakas had lived up to his end of the bargain. He then noted that while a 100% STA going beyond one year was allowable, it was unusual. He then recalled that the Parsons Paper mill was vacant when it burned down, resulting in a \$3.7 million cleanup project, even with the knowledge that it could be sold and that Aegis was planning to renovate the one repairable building, as well as the field that had become a solar field. He emphasized that this resolved a property that the city did not have an answer to dealing with, which led him to support the original project even though he had reservations about it being for 10 years. He then stated that he supported what OPED was doing, emphasizing that property taxes pay for services that his tenants received from the city.

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

Motion was made and seconded to suspend the necessary rules to take up items 42C and 42D as a package.

The Committee on Development and Governmental Relations to whom was referred an order that the City Council hereby decertifies the Certified Project and the Tax Increment Financing (TIF) Agreement with AACO Realty Corporation and request decertification of the Certified Project by the Massachusetts Economic Assistance Coordinating Council. The Certified Project and TIF Agreement were originally approved by the City Council on November 7, 2016 for the planned redevelopment project known as The Canal Gallery at 380 Dwight Street (Assessors Map 021, Block 01, Parcels 003).

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

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

The Committee on Development and Governmental Relations to whom was referred an order that the City Council hereby decertifies the Certified Project and the Tax Increment Financing (TIF) Agreement with Canal Row, LLC and request decertification of the Certified Project by the Massachusetts Economic Assistance Coordinating Council. The Certified Project and TIF Agreement were originally approved by the City Council on October 5, 2021 for the planned commercial development on land bound by Race and Main Streets (Assessors Map 030, Block 06, Parcels 001, 002, 004, 005, 006, 013 and 014).

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 the two orders were to decertify a TIF agreement due to the projects no longer happening the way they initially intended. She added that one had become cannabis dispensaries while the other on Race Street was meant to build structures and that had changed. She then stated that the state was asking the city to decertify.

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

The Committee on Development and Governmental Relations to whom was referred an order The Honorable City Council, extend the order approved by the City Council on August 2, 2016 and reapproved on October 16, 2018, which authorized the transfer of the properties (listed below) to the Holyoke Redevelopment Authority for consideration of \$1.00. The authorization would not be applicable to the property at 160 Middle Water Street as this property was sold. The original transfer authorization and subsequent extensions are in accordance with the Holyoke Redevelopment Authority's urban renewal plan as amended entitled, "Connect. Construct. Create. – A Plan for the Revitalization of Center City Holyoke" which was originally approved by the Holyoke City Council on December 4, 2012, and by the Massachusetts Department of Housing and Community Development on February 5, 2013, vote to reauthorize the transfer of the properties listed below to the Holyoke Redevelopment Authority for consideration of \$1.00. (see attached chart)

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 this was an extension on the properties that were transferred to the Redevelopment Authority in 2018 as part of the Urban Renewal Plan. She noted that they talked about the purpose of transferring the properties to HRA, as they had more flexibility in approaches and project opportunities that the city did not have.

Councilor Puello stated that he would not vote to support this or the next order as he did not agree with the reason why this was being done. He noted that the people running the HRA were the same people in OPED. He questioned what could be said through HRA that could not be said in OPED. He suggested that it was more about circumventing the City Council and the RFP process. He also suggested that there were people being treated unfairly even with the normal RFP process. He added that he did not believe it was transparent.

Councilor Bartley stated that while he generally agreed with Councilor Puello, he believed something needed to be done with this building which had become an eyesore. He expressed a hope that the HRA would be able to come up with a path forward to find a better use for it.

Councilor McGiverin stated that he would be in support, noting that the HRA had a unique opportunity to work on an Urban Renewal Plan which had been approved by the City Council. He noted that OPED provided the administrative assistance to HRA to allow them to do what they do. He emphasized that HRA could not act on anything that was not within that plan.

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

The Committee on Development and Governmental Relations to whom was referred an order The Honorable City Council, in accordance with the Holyoke Redevelopment Authority's urban renewal plan as amended entitled, "Connect. Construct. Create. – A Plan for the Revitalization of Center City Holyoke" which was originally approved by the Holyoke City Council on December 4, 2012, and by the Massachusetts Department of Housing and Community Development on February 5, 2013, vote to approve the transfer of the properties listed below to the Holyoke Redevelopment Authority for consideration of \$1.00. (see attached chart)

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 these were properties that were listed in the Urban Renewal Plan but brought before the Council because there was a lot of activity happening with the Transformative Development Initiative. She added that this would allow the HRA to approach developers who may have creative solutions. She emphasized that there were a lot of studies on why redevelopment authorities exist.

Councilor Bartley noted that this was a series of properties scattered throughout the urban renewal area, adding that one of the most prominent was the façade of the Armory at almost a half-acre of land. He expressed a hope that they would be able to get something done with the potential in that area. He noted positive investment had already happened in that area.

Councilor Tallman recalled seeing some good games and fights at the Armory back in the day.

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

ORDERS AND TRANSFERS

(3:10:35)

GIVNER — With community support, Order that the BOH provide the Public Safety subcommittee with either a presentation or written outline of what laws exist to protect property owners from damage by overgrowth of trees and other greenery from neighboring homeowners.

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

GIVNER, Tallman — With community support, Order that streetlights be added to Taylor St for the safety of residents and their properties. There is no light from 59-61 Taylor street. Existing light poles shine light directly down instead of previous lighting which shined light in a radius of 3-5 houses. There have been several vehicle break ins that would likely not have happened had street lighting covered these dark areas.

Councilor Tallman asked to be added to the order.

---> Received and Adopted. Copy to HG&E, DPW, Mayor.

GIVNER, Tallman — With community support, Order that temporary speed humps be placed on Taylor Street to be followed by permanent speed humps for resident safety. This is a densely populated and highly trafficked through street due to its proximity to a grocery store and its one way direction.

Petition attached.

Councilor Tallman asked to be added to the order.

---> Received and Adopted. Copy to DPW, Public Safety.

GIVNER — With community support, Order that dead tree at 61 Taylor St. be removed.
---> Received and Adopted. Copy to Forester.

GIVNER — With community support, Order that crumbling School Street sidewalks be assessed for repair/ replacement. Water main work and sewage repair has created considerable damage to both sides of the street around 22 school St.
---> Received and Adopted. Copy to DPW.

GIVNER — With community support, Order that initiatives be discussed and created to encourage convenience store and fast food store owners to install trash receptacles and sponsor trash collection throughout the city of Holyoke. It is clear that much of our city's trash is from fast food restaurants and corner stores. These entities must be invited to be a part of the community they profit from by supporting quality of life initiatives that increase business support.
---> Received and referred to the Public Safety Committee.

Councilor Tallman stated that he appreciated the “with community support” heading in the orders, emphasizing the outreach to residents.

JOURDAIN, PUELLO — City Council review the law for the enforcement of rights of reverter and extensions of reverter.
---> Received and referred to the Ordinance Committee.

JOURDAIN, PUELLO — Law Dept provide the City Council an inventory of all outstanding rights of reverter with parcel id numbers, address, what the current reverter expiration date is if it has one, provide a summary of the condition that the reverter is based on (i.e. change of use (such as if no longer used as a golf course) or if no development by X date)
---> Received and referred to the Ordinance Committee. Copy to Law Department.

JOURDAIN, Councilor Vacon — Police Chief provide an updated list of all tickets issued in Calendar Year 2023 including violation reason, number of violations, and the disposition.

Councilor Vacon asked to be added to the order.
---> Received and Adopted. Copy to HPD, Public Safety.

JOURDAIN — City Council explore with the Mayor a residential redevelopment plan for city owned vacant parcels has homes built then sold. City funds coupled with any available grant funding will be used for seed funding with the proceeds of the sales used to build more homes. The long term play for the city is the generation of all of the property tax revenue from these home sales, the new availability of great new housing, the reduction in city owned buildable lots and the growth of population.
---> Received and referred to the Development and Governmental Relations Committee.

JOURDAIN — Law Dept and Mayor be invited to the City Council to discuss an update on the city's use of the receivership program including current properties being targeted and others that are excellent prospects for required repairs. I also would like to see if we can use this for larger scale problem rental properties with the right receiver as has been done in larger metropolitan cities. I also would like to start an initiative as has been used in large urban settings where we have required landlord training programs when appropriate as well as a model like Kansas City Bad Apple Program for repeat offenders. Law dept. and Mayor will be encouraged to look at what resources we need to go bold on problem properties

and develop a plan with us.

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

JOURDAIN — Parks dept please install a motion sensor system and/or improved camera system and/or improved security plan at the Pouliot pool for use when the pool is in season. After hours security needs to be dramatically improved. Please let City Council and Mayor know if funding is required.

---> Received and Adopted. Copy to Parks, Mayor, Public Safety.

JOURDAIN, Tallman, Anderson-Burgos — Mayor please consider putting the senior discount back into the next Comcast contract renewal coming up. Seniors need every break they can get during these inflationary times and this would be very appreciated by many.

Councilor Vacon noted that the Comcast license hearing would be on September 14th at 6 p.m. at 1 Court Plaza.

Councilor Tallman asked to be added to the order.

Councilor Anderson-Burgos asked to be added to the order.

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

JOURDAIN, McGiverin, McGee — Ordered, that the Ordinance Committee invite in the Mayor and DPW superintendent to review Chapter 74 of our ordinances on Solid Waste and how this reconciles with the proposed roll-out of a new residential trash pickup program in light of our already existing laws in this area. It is requested that they review their proposal with us so we and citizens can understand it better.

Councilor Jourdain stated that while this may be a great initiative, local ordinances establish a 35 gallon trash barrel as well as allowing up to 12 a week. He added that there was a process. He then questioned how the rollout of the new trash barrels could be happening on September 18th, which had restrictions on what barrel and how many, when the ordinance said just the opposite. He noted that he had heard concerns from constituents on lifting this size of a barrel or worries about finding a place to put it. He emphasized that he was keeping an open mind, but citizens had legitimate concerns and he believed there should be an open process.

Councilor McGiverin asked to be added to the order. He then stated that while the DPW was well-intended, none of the changes were enforceable without the ordinance being tweaked. He suggested that an option to purchase a second one was appropriate. He also suggested that this size of a barrel would not work everywhere.

President McGee asked to be added to the order

---> Received and referred to the Ordinance Committee. Copy to Mayor, DPW.

Motion was made and seconded to suspend the necessary rules to take up items 59, 80, 81, and 90 as a package.

MCGEE, Tallman — Order that two handicap parking spots be installed at the new park at Kennedy field.

Councilor Tallman asked to be added to the order.
---> Received and referred to the Ordinance Committee.

PUELLO — That a handicap sign be placed in front of 584 So. Summer St. for Wilfredo Lorenzi, Placard #PL2230484.
---> Received and referred to the Ordinance Committee.

RIVERA_J — an order to remove a handicap sign from the front of 60 North East St. the person has moved.
---> Received and referred to the Ordinance Committee.

BARTLEY — That a handicap sign be placed in front of 541/2 Davis St, for Angel Luis Vazquez Natal, Placard # PL5800106.
---> Received and referred to the Ordinance Committee.

Motion was made and seconded to suspend the necessary rules to take up items 60 and 61 as a package.

MCGEE — That the Polling Place for each of the voting precinct in the City of Holyoke for the Preliminary Election to be held Tuesday, Sept. 26, 2023, be and the same are hereby designated as follows:
ORDENA, que los lugares para cada recinto en la Ciudad de Holyoke para las Elecciones Preliminar Esta que se llevaran a cabo el Martes, 26 de Septiembre 2023 sea y al igual, por este medio designado lo siguiente:
WARD SEVEN BARRIO SIETE
PRECINCT A&B – E. N. White School Gym, 1 Jefferson St.
PRECINTO A&B– Gimnasio de la Escuela E. N. White, 1 de la Calle Jefferson
---> Received and Adopted.

MCGEE — That the Preliminary Election in the City of Holyoke for the choice of City Officers be and the same is hereby called to be held on Tuesday, September 26, 2023 in the several polling places as designated by the City Council. The polls will be opened at 7:00 a.m. in the forenoon and closed at 8:00 p.m. in the afternoon of said day, and all the voters in the several precincts in which they are entitled to vote, between said hours, may cast their votes by voting machines and paper ballots for the election of:
CITY COUNCILOR WARD SEVEN (7)
Que las Elecciones Preliminaria en la Cuidad de Holyoke, para el escojer de oficiales de la cuidad, sera llevado a cabo el Martes, 26, de Septiembre 2023 en los varios barrios, designados por la Asambleista Municipal. Los precintos estaran abiertos a las 7:00 a.m. de la mañana y permaneceran abierto hasta las 8:00 p.m., cuando los precintos sean designado para votar en las horas dicha y hagan dado sus votos por medio de las maquinas de eleccion o por boletos de papel, para la eleccion de:
ASAMBLEISTA MUNICIPAL BARRIO SIETE (7)
---> Received and Adopted.

Councilor Maldonado Velez made a motion to suspend the necessary rules to allow City Clerk Brenna Murphy McGee to answer if early and main in voting would be happening for the preliminary of just the general election.

City Clerk Murphy McGee stated that in person early voting would not be happening for the preliminary since it was just the one ward but they could still vote through the mail. She added that the Board of Registrars would be meeting on September 13th to vote on early voting in person for the general election.

Councilor Maldonado Velez asked if residents had to request the form for mail in early voting or if it would be automatically sent.

City Clerk Murphy McGee stated they would have to request it as it was only for state elections that the forms were automatically sent.

MCGEE, MURPHY-ROMBOLETTI, Tallman — Ordered, that the Veterans Services Director be invited to describe the development of a regional Veterans Services District in collaboration with surrounding communities, and that the City Council approve the district as a way to improve service to veterans in the region by sharing knowledge, experience, and resources between the participating communities.

Councilor Tallman asked to be added to the order.
---> Received and referred to the Public Service Committee.

MCGEE — Ordered, that Mila Dillard, the Blessed Sacrament student that won third place in the statewide Arson Watch Reward Program poster contest, be invited into a coming City Council meeting to receive a proclamation and to present the winning poster for display in City Council chambers.
---> Received and Adopted.

Motion was made and seconded to suspend the necessary rules to take up items 64 through 66, 70 through 74, and 76 as a package.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, ONE THOUSAND TWO HUNDRED AND 00/100 Dollars (\$1,200.00) as follows:

FROM:
11381-51102 ASSISTANT CPO-PURCHASING \$1,200.00
TOTAL: \$1,200.00
TO:
12442-54800 MV FUEL-WEIGHTS & MEASURES \$1,200.00
TOTAL: \$1,200.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 2023.

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

MCGIVERIN — that the amount of TWO THOUSAND FIVE HUNDRED TWENTY FOUR AND 00/100 Dollars (\$2,524.00) be authorized from the SOLICITOR Department's LITIGATION (11512-57600) appropriation in fiscal year 2024 for services rendered in fiscal year 2023 which were unencumbered at the 2023 fiscal year end.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 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 2024, SIX THOUSAND AND 00/100 Dollars (\$6,000.00) as follows:

FROM:

12101-51117 E911 DISPATCHERS \$6,000.00

TOTAL: \$6,000.00

TO:

12101-51910 STIPENDS \$6,000.00

TOTAL: \$6,000.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 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 2024, TWENTY FOUR THOUSAND THREE HUNDRED FIFTY NINE AND 00/100 Dollars (\$24,359.00) as follows:

FROM:

16102-52100 ENERGY-GAS/OIL/ELECTRIC \$24,359.00

TOTAL: \$24,359.00

TO:

16101-51112 FINANCIAL MANAGER – LIBRARY \$24,359.00

TOTAL: \$24,359.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 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 “2023 CAR SEAT DISTRIBUTION PROGRAM, NON MONETARY, 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, September 5, 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 2024, ONE HUNDRED THOUSAND AND 00/100 Dollars (\$100,000) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$100,000

TOTAL: \$100,000

TO:

60402-53011 SEWER- PROFESSIONAL SERVICES \$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, September 5, 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 2024, FIFTY THOUSAND AND 00/100 Dollars (\$50,000) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$50,000

TOTAL: \$50,000

TO:

60402-53005 SEWER – LEGAL SERVICES \$50,000

TOTAL: \$50,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 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 2024, TWO HUNDRED THOUSAND AND 00/100 Dollars (\$200,000) as follows:

FROM:

12101-51107 PATROLMEN \$100,000

12101-51920 INCENTIVE – QUINN BILL ED PLAN 100,000

TOTAL: \$200,000
TO:
12101-51300 OVERTIME \$200,000
TOTAL: \$200,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, September 5, 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 “FY24 EEA MUNICIPAL VULNERABILITY PREPAREDNESS PROGRAM, \$192,900, 25% MATCH (IN KIND/CPA)” 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, September 5, 2023.

Joshua A Garcia, Mayor

Councilor McGiverin stated that the next Finance meeting was scheduled for September 13th, which was planned to include orders connected to the issues in the Treasurers Department. He stated that he hoped to get as many of these items on that agenda as possible.
---> Received and referred to the Finance Committee.

MURPHY-ROMBOLETTI, Tallman — With support from the city’s Veterans Benefit Department, the City Council update its ordinances to provide free municipal parking for veterans that have an official Veteran License Plate.

Councilor Tallman asked to be added to the order.
---> Received and referred to the Ordinance Committee.

RIVERA_I — Ordered, invite Thomas Irwin from PaintCare MA to discuss pending state legislation that would create a statewide paint recycling program to allow people to return unused paint to stores to be disposed of in an environmentally friendly way.
---> Received and referred to the Development and Governmental Relations Committee.

RIVERA_J — Ordered, that a stop sign be considered on Suffolk at the intersection with Chestnut. Concerns have been reported about accidents and near accidents due to parked cars preventing drivers

on Chestnut from seeing vehicles traveling on Suffolk until they are already pulling into the intersection.
---> Received and referred to the Ordinance Committee. Copy to DPW, City Engineer.

RIVERA_J — an order to request the repainting of all crosswalks and parking spaces from the intersection of Lyman and Main Streets to the intersection of Cabot and Main Streets.

Councilor Vacon made a motion to amend to add a request to complete Ward 5 crosswalks.
---> Received and Adopted. Copy to DPW.

RIVERA_J — an order to request a curb cut to facilitate access for wheelchairs and walkers at the entrance on Appleton Street of The United Congregational Church located at 300 Appleton Street.
---> Received and Adopted. Copy to DPW.

RIVERA_J, MALDONADO-VELEZ — Order that the Board of Health, Police, or appropriate department let us know the process of addressing noise complaints, particularly when it comes to businesses operating their heavy machinery and making lots of noise as early as 5:30 am. The residents of Ward 1 say they have submitted complaints and nothing has been done to remedy the situation.
---> Received and referred to the Public Safety Committee. Copy to Ordinance.

VACON — place a “no engine brake” sign on Westfield Road on the side approaching Homestead Ave. in the area approaching 550 Westfield Rd.
---> Received and Adopted.

ANDERSON-BURGOS — Ordered, that TJ O'Connor be invited in to a subcommittee meeting to discuss how they serve the animal population of Holyoke, including the struggles they face and what Holyoke can do to help.
---> Received and referred to the Development and Governmental Relations Committee.

BARTLEY — The DPW replace the heaved sidewalk between W. Glen St. and Clark St. on the southbound side of Northampton St. DPW repair the roadway between W. Glen St. and Gilman St. Receiver and Refer to DPW, City Engineer to implement these orders and the Mayor to finance these projects.
---> Received and Adopted. Copy to DPW, Mayor.

BARTLEY — The City Engineer redesign and the DPW replace the traffic island proximate to 2 Brown Ave & 274 South St. for the purposes of creating public parking spaces. This is the area that was left after the roadwork to alter Brown Ave. was completed and it's in need of alterations; the plan to increase parking is supported by the effected residents. Refer to City Engineer. Refer to Finance Cte. & Mayor.
---> Received and referred to the Finance Committee. Copy to City Engineer, Mayor.

BARTLEY, JOURDAIN — Due to multiple constituent concerns with improperly disposed needles, the DPW look at securing the fence on the west side of Woodland St. and report back to city council on how the fence can either be fixed or replaced. Include costs and funding source.

Councilor Bartley stated that a constituent brought this to his and Councilor Jourdain's attention after they contacted Tapestry multiple times and was advised to leave the needles on the sidewalk even though there were no sidewalks on that street. He further stated that the constituent called the state's

Department of Public Health and was advised that this had been a horrible recommendation. He then expressed frustration that this was not the best look for a resident to receive that guidance.
---> Received and Adopted. Copy to DPW.

LATE FILED ORDERS AND COMMUNICATIONS

(3:35:25)

VACON — Ordered, that DPW paint a crosswalk at McMahon school because the engineer reported the bid for the raised crosswalk “failed.” This is a safety hazard for students, parents, and crossing guards.

President McGee asked if this was for the same matter as an earlier order.

Councilor Vacon stated that this was a new crosswalk at a location where one did not exist. She added that the Engineer reported their department’s bid for 5 raised crosswalks they planned to do had failed. She then stated that the crossing guard was almost hit because of congestion in the area. She also emphasized that parents and teachers were very concerned.

President McGee asked to clarify if she wanted it done right away rather than going to committee.

Councilor Vacon stated that she did.

Motion was made and seconded to take final action.

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

Adjourned at 10:42 PM