

REGULAR MEETING OF THE CITY COUNCIL**December 5, 2023**

The meeting was called to order by President McGee at 7:12 PM

The Clerk called the roll. Absent members: 0 Present Members in person 10 (Bartley, Givner, Jourdain, Maldonado Velez, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Tallman). Present Members on Zoom 1 (Anderson-Burgos, Rivera_J, Vacon)

The Pledge of Allegiance was recited.

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

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

President McGee invited incoming councilors-elect into the chambers. Councilors-Elect Patti Devine and Carmen Ocasio were in attendance.

Motion was made and seconded to suspend the necessary rules to take up item 28 out of order.

ANDERSON-BURGOS — Ordered, that a proclamation be presented to Dave Beaudoin, Superintendent of Outdoor Works, who will be retiring after 20 years of dedicated service to the city.

---> Received and Adopted.

Councilor Anderson-Burgos thanked Mr. Beaudoin for his work for the city and wanted to ensure that he was acknowledged before he left his position.

President McGee read from the City Council proclamation thanking him for 20 years of service.

D. Beaudoin stated that when he started, he didn't know where it would take him. He then stated that it had been an honor and privilege to serve the city and its residents. He also stated that his family had been in the city for over 150 years and planned to continue that tradition.

LAID ON THE TABLE

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

The Committee on Development and Governmental Relations to whom was referred an order Special Permit Application of Delfina Saillant per 7.2.9 to convert basement into a livable studio space at 20 Pearl Street

have considered the same and Recommended that the special permit be granted, with the condition that a signed letter from a licensed architect be provided.

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that this was about creating a studio apartment in the applicant's basement. She then explained that they wanted to make sure they had stamped architectural plans, adding that it had since been provided.

Councilor Bartley stated that this would be a credit to the neighborhood. He then explained that they had been looking for the petition to be in compliance with the ordinance, adding that they did not expect to be ready for the last meeting but were confident they would have it for this meeting.

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

Councilor Jourdain asked if there were any conditions.

President McGee clarified that everything was covered in the prior meeting and that they were just waiting for this one item.

Councilor McGiverin stated that this was referred to the Law Dept to determine if there needed to be union ratification. He then stated that nothing formal had been provided as an update.

The Committee on Finance to whom was referred an order 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 Recommended that the order be adopted.

---> Laid on the table.

PUBLIC COMMENT

(8:40)

Mayor Garcia, 2 Dunn Avenue, noted that the Council would be taking up Ezekiel's Plan, a comprehensive public safety plan, explaining that it would provide a combination of strategies to advance efforts to tackle quality of life issues the citizens wanted addressed. He then stated that it was about enhancing enforcement, surveillance, training city staff, neighborhood outreach, and establishing a new division in his office to help residents with issues and address quality of life concerns. He also stated that it was about creating a healthy atmosphere as well as restoring confidence and pride throughout all city neighborhoods and creating a culture of accountability throughout the city. He then emphasized that many had told him that not enough

was being done to address safety concerns in the city, and this was a plan to address those concerns.

Patti Devine, 58 Magnolia Avenue, thanked Admin Asst Anderson-Burgos as well as many others who were helping her to become acclimated to her return to serving on the City Council. She also expressed her intent to add "and all city employees" to Rule 6E, which required that city councilors speak in respectful terms to each other as well as members of the general public. She also asked that the incoming chair of the Ordinance Committee take up all orders in a timely manner in the order they were received. She then expressed concern with item 26, stating that she found it troubling to propose taking away the power of the people to elect their mayor.

Councilor Bartley expressed frustration with Miss Devine's comments.

Howard Greaney, 351 Hillside Avenue, congratulated everyone who ran for office and were elected, adding that he appreciated everyone who voted for him to serve another term starting in January. He then thanked Councilor McGiverin, Councilor Tallman, and President McGee for their numerous years of service to the city. He added that their expertise, patience, and comradery would be missed. He then expressed support for item 19E to reduce taxes by placing a question on the ballot to reduce the CPA surcharge. He also expressed his intent to sponsor legislation to cut taxes. He also asked for support for item 19B which would approve the donation of a new vehicle for the Council on Aging, emphasizing that the vehicle was desperately needed to help residents get to the Council on Aging facility.

Councilor Jourdain suggested taking up the order relative to tax classification.

Motion was made and seconded to suspend the necessary rules to take up items Late File A and 35 out of order as a package.

MCGEE, MCGIVERIN — Order that the City Council vote to set a MRF for (FY24) tax classification

UNDER DISCUSSION:

Councilor Jourdain expressed his understanding that there were miscellaneous things that needed to be voted on and that there may be a special meeting the following week. He then stated that his purpose for bringing this up now was to avoid having interested citizens waiting for hours only to hear that it would not be decided tonight. He noted that he was not able to get the most up to date CIP shift, levy information, and tax recap from the Assessors.

President McGee clarified that Ezekiel's Plan still had to be voted on and that the Assessor was waiting on that vote before they could provide the information.

Councilor McGiverin stated that item 35 reflected the current projected deficit in the wastewater treatment plant's enterprise fund considering the current rate users were being charged. He then explained that he learned the reason it had to go on the recap was at the direction of DLS (Division of Local Services) due to a need to address the discrepancy between the sewer rate and the expenses on their budget. He added that Ezekiel's Plan would also have an impact on the recap sheet. He noted that the Council could vote on the tax classification but the two items were large potential changes. He also stated that a vote on adjusting the sewer rate would also have an impact. He then asked to ensure that the tax collector was on board with waiting so late into the month, emphasizing the need to have tax bills printed and out before the end of the month or the city would have no funding coming in for the third quarter, requiring the city to borrow money.

President McGee stated that they were advised up the 14th would be enough time in order for bills to go out.

Councilor McGiverin stated that he had not heard from the tax collector on that question.

President McGee stated that he had been on the phone with the mayor while he was getting that information from her.

Councilor Jourdain stated that new information was continuing to come in relative to the sewer deficit. He then explained that the deficit of \$389,000 they were told about before had been gone following a large industrial payment that had come in. He also stated that additional information had come in explained that street sweeping was \$600,000 or possibly more. He then suggested that going back 5-10 years, ratepayers could be subsidizing taxpayers to possibly \$6 million over the last 10 years. He added that it did not take into account collections that were 10% off for the last 3 fiscal years. He also noted that tax receipts were at 97% while sewer receipts were at one 90%, with the potential of bringing in at least another \$500,000 per year. He also emphasized that it was better to make sure everyone pays than to have to pay more. He also stated that there were one time issues in the sewer budget that should not be used to advance a permanent sewer increase. He also explained that the Auditor informed him the \$63 million levy already included the sewer portion, and that Ezekiel's Plan was the only unknown.

---> Laid on the table.

MCGIVERIN — That the City Council subsidize the revenue of the sewer budget from the tax levy in FY2024 by \$1,039,680 (one million thirty nine thousand six hundred eighty dollars and 00/100) and remainder funded by sewer receipts.

To the City Council:

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

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

President McGee clarified for the benefit of the public that the tax classification vote would be taken up on December 14th.

COMMUNICATIONS

(23:50)

From Mayor Joshua A. Garcia, letter appointing Mr. Paul Burns-Johnson to serve as a member of the Board of Appeals for the City of Holyoke: Mr. Burns-Johnson will replace Ms. Mary Monahan and will serve Ms. Monahans remainder term; said term will expire July 1, 2024.

Councilor Tallman asked that the appointment be approved right away, noting that the Board of Appeals chair, Josh Knox, communicated to him they had a meeting on the 15th that they needed another member available for.

Councilor Bartley stated that while he would not normally support this, Mr. Knox had also reached out to him as well and the position was explained to him. He also recalled that Mr. Burns-Johnson had worked with councilors recently to address a bus pad on South Street. He also emphasized that the term would be expiring the following year.

Councilor McGiverin stated that he did not have a problem with the request and would not question the integrity of the candidate. He did, however, have questions about the Board of Appeals being busy, noting that they addressed variances and hardships. He also questioned where their meeting minutes were. He then expressed a hope that Mr. Burns-Johnson could address those questions. He added that the Board in past years had tried to do more than they were allowed.

Councilor Bartley noted that there was no more esoteric board than the Board of Appeals. He agreed with the comments from Councilor McGiverin, noting that he had asked that those minutes be send to the Council as often as they can. He reiterated that Mr. Knox had expressed there was some urgency to getting a member appointed due to their meeting on the 15th.

Councilor Murphy-Romboletti stated that she was also contacted by Mr. Knox, adding that they were anticipating they would need to meet more often due to the city doing more code enforcement.

---> Received and appointment confirmed.

From Mayor Joshua A. Garcia letter appointing Mr. Axel Fontanez, 71 Lynch Dr. to serve as an Associate of the Board of Appeals for the City of Holyoke: Mr. Fontanez will serve a three year term; said term will expire on July 1, 2026.

Councilor Tallman noted that Public Service would be meeting the next day and Mr. Fontanez was expected to be in attendance.

Admin Asst Anderson-Burgos clarified that Mr. Fontanez had been invited but had not yet responded.

Councilor Tallman stated that if he was not there for that meeting, the committee would try to get him in for a future meeting.

Councilor Jourdain asked to make sure a resume was provided.

Councilor Bartley asked to clarify this was the same gentleman that ran for City Council.

Councilor Tallman confirmed that was accurate.
---> Received and referred to the Public Service Committee.

Motion was made and seconded to suspend the necessary rules to take up items 5 and 6 as a package.

From Tanya Wdowiak, Auditor YTD Sewer Budget Reports.
---> Received and referred to the Finance Committee.

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

From Brenna Murphy McGee, MMC money cuts from FY2024 Supplemental Budget.
---> Received.

Councilor Anderson-Burgos stated that item 8 could be tabled and go with one of the reports from the Joint Committee.

Communication from Department of Environmental Protection re: Draft Waterways License, Holyoke Rows.
---> Received.

From PERAC, Appropriation for Fiscal Year 2025.
---> Received.

Motion was made and seconded to suspend the necessary rules to take up items 11 through 15 as a package.

From Holyoke Redevelopment Authority Executive meeting minutes of February 17, March 17, October 27, 2021, February 15, May 17, and June 21, 2023.

---> Received.

From Holyoke Redevelopment Authority regular meeting minutes of March 20, 2019 and May 18, 2022.

Councilor Jourdain asked if these were subject to some litigation, noting they were coming in years later.,

Councilor Bartley suggested that at least one of them was. He added that it could have been a real estate matter.

---> Received.

From Holyoke Redevelopment Authority regular meeting minutes of September 20, October 18, 2023.

---> Received.

From Historic District Commission meeting minutes of September 14, October 12, 2023.

---> Received.

From Holyoke Historical Commission minutes of September 11, 2023.

---> Received.

PETITIONS

(32:45)

Petition of a renewal for a Home occupation for William T. Lyle, 79 Merrick Ave for a Electrician Business.

---> Renewal granted. Received and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Rivera_J).

Petition of a renewal of a Home occupation for Daniel LiBoissonnault, 267 Southampton Rd. for a Plant Based/Non Dairy business.

---> Renewal granted. Received and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0--Absent 1 (Rivera_J).

PRESIDENTS REPORTS

(34:30)

President McGee stated that the 150th Anniversary Committee would host a time capsule closing at 3 p.m.

He also stated that the Rotary Club would host their Eat, Drink, and Be Holyoke event in the City Hall ballroom, 5:30 p.m. - 8:30 p.m.

He also stated that on December 9th, the 8th Annual Community Dinner Celebration would take place at Kelly School, 4 p.m. - 7 p.m.

He then stated that the 150th Commemorative Book would be released early in 2024.

He then stated that on December 22nd, the City Hall employee holiday party would take place at Fame Lounge and 5 p.m.

He then thanked Admin Asst Anderson-Burgos for cookie tins given to each of the councilors.

Councilor Rivera_I stated that he and some fellow councilors attended the inauguration of the new basketball gym at the charter school. He stated that it was an awesome event at a cool facility. He added that it was exciting to see the activity at a location that used to be a flea market.

He also stated that the Community Dinner was looking for volunteers, adding that anyone was welcome to attend. He noted that the day was also his birthday.

Councilor Bartley expressed how great it was to have another gym in the city, noting the last one built was at HCC in honor of his father. He commended Dr. Pope from the charter school, along with the rest of the team, that made it happen.

Councilor McGiverin stated that the Holyoke Merry-Go-Round would celebrate its 30th anniversary at Heritage Park that weekend. He then explained that Elsa and Spiderman would be present for the event on Saturday. He added that the Parade Committee would hold tartan gift sales. He also stated that the lead horse, Lancelot, would come back after 9 months due to going through restoration. He noted that the horse was appraised at \$125,000 in 1986.

Councilor Bartley noted that John Hickey, former head of Holyoke Water Works, saw a need and helped get funds privately raised to buy the space, now one of the iconic parts of the city.

REPORTS OF COMMITTEES

(40:50)

The Committee on Joint Committee of City Council and School to whom was referred an order That the DPW paint a crosswalk at the corner of Jarvis Ave. and West Cherry St, crossing over Jarvis Ave

have considered the same and Recommended that the order be referred to the DPW to put in a crosswalk.

Committee Members:

Juan Anderson-Burgos
Jenny Rivera_J
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Anderson-Burgos recalled that the Council was looking for feedback from the Joint Committee, who then referred it back in order for it to go to DPW.

Councilor McGiverin stated that he filed the order on behalf of the School Department, noting concerns of families living on the other side of the road from Sullivan School. He then explained that there was no crosswalk going across Jarvis and it was hard to make it handicap accessible due to a lack of a sidewalk and that there were guardrails in the way. He further explained that he spoke with Carl Rossi at the DPW and they were going to try to make it work.

Councilor Rivera_I asked Councilor McGiverin to use that same power to get a crosswalk at Kelly School that was being requested for over two years.

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

The Committee on Joint Committee of City Council and School to whom was referred an order 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.

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

Committee Members:

Juan Anderson-Burgos
Jenny Rivera_J
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that the mayor's proposal had two funding strategies, which included E.N. White School, Lawrence, McMahon, and STEM with similar circumstances as Kelly, explaining that this was done to avoid possible liability. He then explained that option 1 would cost \$437,000 a year for all schools while option 2 would cost \$172,000 for winter months only for all schools. He added that it would require 6 additional buses. He also noted that transportation costs had increased substantially. He also stated that school officials, as well as the Fire Department and the DPW, walked the school route to ensure safety issues were addressed such as crosswalks and signals. He added that a walking bus route would be instituted during winter months.

Councilor Rivera_I stated that his main concern was that the families at Lyman terrace suddenly had the bus taken from them and that it was poorly communicated. He then stated that the

intent was to ensure that those concerns were addressed. He also recognized that there were monetary issues as well as equity issues with other schools. He suggested that while the walking school bus was a good plan, he would prefer kids around the city get buses.

Councilor Givner noted that one of her takeaways was that the bus was provided to Lyman due to construction and the related dangers of walking to school. She added that it took such a long time for that project to complete that nobody remembered that the school was still within a mile and they would have had to otherwise walk. She then expressed a hope that the walking school bus would continue.

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

Motion was made and seconded to suspend the necessary rules to take up items 8 and 18C as a package.

From Anthony Soto, Receiver/Superintendent of Holyoke Public Schools, letter re: Agenda Item 1, Financial Literacy Course.

---> Received.

The Committee on Joint Committee of City Council and School to whom was referred an order that the joint committee of school and council invite in the receiver to discuss and provide information on the Financial literacy programs for both high school campuses.

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

Committee Members:

Juan Anderson-Burgos

Jenny Rivera_J

Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Anderson-Burgos stated that there were financial literacy courses being offered, which included earning, debiting, saving, budgeting, purchasing, insurances, and investments. He also explained that the courses were only being offered at the North Campus due to the staffing market. He added that it was a 5-credit course, with 20 students currently enrolled in the elective yearlong course. He added that students at Dean did have access during their freshman and sophomore years.

President McGee stated that this was what he was looking for.

Councilor Jourdain spoke in favor of the offering, emphasizing that it was an important class for the students. He also stated that these were the types of classes where students may question if they'll use the information, but could be the most impactful and critical, especially in breaking

out of cycles of poverty and being prepared for retirement and the future. He also suggested that this could help students be ahead of the game in being ready for life.

Councilor Rivera_I stated that he agreed with the value of the program, adding that MassHire also offered a similar on a smaller scale. He suggested that more nonprofits expand on it if the schools couldn't offer it to everyone.

Councilor Anderson-Burgos stated that he did not recall having these types of classes when he attended school but had the opportunity to train Springfield students while working for a financial institution. He then expressed appreciation that this kind of instruction was taking place in Holyoke. He added that HPS had been doing it for quite some time.

President McGee commended Scott Taupier for helping to make sure this was offered in Holyoke.

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

(56:05)

The Committee on Ordinance to whom was referred an order that a review of the ordinance on the Soldiers Memorial Commission be done to update the language.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that the order was to update the membership of the Soldiers Memorial Commission so that people would be qualified without the specific requirement that two members be World War 2 veterans.

Councilor Tallman expressed appreciation for expediting this order. He then explained that the ordinance needed to be updated because many World War 2 veterans were passing away.

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

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that there was a lot of back and forth with the legal language. She noted that the Law Department did not sign it due to not agreeing with the legal form, citing a legal opinion that the Retirement Board did not need to comply with the rule. She noted that the committee unanimously voted to recommend adopting the language to be considered consistent and more available to the public. She also stated that language added the allowance of email correspondence for members of the public who could not attend a public hearing.

President McGee stated that legal form was not provided.

Councilor Jourdain noted that Admin Asst Anderson-Burgos circulated the language. He noted that under the rule, the Law Department did not have to sign it.

Councilor McGiverin stated that the rule required that if the Law Department was not submitting legal form, it would need to be submitted to the City Clerk's office and typed into legal form distributed in the same fashion as legal form would normally be provided.

President McGee stated that he did not have the legal form with the order.

Councilor McGiverin stated that it was different and had to go to the City Clerk to be done.

Councilor Jourdain stated that legal form had been circulated but not done by the Law Department. He then explained that in the current ordinance, the Retirement Board was subject to the meeting rule of holding them after 5 p.m. but had not been following it believing they were exempt from the ordinance. He further explained that the Law Department wanted the committee to take the Retirement Board out of the ordinance. He suggested that it was better to have them not complying instead of being given an exemption. He emphasized that he believed

they were doing great work but were not complying with the ordinance. He also noted that the committee went over the legal form at the committee meeting.

Councilor Rivera_I stated that while he agreed with having their meetings in the evening, it was explained to him that while the board was part of the city, it was instituted by state statute. He added that while he understood that many people would not be able to attend those meetings, he suggested that it might help if they at least recorded their meetings for better access.

Councilor Vacon explained that the Ordinance Committee had the legal form but just not signed by the Law Department. She then referenced rule 9H which established what had to happen if the Law Department did not agree with the committee. She suggested that the next step was to make sure the City Clerk had the form provided to her in order to submit it to the Council. She then suggested that it be tabled to get that done.

Councilor Jourdain suggested that the rule be suspended as it was not that material of an issue.

Councilor Vacon stated that the rule required that the draft be filed with the City Clerk who would then provide copies showing disapproval of the City Solicitor and provide the form in the same manner as if the Law Department had approved it.

Councilor Jourdain emphasized that the Retirement Board had not even been the subject of the order, but in the course of making other changes that were not controversial, the Law Department wanted the committee to fix the old issue that had been ongoing for ten years.

Councilor Vacon reiterated that it was coming to the Council on a 5-0 cote out of committee.

Councilor Jourdain made a motion to suspend the rule and vote now to move forward unless there was an objection.

Councilor Vacon seconded that motion.

Councilor Jourdain stated that he was open to waiting if people had strong opinions.

Councilor Maldonado Velez noted that this was the first time in the current term when the Law Department did not approve the language the committee asked for. He then asked how the Council voted if that happened.

Councilor Jourdain stated that while it was rare, the Council would vote on the legal form as created by the committee. He then emphasized that this was not about adding the Retirement Board but keeping the language as it already existed over the objections of the Law Department.

Councilor Maldonado Velez stated that the committee was pretty much on the same page as far as having meetings when people could attend them. He added that suggestions were added to make sure people could submit emails if they could not attend meetings.

Councilor McGiverin stated that he supported the ordinance when it was created ten years earlier, which included the Retirement Board. He then expressed concern, noting that he was not familiar with what the other changes were and objected to voting on it that evening.

Councilor Jourdain stated that he recognized the objection was valid. He then expressed frustration that the form wasn't circulated, suggesting that it was sabotaging the vote from going through and delaying for two weeks for something that was not controversial. He then questioned why the Council did not have the legal form.

City Clerk Murphy McGee stated (off mic) that she did not receive it.

Admin Asst Anderson-Burgos (off mic) stated that the mistake was his, citing that this had been the first time he had dealt with this process and misunderstood how legal form was supposed to be provided.

---> Laid on the table.

President McGee stated that the mayor requested the Council go out of order.

Councilor Bartley asked if the request was in compliance with open meeting law, noting the Council was in open forum.

President McGee stated that he received a text from the mayor.

Councilor Bartley stated that a text violated open meeting law.

President McGee asked for a motion to go out of order to item 19E.

Councilor McGiverin clarified that item 19E was not on the agenda. He then explained that the Finance Committee met the night before, and the result was that two items listed as awaiting disposition remained tabled in committee.

(1:16:20)

Motion was made and seconded so suspend the necessary rules to take up items 19I with items 20A, 20B, 20D, 20F, and 20H.

The Committee on Finance to whom was referred an order that there be and is hereby raised and appropriated in the fiscal year 2024, ONE MILLION AND 00/100 Dollars (\$1,000,000) as follows:

FROM:
XXX-XXX 2024 TAX LEVY \$1,000,000
TOTAL: \$1,000,000
TO:
12992-57806 SPECIAL ARTICLE-EZEKIEL'S PLAN \$1,000,000
TOTAL: \$1,000,000

have considered the same and Recommended that the order be referred to the City Council without recommendation.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that this was the financial aspects of Ezekiel's Plan. He then suggested that the Public Safety reports explaining the plan be taken up first. Following that explanation, he stated that the committee referred it back to the full Council without a recommendation. He then recalled that this was initially discussed when the supplemental budget was taken up. He noted that one of the original concerns was the addition of 13 new officers for the Police Department. He then explained that a Crime Analyst position was taken out due to the need to create the position by ordinance first. He then stated that the Auditor and mayor explained the procedural steps, which was a request to transfer from the tax levy to a special article known as Ezekiel's Plan. He further explained that a special article was similar to grant funds which would be used to be part of the city budget, which would result in an adjustment to the tax levy. He then stated that any funds spent from this would be charged to the line item similar to how a grant would be charged. He added that the line item for this would be in the Public Safety budget. He then emphasized that while the individual costs could be split up into various departments, it would be harder to track and this made more sense for transparency and accountability. He then stated that for the current fiscal year, it would be 5 additional officers instead of the original plan of 13, leading to a savings in overtime expenses for the department. He then suggested that the plan was good sense in law enforcement. He also explained that this was largely about addressing deficiencies in various enforcement departments, emphasizing the difficulty in filling many positions throughout those departments. He also emphasized that the Council could only vote on the \$1 million as a whole and could not make amendments to it.

Councilor Rivera_I stated that he agreed with a variety of the initiatives but had questions about some of the others, particularly in the Police Department. He then stated that while he agreed they needed more support, particularly with keeping expenses down such as overtime, it was not clear what their plan was to do that. He suggested that there had been times when they had utilized their power in ways that were not beneficial to the community. He then stated that he

wished it could be voted on in pieces, noting that he was torn on how to vote on the whole proposal.

President McGee emphasized that the choice could be to vote against it and hope that they come back with more breakdowns.

Councilor Jourdain stated that he had some reservations as well. He then stated that while he found the proposal to be a sincere effort to address issues, he had concerns that the spending plan was going to change the criminal conduct and hearts of criminal intent in the city. He then stated that this was something the city could not afford, noting the city already had a \$2-\$3 million structural deficit, adding that this would be added to the tax levy dollar for dollar, on top of the massive tax increase already coming. He also questioned why the more patrolmen positions would be created in the Police Department when there were still empty positions to be filled. He also questioned if this plan was sustainable and something the city could afford. He also expressed frustration for an earmark of \$488,000 for the Police Department, effectively doubling their overtime. He emphasized that the city was also facing the end of ARPA, along with the other increasing expenses, suggesting that this was not responsible budgeting that he could not support. He also questioned paying \$90,000 to pay for lawyers to address civil disputes between tenants and their landlords. He noted the state already had resources to provide pro bono work to people. He also questioned adding another sanitarian position to the Board of Health, noting that the business case had not been made to add the position. He then expressed a hope that there would be other proposals if it gets voted down. He then suggested that this would effectively be a \$1 million slush fund for the mayor to use on whatever he wanted. He then stated that much of the plan stimulated good conversation with noble things, but this proposal was not ready. He also suggested that there needed to be more examination of the opioid settlement funds and if those funds could be used on some of these line items. He also expressed concern that hiring more cops now could lead to laying them off later.

Councilor Murphy-Romboletti stated that while she not like ever aspect of the plan and had voiced that to the mayor - including needing more information on outcomes and benchmarks - she was glad that the mayor listened to concerns about adding 13 officers to the budget as it was not sustainable or fiscally responsible. She then expressed disagreement that this would be a slush fund, noting that this special article gave the Council more opportunity for oversight. She also suggested that it allowed the city to dedicate ARPA funding to last beyond the current fiscal year. She then stated that she could accept not agreeing with everything in order to get some of the things she did find important. She then stated that the mayor should expect the Council to seek more oversight.

Councilor McGiverin stated that he had become more comfortable with the funding after the 13 officer proposal was changed to 5, noting that it would now not require the ordinance cap of 95 to be changed. He then noted that the Chief was expecting 3-4 retirements in the Police Department in the next several months. He also emphasized that the city can usually count on several retirements in any given year. He also stated that he liked the Operation Safe Streets plan, noting the number of arrests made in a short amount of time, including distribution, trafficking, possession, trespass, as well as pickup of people who had warrants for failing to appear for court dates. He added that code enforcement was equally important to deter criminal

activity. He then recognized that while affordability was important, money sometimes needed to be spend to get results.

Councilor Bartley stated that he would be voting solely because of the unsustainability of the proposal. He then asked that proposals for each department be brought before the Council. He questioned the process of asking for funds and then planning to talk about it later. He then commended the mayor doing an impossible position and doing everything he could to put the plan together, but he believed it needed to be discussed in parts. He also noted there were six funding sources being proposed for this, with many open questions over what they meant and what they could be used for. He also questioned having Holyoke lawyers helping indigent people who may or may not be Holyoke residents.

Councilor Vacon stated that while she agreed with a majority of the comments, she had concerns about the impact on the tax levy and asking taxpayers for an extra increase on a levy that was already going up. She then emphasized that people were asking for taxes not to be increased when they were already dealing with increasing expenses on fixed incomes. She then expressed agreement with those who would like to see this brought forward in individual parts.

Councilor Givner stated that she believed there were good parts to the plan. She then noted that the opioid settlement funding source was public information, and it was a funding source that was going to continue for many years. She also suggested that the plan incorporated a lot of ideas that the Council had discussed over the past couple of years. She then suggested that it was worth voting for if someone agreed with 75% of the plan.

Councilor Anderson-Burgos also stated that he believed there were good parts to the plan while others he had concerns about. He then stated that while money was a valid concern, he questioned when money became more important than life. He also emphasized that the lower wards had been dealing with many hardships since before he was growing up in the city. He then questioned how often some councilors may drive through the lower wards and see the what they were going through day to day. He then commended the mayor who continued working even after the first plan was shut down. He then suggested that while it was important to protect the taxpayers, protecting life was more important.

Councilor Rivera_I stated that the concern for him was less about the money but more about protecting against the traumatic experience of kids being over-policed on a regular basis. He recalled playing ball in the street while he was a teen and being pulled aside by an officer because of the shirt he was wearing, shaping his vision of how policing was being done. He then emphasized that he believed his role was to address those concerns for the kids living in the community now.

Councilor Jourdain suggested that people sometimes only look at their own situation and fail to look at the bigger picture. He then emphasized that Springfield was taking \$9 million to put on their tax levy while Holyoke was looking at adding to the tax levy. He then noted that Chicopee was putting \$3 million on their tax levy. He then expressed concern with bankrupting the city when there was already a structural deficit, adding another \$1 million with no funding to

maintain it. He then expressed frustration with the implication that some councilors don't know about certain neighborhoods without knowing some peoples' life stories. He then suggested that it could be questioned who was or wasn't voting when others were doing work for the city. He also suggested that this could lead to a tax override in the future. He also emphasized that the city was spending much more than surrounding communities on law enforcement, and was now attempting to add more money that the city did not have.

---> Report of Committee passed two readings and Denied on a call of the roll of the yeas and nays--Yeas 7 (Anderson-Burgos, Givner, Maldonado Velez, McGiverin, Murphy-Romboletti, Rivera_J, Tallman)--Nays 6--Absent 0.

Motion was made and seconded to reconsider the previous action.

---> Laid on the table.

The Committee on Public Safety to whom was referred an order From Mayor Joshua A. Garcia, Proposal for Ezekiel's Plan: Operation Safe Streets

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

UNDER DISCUSSION:

Councilor Rivera_I noted that the requests focused on in the other orders went well with the focus of Ezekiel's Plan. He then stated that the mayor was hoping to create a Division of Community Response, which would help the city help build out a community responder model. He added that this would help address concerns around vagrancy, mainly on High Street and Main Street, but throughout the city overall. He then explained that they would build out the division that would help mitigate issues, along with a homeless navigator and using opioid settlement funds. He added that there was a request to fund a Public Safety Department at \$500,000, noting that it was actually planned to be funded at \$1 million. He also explained that he agreed with some initiatives while others he had concerns with. He also emphasized that some things were a moving target and still needed to be worked out. He then explained that in regard to work on the Race Street, while the Police Chief wasn't able to touch on that too much, the mayor explained that Ezekiel's Plan included making sure they addressed substance abuse as well as expanding to ensure that all departments working on these same issues were on the same page and striving toward the same goal. He further explained that the Law Department was getting finding for work in their office, the Board of Health was getting funding for the Housing Navigator position, while the Police Department broke down where and how allocation of funding for Operation Safe Streets would take place.

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

The Committee on Public Safety to whom was referred an order that an RFP be created to study a community responder model type program that is outside of the Police Dept but works in collaboration with that department as one of several contributing partners.

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

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

The Committee on Public Safety to whom was referred an order that employees at the Holyoke Police Community Center come into public safety and present on the services offered as well as any other projects they maybe working on that is important for the community to be aware of.

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

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

The Committee on Public Safety to whom was referred an order that the city of Holyoke form a working group focused on developing solutions to mitigate rampant ongoing issues of vagrancy on High st. It has been recently brought to my attention that a bus shelter will be removed due to some of these ongoing issues. How many more bus shelters will get removed?

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

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

The Committee on Public Safety to whom was referred an order that the Mayor create and fund a Public Safety Department, suggesting a beginning budget of \$500,000 for FY24. Refer to Mayor, Public Safety.

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

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

(2:17:50)

The Committee on Ordinance to whom was referred an order that the City Council add a section for Battery Storage Facilities to the Zoning Ordinance (Section TBD) to reflect technology advancements and future need for such installations; new facilities will be reviewed through Section 10.0, Major Site Plan Review.

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 proposal was a request from the Planning Department and HG&E to allow residents to store electricity and bring it back to the grid. She added that in the business areas of the city, larger battery units could be installed to create more opportunity for efficiencies with the grid. She then explained that HG&E would determine residential storage situations and that large storage units would be subject to site plan review through the Planning Board.

---> 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 With community support, Order that our trash receptacle ordinance be updated to reflect the following:

Update to Ordinance Chapter 74 Section 2:

(a) Residential rubbish receptacles.

(1) 96 gallon, rodent proof, water tight, residential rubbish receptacles are provided by the City. One receptacle is provided to each residential unit or household. Additional containers are not available and cannot be acquired. Lost or damaged containers must be purchased from the City/DPW by residents at the current rate. A smaller receptacle may available by request. Considerations are made on a case by case basis and depend on need as determined by the disabilities commission/senior advocate/ personal / health advocate?

&

(3) Should the number of containers necessary to contain all refuse at a given residential location exceed 1 95 Gallon receptacle on a weekly basis, the superintendent of public works will have the right to require the property to utilize an alternate method of collection.

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 recommended on a 3-2 vote out of committee. She then noted that there were attempts to incorporate concerns into the legal form, but a majority of the committee did not want to entertain those proposals. She then explained that as a member of the minority, the form took a narrow approach that did not include a 35 gallon container, the ability to put yard waste into barrels, and other unintentional omissions. She suggested that the language was not ready in order to thoroughly address the concerns of residents.

Councilor Rivera_I expressed his position that this narrow change was about ensuring that the city was not functioning out of ordinance through the use of 96 gallon barrels. He then suggested that the other concerns could be brought forward as amendments after the mayor and DPW Director bring forward proposals. He then suggested that if the interest was cutting costs, one of the easiest ways to save money was to cut back on the easiest things such as trash.

Councilor Givner noted that the language was amended to 96 gallons, making a distinction from the number in the original order. She then suggested that there was a lot that was being done

that did not follow ordinance and that it made sense to update this ordinance. She added that she agreed with considering other things but that the direction should come from the DPW, including having exceptions for residents that needed smaller bins because of their personal situations. She noted that the DPW Director was already meeting with people and discussing options with them.

Councilor Jourdain commended the members of the committee, noting that everyone agreed with about 95% of it. He noted that Mr. Rossi had a medical procedure and was unable to make the meeting. He suggested that the committee could have waited another two weeks to get it all right as there was no hurry to fix it, emphasizing that the 96 gallon barrels were already being given out. He then questioned why he would vote to make a 35 gallon illegal when many had been using that size for years and did not need and could not easily handle the much larger barrels. He added that some flexibility should be built into it for people with larger families who may need more than one barrel. He further stated that additional flexibility needed to be worked in to address situations where people could not store a 96 gallon barrel at their homes. He also suggested that an appeal needed to be added if people did not feel they were being treated fairly when making a hardship request to the DPW Director.

Councilor Bartley commended the Law Department and the Ordinance Committee for putting together a good ordinance. He did, however, question giving carte blanche power to the DPW Director to determine if someone has a hardship. He then questioned the implication that anyone was trying to have the Council dictate anything, emphasizing that people were asking the Council to address their concerns. He suggested that the order be sent back to the committee to consider additional amendments.

Councilor Givner emphasized that the language being considered was only a tiny section of the entire ordinance. She suggested that some were misunderstanding the intention. She also suggested that some take the time to read the entire ordinance, which was more than these two paragraphs but also included sections on yard waste and recycling. She suggested that this did not need to be sent back because this specific section did not need to be added to.

Councilor Rivera_I expressed agreement that there were more pieces to be addressed, noting that this was about one section of the ordinance and those other ideas would need to be taken up as different pieces, including issues surrounding refuse, use of leaf bags, and the possibility of having more than one barrel. He reiterated that this should be about getting this piece done and then working on the other parts going forward. He also agreed with the idea of addressing the authority of the DPW Director to address hardships.

Councilor McGiverin expressed agreement that more work could be done on this to address more of the concerns. He noted that the only two changes in this language was changing the maximum from 35 gallon drum to 96 gallons, as well as addressing enforcement when a property owner exceeds 96 gallons. He noted that in driving around the city, he had noticed very little overflow with the new barrels but there was no option in the language if there was overflow.

Councilor Bartley noted that this was the same department that ignored the recycling ordinance on dual stream. Instituting single stream on their own. He emphasized that they did need some oversight.

Motion was made and seconded to refer the order back to the Ordinance Committee.

---> Report of Committee received and referred to the Ordinance Committee.

The Committee on Ordinance to whom was referred an order that street vendors who have received a license may be granted a renewal of the license for the same location without a hearing when all required approvals are presented with the application and any required fees/taxes are paid.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that the order was intended to avoid the necessity of people coming in each year to renew their license when they had met the initial criteria. She added that this was about streamlining the process to be less of a burden on businesses.

---> 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 (Rivera_J).

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up items 18I and 18J as a package.

The Committee on Ordinance to whom was referred an order City Council review the law for the enforcement of rights of reverter and extensions of reverter.

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

Committee Members:

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

--> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order 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).

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

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that clarity was sought because when there had been changes to extensions of reverters, they had been coming back to Council. She then deferred to Councilor Jourdain for a more detailed summary.

Councilor Jourdain commended the Law Department for putting together an Excel file of the different rights of reverters with the city. He then emphasized that one discussion taking place was when the Council passes a right of reverter, it may state something to the effect of a property buyer needed to develop within a certain number of years. He then noted that some believed the mayor could later change the term without returning to the Council. He then suggested that when the Council puts such a condition on a reverter, any change must come back to the Council for a vote. He noted that the opposing argument suggested that giving the mayor the right to dispose of property was allowing them this ambiguity to make changes without the Council. He then suggested that language to be more precise to make clear that such conditions are firm. He also suggested that if development on a property could take longer, the city should be able to consider that when setting the purchase price.

Councilor Bartley suggested that anyone who understands reverter law should go to Law School, noting it was the most difficult part of attending Law School for him. He then emphasized that in talking about the City Council being able to take a vote, it was about having

a balance between the executive and legislative branches of the city government. He then questioned the Law Department's unrequested opinion citing legal findings and claiming that the mayor had unchecked authority to make these changes.

Councilor McGiverin noted that reverter clauses could be tricky. He then emphasized that while some language was standard, reverters clauses were about use. He then stated that the City Council was not the one to add the clauses but was the body to vote on selling properties. He further stated that the reverters were to ensure that when the buyer agrees to do something with a property within a certain amount of time, that it takes place. He noted that it can sometimes be tricky when it relies on a purchaser getting financing in place.

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

The Committee on Ordinance to whom was referred an order With Community support, Order to increase trash can minimum to 50 gallons for municipal pickup service, as our DPW accommodates piles of trash bags en lieu of required current 35 gallon size. This in an effort to increase can use participation in order to mitigate the health hazards of torn and rummaged through piled bags for pickup.

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 the order was no longer needed because of the move to the 96 gallons.

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

(2:58:20)

The Committee on Finance to whom was referred an order in accordance with M.G.L. Chapter 44 s.53A, the City Council hereby accepts the donation of a new vehicle for the Council on Aging, valued at approximately \$45,000, from The Friends of the Holyoke Council on Aging, and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of said donation and further authorizes the use of said proceeds in accordance with the wishes of the donor.

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 vehicle was needed for transportation purposes to get elderly residents to the Council on Aging and other provided transportation services. He noted that anything donated to the city had to go through the City Council.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).

Approved by the Mayor.

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "2023 COMMUNITY PLANNING GRANT, \$200,000, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

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 grant was coming from the Mass Gaming Commission, which was the mitigation funding as a result of the casino in Springfield. He then explained that the grant would cover the cost of a sign inventory on the major ways in the city. He added that there would eventually be more uniform signs helping people get around the city.

Approved by the Mayor.

Councilor Tallman stated that this was a good idea to help people get to special places around the city.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “FY2024 MUNICIPAL ROAD SAFETY PROGRAM, \$39,880, NO MATCH” grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that this was coming from the Office of Executive Public Safety and Security as a reoccurring grant to be used for extra traffic patrols. He also stated that part of it would be used to buy 8 portable handheld breathalyzers. He noted that the Chief clarified that not everyone patrol car currently had one.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).

Approved by the Mayor.

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “PARTNERS FOR A HEALTHIER COMMUNITY DBA PUBLIC HEALTH INSTITUTE OF WESTERN MA (PHC/PHIWM), \$10,000, NO MATCH” grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

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 Kely Current from the Personnel Department explained that the grant would allow Diversity, Equity, and Exclusion training in the city, including the purchase of

materials.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).

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, FIFTY THOUSAND AND 00/100 Dollars (\$50,000) as follows:

FROM:

12101-51117 E911 DISPATCHERS \$50,000

TOTAL: \$50,000

TO:

12102-54221 SUPPLIES – AMMUNITION \$50,000

TOTAL: \$50,000

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

Committee Members:

Joseph McGiverin

Kevin A Jourdain

Will Puello

Juan Anderson-Burgos

Peter Tallman

UNDER DISCUSSION:

Councilor McGiverin stated that the Police Chief explained that the surplus was due to vacancies in the position earlier in the year. He added that the transfer was to cover cost of ammunition with new officers in the department who needed to be training on use of firearms.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).

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 SIXTY FOUR THOUSAND SIX HUNDRED NINETY FIVE AND 27/100 Dollars (\$164,695.27) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$164,695.27

TOTAL: \$164,695.27

TO:

16503-58000 PARKS-CAPITAL OUTLAY EQUIPMENT \$164,695.27

TOTAL: \$164,695.27

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

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the transfer was to buy a replacement lawnmower for the department used for all the fields, including parks and other land owned by the city. He noted that the previous lawnmower had an obsolete part that they could not repair or replace.

Councilor Bartley noted how great the fields around the city looked. He emphasized that outsiders had remarked to him how many parks the city had.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays-- Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).

Approved by the Mayor.

The Committee on Finance to whom was referred an order to use \$3,180,000 (3 million one hundred eighty thousand and 00/100 dollars) of the ARPA revenue loss as a funding source to the FY2024 budget.

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 accounting that needed to be done prior to setting the tax rate. He emphasized that mayors could do whatever they wanted with ARPA funding, although there was some accountability that needed to be done afterwards.

Councilor Bartley recalled that the city used to get a lot of equipment from Westover, often donated to the city.

Councilor McGiverin recalled that the city used to get plows that had previously been used to plow the runways.

Councilor Bartley recalled that there was a lead machine.

Councilor Tallman recalled clearing snow for the parade with one of those machines. He suggested contacting them to see if they would still do that to save some money.

---> Report of Committee passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 11--Nays 0--Absent 2 (Maldonado Velez, Rivera_J).
Approved by the Mayor.

Motion was made and seconded to remove an order from the Finance Committee.

Councilor McGiverin stated that this got missed on the agenda because it was added to the Finance agenda at the last minute last week and just got missed in being added to the committee reports.

Councilor Jourdain asked to clarify what order this was.

President McGee clarified that it was the order about the costs of street sweeping.

The Committee on Finance to whom was referred an order that Veolia provides the estimated cost for street sweeping for the next fiscal year for the purpose of decreasing the sewer rate required for the sewer enterprise fund. This is a citywide service that is properly paid from the general fund. A written response is acceptable.

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 Council had been waiting some time for this information. He then explained that it was their cost for the street sweeping and other items that has been argued should not be a part of their budget but a part of the city budget, and the impact it would have on the sewer rate.

Councilor Vacon stated that the cost of this portion of the contract equated to around 50 cents on the sewer rate and taking it out would mean the current sewer rate was in good shape.

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

(3:15:15)

Motion was made and seconded to suspend the necessary rules to take up items 20C, 20E, 20G, and 20I as a package.

The Committee on Public Safety to whom was referred an order that city council invite representatives of the Sheriff department into public safety to present recidivism and release data specifically to Holyoke.

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

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

The Committee on Public Safety to whom was referred an 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.

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

UNDER DISCUSSION:

Councilor Rivera_I stated that the Board of Health and the Police Department were in to talk about addressing noise complaints. He then explained that the police had a tool to measure sound, but that they may not use it when they show up to address complaints. He noted that he filed an order to put into ordinance that a reading be done before a ticket is written to ensure the violation can be proven in court if someone fights it. He further explained that when complaints come in, the Board of Health fields the calls and would then send out a code enforcement officer if it's during office hours. He added that many of the calls go to the Police Department because people will call them directly, usually resulted in them going out an asking them to turn it down or writing a citation if it's been a repeated issue.

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

The Committee on Public Safety to whom was referred an order that the Holyoke Hub come into public safety and present and updates they may have on the work they have been doing since the Hubs inception.

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

UNDER DISCUSSION:

Councilor Rivera_I stated that the Holyoke Hub was a collaboration between Ed Caisse at the Sheriff's Department as well as over 30 nonprofits agencies and service providers. He then explained that the intent was to service community members not receiving services, where situations were brought up in meetings, rated on acute risk of reoffending, and people could be partnered with the agencies to help them move forward productively. He also noted that grant funding helped to make sure that there was no cost to the people being referred. He also emphasized that this was about taking a holistic approach to addressing situations, with arrest being the last resort they want to take.

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

The Committee on Public Safety to whom was referred an order that the mayor, public health department, and sheriff department, veteran services department come into public safety to converse about the possibility of developing a Returning Citizens department under the public health.

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

Committee Members:

Israel Rivera_I
Kocayne Givner
Todd A. McGee

UNDER DISCUSSION:

Councilor Rivera_I stated that Sally Johnson from the Sheriff's Department provided a detailed presentation on incarceration figures in Holyoke, including recent and expected release figures. He then explained that a lot of the services that could be provided by a Returning Citizens office could help mitigate vagrancy and homelessness issues. He added that it would be a cheap cost to the city as many of the services were already being provided in different circles. He added that the All Inclusive Support Services through the Sheriff's Department had case workers assigned to Holyoke, which was not just about servicing ex-felons but anyone coming back to Holyoke, including from active duty, mental health facilities, or substance abuse facilities. He

added that the intent was to provide stability, workforce development, financial literacy, and helping people progress. He suggested that some of the opioid settlement funding could be used for some of this.

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

ORDERS AND TRANSFERS

(27:30)

PUELLO — That the board of health / health Commission please be invited to attend to discuss if changes are possible to the changes to the Tobacco license issuance policy that supports common sense economic growth on a case by case basis and also protects public health. That they also please discuss syringe access and whether common sense changes can be made.

Ex: 1 for 1 exchange

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

VACON — That we amend our charter and ordinances to change from an elected Mayor to a City Manager/Chief Administrative Financial Officer, appointed by the City Council.

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

ANDERSON-BURGOS — Order that Dillon Ave be added to the list of streets that need to be repaved. Adopt and send to DPW.

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

GIVNER — Ordered, that a streetlight be installed on the north side of Locust at the intersection with Appleton. At night, the intersection is very dark and drivers cannot see pedestrians crossing the street.

Councilor Bartley noted that the HG&E could be contacted directly.

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

MCGEE — Ordered, that all ordinance/charter references to an Assistant Superintendent of Public Works be updated to Assistant Director of Public Works.

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

Motion was made and seconded to suspend the necessary rules to take up items 31, 32, and 34 as a package.

MCGIVERIN — that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the “FY2024 EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, \$49,920, 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, December 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, FIVE THOUSAND AND 00/100 Dollars (\$5,000) as follows:

FROM:

11611-51210 ELECTIONS OFFICERS \$5,000

TOTAL: \$5,000

TO:

11612-52700 EQUIPMENT/BUILDING RENTALS \$5,000

TOTAL: \$5,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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, THIRTY THOUSAND TWO HUNDRED FORTY AND 00/100 Dollars (\$30,240) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$30,240

TOTAL: \$30,240

TO:

16933-58001 WAR MEMORIAL-OUTLAY-BLDG IMPROVE \$30,240

TOTAL: \$30,240

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 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 EIGHT THOUSAND SEVEN HUNDRED FORTY NINE AND 83/100 Dollars

(\$28,749.83) as follows:

FROM:

12101-51105 SERGEANTS \$12,591.80

12101-51107 PATROLMEN 16,158.03

TOTAL: \$28,749.83

TO:

12101-51180 INJURED ON DUTY \$28,749.83

TOTAL: \$28,749.83

To the City Council:

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

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President McGee stated that this transfer covered 12 employees.

Councilor McGiverin stated that this was an accounting move from payroll to injured on duty for the purposes of tracking.

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

Approved by the Mayor.

MURPHY-ROMBOLETTI , Jourdain, Rivera_I — Ordered that the position of Crime Analyst be created and added to Ordinance Schedule A.

Councilor Jourdain asked to be added to the order.

Councilor Rivera_I asked to be added to the order.

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

MURPHY-ROMBOLETTI — An order to declare Parcel Holyoke Assessors Map 212, Block 00, Parcel 001, Easthampton Road, Holyoke, MA as surplus property and sell to the Massachusetts Department of Fish and Game with an address of 100 Cambridge Street, Suite 620, Boston, MA 02114 for \$270,000.00.

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

LATE FILED ORDERS AND COMMUNICATIONS

(3:32:10)

RIVERA_I — Order that the city council review noise ordinance and require a decibel meter reading before a ticket can be submitted or for music to be asked to be turned down. It is my understanding that the department has the necessary devices to measure readings and we want to be sure that they are being utilized in case citations are challenged in court.
---> Received and referred to the Ordinance Committee.

RIVERA_I — Order that the city forester cutback or trims trees on Main st. beginning at the Cabot St. intersection and ending at the Jackson St. intersection.

Councilor Rivera_I stated that while he had spoken with the DPW, he was continuing to receive complaints from businesses on Main Street about branches protruding into their roofs and potentially being a hazard to their windows.

Councilor Jourdain noted that this was happening in a number of places in South Holyoke.

Motion was made and seconded to take final action.

Councilor Jourdain noted that in many places, branches were blocking peoples' windows in multiple apartment blocks in that area of the city.

Councilor Anderson-Burgos noted that if branches were reaching your window, you won't get fined for cutting it yourself.

Councilor Rivera_I stated that this was true if it was your house and your neighbor's tree grew into your property. He added that if it was a city tree growing into your house, he was not sure that was true.

Councilor Anderson-Burgos stated that he believed you could.

President McGee stated that forestry could take care of it.
---> Received and Adopted. Copy to Forester.

RIVERA_I — Order that the city work on contracting with a consultant in order to move forward with vital traffic orders as well as others that are being held up due to the absence of a city engineer.

Councilor Jourdain stated that he believed this was already done through the hiring of an engineering consulting service in the absence of a City Engineer.

Councilor Rivera_I expressed his understanding that they were only doing day to day stuff and not necessarily a lot of the larger traffic orders that were being put on hold.

President McGee stated that was correct.

Councilor Rivera_I stated that the city should not be put on hold to wait for an engineer, emphasizing that it was a vital position.

Councilor Jourdain suggested trying to get them for more hours.

Motion was made and seconded to take final action.

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

RIVERA_I — Order that the police department present an update on the goals or steps taken to address some of the concerns raised out of the MRI audit.

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

TALLMAN — Ordered, that Sean Sheedy from DPW review maintenance issues/needs at the Senior Center.

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

Adjourned at 10:49 PM