

REGULAR MEETING OF THE CITY COUNCIL**December 19, 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 11 (Anderson-Burgos, Bartley, Givner, Jourdain, McGee, McGiverin, Murphy-Romboletti, Puello, Rivera_I, Rivera_J, Tallman, Vacon). Present Members on Zoom 2 (Maldonado Velez, Rivera_J)

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 remove items from the table, place items on the table, package items together, or suspend the rules, unless there is an objection.

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

President McGee invited several special guests into the chambers.

Councilor McGiverin was asked to step up to the podium.

Kelly Councilor McGiverin, Councilor McGiverin's youngest daughter introduced herself, as well as her sister, Brenda, their mother, Jennie, as well as their other sister, Pauline who was on Zoom. She then stated that it was a special night for their family, marking the end of an era. She then explained that Councilor McGiverin had served as a trusted voice for the city for 44 years. She also thanked President McGee, Councilor Tallman, and Councilor Maldonado Velez for their years of service and dedication to the city. She then noted that her and her siblings grew up watching him on TV at meetings, and would often reenact meetings at home, marching with him in the parade, fighting over who would make the best campaign manager, and being a part of the Councilor McGiverin heritage. She then emphasized that the experience would be a part of who they were for the rest of their lives.

B. Councilor McGiverin stated that the night marked an historic moment in the city's history, an end of an amazing era of their father's longtime commitment to the citizens of Holyoke. She emphasized that the people of the city had trusted his reason, experience, and judgment for the past 44 years, in good times and challenging times. She also emphasized that not many could say that their neighbors and fellow residents to do this job. She also stated that during that time, he always grew and expanded his knowledge to make decisions for the city's future. She then joked that their pets were looking forward to spending more time with him. She, Kelly, and Jennie then presented Councilor McGiverin with a framed picture of City Hall.

Councilor McGiverin stated that while Springfield liked to call themselves the City of Homes, Holyoke should be known as the City of Family. He added that everyone in the room understood that in their heart. He then noted that while the hours could sometimes be long, the issues were important. He then emphasized that government was not just about elected officials but about the department heads, including the Police and Fire Department chiefs, the DPW Director, Treasurer, City Clerk, the people who work in the trenches to make government work. He added that it was about the people in the city. He also suggested that it was the most wonderful city in the world to raise a family. He then expressed pride in his daughters for their work in the community, giving back through their involvement in various local

organizations even while holding demanding jobs. He then wished the best to everyone serving on the Council going forward.

Motion was made and seconded to suspend the necessary rules to take up Late File E out of order.

MCGEE, JOURDAIN — Ordered, that the section of Appleton in front of the YMCA be named “Joe Councilor McGiverin Way.”

Motion was made and seconded to take final action.

---> Received and Adopted.

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

PUBLIC COMMENT

(11:00)

Anne Thalheimer, 97 Brown Ave, Apt 2L., stated that while she usually comes in to complain about something - and there was plenty to complain about with some members behaving badly in public forums - she was there to thank the Charter and Rules Committee for proposing short meeting rules as well as to thank Councilor Maldonado Velez for his work. She then observed that he had been an inspiration through things he had done to revise process, make government more equitable, and to bring a human compassionate face to the work. She then expressed disappointment that he would not be continuing to work on the Council but was excited to see the other work he would do in the city. She also expressed support for the items he had filed on this agenda to be taken up by the next Council. She then observed that he had a compassionate approach and carefully considered things whether you agreed with him or not. She suggested that everyone on the Council should follow that model.

Ryan Allen, 84 Meadowbrook Rd, thanked the members of the body for their work for the city. He then noted that as a former Council appointee, he understood how difficult and taxing it could be. He then particularly thanked outgoing councilors, Tallman, McGee, and McGiverin, emphasizing that their work was deeply appreciated by the city. He added that their tenures were distinguished not just for their terms but with the way they served with humility, compassion, empathy, and respect. He also stated that they should feel proud for the way they represented their families and their community and had immeasurable impact on the city. He also quipped that he'd be happy to help in the disaster cleanup of cleaning out Councilor McGiverin's locker.

Nathan Chung, 9 Prue Ave, Apt 4A, offered thanks to outgoing councilors retiring, noting that Councilor Maldonado Velez often brought civil behavior and a different perspective as a minority/majority person. He then suggested that public forums with the City Council often did not feel safe from over the line criticism and emotional outbursts. He then suggested that if people were to feel hopeful about Holyoke, and bring in more investment and people who want to work for the city, the culture needed to change. He recognized that while people may have their personal struggles that impact the way they behave, there needed to be some self-reflection. He then expressed hope that it gets better in the next year. He noted that some changes had been proposed to make meetings more equitable, start earlier, and avoid going too long. He suggested that the interest of a more inclusive Council required not making the burdens for participation too high. He suggested that the way it was structured favored those who had a lot of time or were financially better off.

Linda Pratt, 39 St. Kolbe Dr, Apt C, offered thanks to the long serving councilors retiring from the Council. She then offered thanks to Councilor Maldonado Velez for his courage in talking openly about his own experiences growing up in Holyoke, as well as for his honesty and his hard work over the last 2 years on City Council. She also offered thanks for his decorum and respect for others.

Patti Devine, 58 Magnolia Ave, offered thanks to Councilor Maldonado Velez for his service, recognizing how hard he worked. She then offered thanks to Councilor McGiverin, Councilor Tallman, and President McGee. She then stated that she worked with Councilor McGiverin and Councilor Tallman when it was the Board of Alderman, noting that they on the Board when it was changed to City Council. She then thanked President McGee for his friendship and his service on the City Council. She then stated that as she was about to begin serving on the City Council again, she questioned where the sentiment, "Makers of Law, Makers of History" had gone, asking why were they no longer important to some councilors. She suggested that some councilors no longer respected those words but instead were makers of interrogation of city employees, particularly the women in the Law Department. She then questioned how the Council could allow one of its members to accuse that department of engaging in backdoor deals and using a series of disparaging words and terms against them. She also questioned allowing a councilor to disparage others on or joining the Council. She then stated that the Council needed to rise above pettiness.

Lisa Ball, City Solicitor, along with several other department heads, entered chambers. She then stated that they were there on behalf of city employees to pay tribute to three city councilors who were attending their last meeting. She noted that they collectively had served over 80 years to the city. She also emphasized that enough could not be said about them in terms of what they had done and their dedication to the city. She added that she found each of them to be the definition of a gentleman, showing respect, courtesy, and kindness. She added that Councilor McGiverin, Councilor Tallman, and President McGee had big shoes that could not be filled and that they would be missed. She also thanked their families for sharing them with the city. She then presented to each of them framed pictures of City Hall that had been signed by several city employees.

President McGee offered thanks for service to Councilor Puello, also leaving the Council after this term.

L Aid On The Table

(28:30)

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. Recommended that the order be adopted.

UNDER DISCUSSION:

Councilor Vacon stated that legal form was provided to everyone, noting that a technical question on the legal form had been straightened out. She then explained that this was about making sure all public meetings were after 5 p.m. or later for public access. She noted that language was also added to accept email communications.

---> 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 suspend the necessary rules to remove items 1 and 2 from the table as a package.

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

UNDER DISCUSSION:

Councilor McGiverin stated that he had learned the union was not in agreement with the way the proposal was packaged. He added that there would be some additional negotiations.

---> Report of Committee received and returned to the Auditor.

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

UNDER DISCUSSION:

Councilor McGiverin stated that after a lot of discussion about this plan, the mayor was not going to move forward with this order. He added that something new could be presented to the next City Council.

---> Report of Committee received and returned to the Auditor.

COMMUNICATIONS

(31:50)

From Mayor Joshua A. Garcia letter appointing Ms. Zaisha Robert, 267 Walnut St. to serve as a member of the Historical Commission for the City of Holyoke; Ms. Robert will replace Luis Salazar and will serve a three year term; said term will expire on December 1, 2026.

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

From Mayor Joshua A. Garcia, letter appointing Ms. Patricia Normand, 36 Pleasant St. to serve as a member of the Conservation Commission for the City of Holyoke: Ms. Normand will replace Ms. Chelsea Gazillo and will serve Ms. Gazillo's remainder term; said term will expire on February 1, 2025.

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

From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Ass't to City Council minutes of November 21, 2023.

---> Received and Adopted.

From Office of Planning & Economic Development letter re: Amendment to the Special Tax Assessment Agreement between the City of Holyoke and Jackson Canal LLC.

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

Communication from Anthony Dulude, Executive Director, Holyoke Retirement Board, letter re: Amendment to Municipal Ordinance 2-421 – Time for Holding Meetings.

---> Received.

PRESIDENTS REPORTS

(32:45)

President McGee stated that there were plenty of snacks available brought in by various people. He then stated that the City Council party would take place on January 6th at Donovan's.

Councilor Anderson-Burgos noted that the Grand Colleen Pageant was the same day.

Councilor McGiverin clarified that it was the initial contest for contestants that wanted to get into the final five, but not the actual Grand Colleen Ball.

Councilor Rivera_I stated that the Three Kings event would be held on January 6th with Nueva Esperanza. He then stated that any families who wanted to register could reach out to Nueva to receive a gift that day. He added that gift wrapping for that event had been earlier that day as well as taking place the next day at 413 Main Street.

President McGee stated that with councilors leaving, it was tradition to offer time to give parting thoughts.

Councilor Puello stated that in looking at the end of the term, he wanted to reflect on collective achievements and express gratitude for the opportunity to serve as councilor. He noted that many legislative issues had been tackled, including the safety of neighborhoods through the implementation of ShotSpotter technology. He added that the Council had advocated for comprehensive public health initiatives, challenging the state on the issue of syringe access in the city. He also expressed pride in reestablishing the Jr ROTC program, helping to instill leadership skills, discipline, civic responsibility in the future leaders of the city. He also noted that orders had been filed to promote programs for youth, including comprehensive drivers' education programming. He then expressed hope that the city's leadership would accept and assist in the implementation of these programs. He also stated that his own votes had been in the service of good financial management and economic wellbeing of the city. He then acknowledged that challenges remained that had to be confronted, and that councilors who did their homework and spoke up passionately should be supported. He then expressed appreciation to his fellow councilors and the amazing people of Holyoke.

Councilor Maldonado Velez first explained that he could not be in attendance in person due to having food poisoning. He then expressed that he was grateful to everyone in the city, beginning with the veteran councilors who would be leaving. He observed that he had relied on their institutional knowledge as a new councilor who had no playbook or class to follow. He then specifically thanked Councilor Jourdain, Councilor Bartley, Councilor Vacon, and Councilor Puello for teaching him patience when they did not agree on everything, adding that it taught him a lot about himself. He also thanked Councilor Anderson-

Burgos for his support. He then expressed gratefulness for the other new councilors that joined with him, Councilor Givner, Councilor Murphy-Romboletti, Councilor Rivera_I, and Councilor Rivera_J, noting that they could rely and lean on each other. He then thanked the people of the community for doing the best they could with whatever their roles were. He then stated that Holyoke was a unique city and a proud city. He then thanked his family for their support. He also thanked Neighbor2Neighbor and other community partners that had taught him about systemic issues being faced every day.

Councilor Tallman thanked God for allowing him to be there to serve the city, adding that he found it humbling. He noted that he had served over 100 councilors over his 25 years, and that every one of them had something to offer and a love for the city. He emphasized that Holyoke had been his home for nearly all his life other than a few years while away serving in the Army in North Carolina with the 82nd Airborne as a Quartermaster. He then thanked his family for their support and for the time they allowed him to be away from them. He then expressed a desire to spend more time with them. He then expressed pride in all that they did, stating that he had hoped to give half of what his wife had given. He also expressed pride in his two daughters and their families, noting they were both nurses working tough jobs. He added that he wanted to spend more time with his grandchildren. He then explained that it was a love of the city that drove him into politics, noting that he was quiet and why in school, but wanted to be a part of providing input in what goes on in the city. He then emphasized that employees and department heads were really the lifeblood of the city. He added that he often tries to show people they're appreciated no matter what they're doing in the community. He also noted that he often gets asked what he'll do next and was looking forward to doing more to help out veterans.

Councilor Rivera_I asked Councilor Tallman to elaborate on the photo he displayed on his desk.

Councilor Tallman stated that he and several other councilors took a tour of the Tighe-Carmody Reservoir and one of the Water Works employees made the little flower and signed it on the back. He then offered to pass that on to Councilor Rivera_I to keep it with the Council. He then thanked the citizens of Holyoke for electing him over the years.

Councilor McGiverin offered thanks for allowing his family to be a part of the evening's ceremonies. He then emphasized the importance of family support, noting the sacrifice it was to serve. He then stated that while working on the Council was working in the trenches, he had served with some incredible people serving as City Clerk, including Jimmy Seah, Sue Egan, as well as the current Clerk, Brenna McGee. He noted that when she began as a city councilor, she was quiet and asked for guidance on speaking well at events and had since developed into becoming a great speaker. He then stated that he had worked with many great Council presidents, including Tommy Monohan and Mike Mannix. He noted that he himself had been the last president of the Board of Alderman and the first when it became the City Council. He then offered tribute to former president, Councilor Jourdain, who ended Councilor McGiverin's 26 year tenure as president, taking over with vision, understanding of the inner workings of the City Council, and did his research. He then noted his own regret in never making him chair of a subcommittee. He then offered thanks to President McGee for his service to the City Council, noting that he often brought his family values to the podium and led by example. He then recalled that the Council sworn in two years earlier was one of the greenest in many years, requiring a lot of change and growth. He then expressed hope for the new councilors coming onto the Council in the next term. He then offered advice to the next president, emphasizing that the most important thing they did was assigning the committees. He then suggested that the best way to make City Council meetings shorter was to encourage more councilors to attend subcommittee meetings and get their thoughts out, get their answers, and then take the votes at the full Council meetings.

President McGee offered thanks to Councilor Puello and Councilor Maldonado Velez for their service and for their vote to allow him to serve as president. He then noted that he said his peace back in March, but wanted to express that there were things he would miss. He then explained that he would miss Talman motioning to pass the second reading on financial orders. He added that Councilor Tallman and Councilor McGiverin had been good friends and mentors. He added that he would miss certain comments during debate, including "John Q Taxpayer," "skunk at the lawn party," "this isn't our first rodeo," "good steward," "camel's nose under the tent," "pig pile," "f...f...f," "tale of two cities," "this is the hair on fire moment," "City Council under the bus," "this isn't a cookie-cutter, one-size-fits-all," "poor as church mice", "the masterpiece is still on the canvas," "this is not ready for prime time." He then explained that these all came from Councilor Jourdain. He noted that a store in the city used to have a bingo game that would often use quotes from councilors as squares on their cards. He then stated that he enjoyed working with every councilor. He then encouraged councilors to leave their debates and their passions at the meetings, noting that they were still going to see each other in the community. He then thanked his mom, dad, and brothers for their support. He also thanked Councilor McGiverin for often stepping in for him, adding that he would not be there without him. He then highlighted a frame from his kids that played audio of them saying they loved him. He then stated that they would be his new focus. He then offered the best to everyone on the Council moving forward. He then commended the newest councilors for doing an amazing job in a short amount of time.

REPORTS OF COMMITTEES

(1:11:10)

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

The Committee on Ordinance to whom was referred an order Per constituent request, order to install a handicap sign for Natalia Munoz at 247 Walnut St

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 12--Nays 0--Absent 1 (Givner).

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 34 No. Summer St. for Jeysha L. Detres Hernandez, Placard # PL5620318, Exp: 10/14/2027.

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 reviewed 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 12--Nays 0--Absent 1 (Givner).

Approved by the Mayor.

Motion was made and seconded to suspend the necessary rules to take up item 13D out of order.

The Committee on Development and Governmental Relations to whom was referred an order Special Permit Application of O'Connell Professional Nurse Service, Inc dba O'Connell Care at Home per 8.4.0 Professional office overlay district operate a professional office at 1763 Northampton Street (108-00-083).

have considered the same and Recommended that the special permit be granted with the following conditions:

1. The permit is conditioned upon the current lessee remain in its tenancy
2. The owner of the property shall supply sufficient parking to meet the criteria relative to the overlay district.

Committee Members:

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

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that the applicant applied for the special permit to create professional offices, which was currently Gallagher Real Estate, with the plan to use the space for nursing services.

She added that it was mainly for employees, noting that it was an at-home care agency. She added that it would have 4 employees at most, and signage was discussed. She then explained that the first hearing was continued to get review of the plans from the Planning Department. She then stated that the second hearing was largely about the topics of the conditions. She then explained that the Planning Board's letter had recommendations as well as items to address such as the zoning ordinance's language which stated that the applicant was either the owner and occupier of the premises or had a valid purchase and sale agreement. She suggested that the original intent of that criteria was to ensure there were professional office owners in the professional overlay district, adding that there may be room to review that language. She also stated that they discussed the parking requirements, and that if there was a need for any additional variances, they would need to address that separately.

Councilor Bartley emphasized that the Council was voting on the special permit under the city ordinances of the professional overlay district, noting it was a key economic viaduct for the city. He then explained that the permit was a request of the applicant to have a business in a residential district. He noted that the Planning Board provided a good opinion stating that the major issue was that the ordinance required the owner of the property also be an occupant, but that was not happening in this case. He then stated that the committee asked for a written contract between the property owner and the lessee. He suggested that the ordinance for the professional overlay district be amended to address this kind of issue. He emphasized that the professional overlay district was about preserving properties and enhancing the neighborhood.

Councilor McGiverin noted that the importance of the overlay district was the result of having received many zone change requests to put businesses on residential properties. He then explained that they recognized the attraction of bringing some types of businesses to this area of Northampton Street, while also recognizing that there needed to be a way to protect the neighborhood to avoid losing the entire residential character of it. He then agreed that the ordinance could be tweaked to address this kind of change in the future. He then emphasized that that O'Connell was well known and respected in the community. He also commended Mr. Gallagher for investing around \$150,000 into the property and lived up to the requirements of the overlay district.

Councilor Tallman expressed support for this permit. He emphasizes the importance of keeping the integrity of the neighborhood.

Councilor Anderson-Burgos welcomed the business into Wadr 6 and encouraged them to reach out to him if they ever needed anything.

---> 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 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, as amended.

Committee Members:

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

UNDER DISCUSSION:

Councilor Vacon stated that the issue was straightforward but there were concerns that the original language lacked flexibility for citizens that had unique situations. She added that a process was built in for people to appeal to the Director of the DPW or the Board of Public Works as a second step for appeal. She then commended Director Rossi for his presentation, and for working with residents on switching out size containers to fit their needs. She added that they were working on better education and reminders to residents in a constructive way that was good for the environment and the city's economics.

Councilor Jourdain stated that this was a good job working with the Law Department and the DPW to provide the kind of flexibility residents were looking for. He then suggested that the goals and aims of the new program were premised on good intentions, including workplace safety, increasing recycling, improving the cleanliness of the city, and ensuring greater accountability to prevent non-residents from dropping things off on city streets. He noted that there needs to be more uniformity of policies, but with some flexibility to accommodate and adjust for unique circumstances.

Councilor Maldonado Velez thanked Mr. Rossi for working well with the Council and providing a lot of information. He also expressed the hope that Mr. Rossi would stay on for more than a couple years, noting there was a lot of turnover with many department heads. He also stated that trash was a main concern he was hearing from a lot of people in the city. He then recalled that the meeting included learning that there was bulk waste access for renters by going to DPW and getting a card for a year if they bring a utility bill showing their address, along with paying a \$10 fee.

Councilor McGiverin emphasized the value of having taken a second look in committee. He then stated that the discussion in committee was important, noting that the city residents understand, want, and respect trash collection service. He emphasized that few communities in the area came close to what Holyoke did. He then noted that Mr. Rossi suggested that 96 gallons should be enough if people were recycling as much as they should be, but they would consider additional receptacles if they could prove there was need and they were doing as much as they could.

Councilor Bartley commended former Mayor Murphy for procuring the new 96-gallon receptacles through ARPA funding. He also emphasized the need to improve recycling, noting it was poor for the area. He also noted that the Council did the work years back to update the trash ordinance which allowed renters to get bulk waste cards. He also suggested that recycling needed to be promoted more on the website and through the Board of Public Works. He also suggested that the authority to address appeals should

not be given to just one person. He then observed that these kinds of results sometimes require lengthy discussions.

Councilor Givner noted that there was a cost savings being recognized as a result of better recycling in the city.

Councilor Tallman emphasized the importance of getting the word out about recycling. He also expressed gratefulness that the city had bulk waste drop off, noting many surrounding communities did not offer that.

Councilor Rivera_I noted that in discussing ways to keep costs down, keeping trash costs down was low hanging fruit. He then stated that the next round should be finding ways to improve recycling.

---> 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 suspend the necessary rules to take up items 9D, 9E, and 9F as a package.

The Committee on Ordinance to whom was referred an order That Cook and Company be invited to a future finance subcommittee meeting to review their recent health insurance analysis for the city.

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 a comprehensive report was given to the committee, providing the nuts and bolts on grappling with the complex issues of health insurance. She also stated that the city was looking deeply at self-insuring. She also explained that a lot of negotiations would need to happen and that they would come back with an update on the next steps in the best interest of the city. She then suggested that it appeared to be a straightforward thing to do well, and the city would be building off the already self-unsured dental offering.

Councilor Jourdain commended the mayor for tackling a large and important issue, emphasizing the impact on addressing the budget, among other big impacts. He then stated that many options were looked at, with varying degrees of savings. He then suggested that self-insuring could result in cost

savings. He then explained that the savings would need to go into the trust fund, and that the Council would need to approve creating a trust fund down the road. He then expressed a hope that it could be done by the coming spring.

Councilor Rivera_I stated that there needed to be more info on savings versus the GIC option. He emphasized that the city could be on the hook for potential liabilities.

Councilor Jourdain stated that as information comes in, it should be understood that most large government and private sector employers were self-funded as the norm. He then emphasized having safeguards to avoid spending or cutting in profitable years but that the city should work to build a cushion over years. He also explained that there would be a third party fee for employees to get support in managing their plans. He then suggested that it should result in reduced premiums in the long run

Councilor Anderson-Burgos asked if any other nearby communities were doing the same.

Councilor Jourdain stated that he understood many did, and that the state also had.
---> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order 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.

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 this and the next order were companion orders to the trash discussion.
---> Report of Committee received and recommendation Adopted.

The Committee on Ordinance to whom was referred an order The DPW and Law Dept work with the Ordinance committee to invoke some flexibility in the new trash bin program. For example – to allow single family homes to apply for more than one 96-gal bin so long as the homeowner’s request is reasonable and justified. Example two – to allow for the homeowner to swop out the 96-gal bin for a smaller, more suitable trash bin.

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.

(1:53:00)

The Committee on Finance to whom was referred an order 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

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 equipment rentals were for new voting machines, including their maintenance and software costs.

---> 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, 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

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 stabilization fund was used well over the last couple years. He then explained that the request was to replace a safety part for the elevator. He then stated that the bid went out and the lowest bid had been more than the original estimated price.

Councilor Tallman emphasized the importance of helping the War Memorial Building. He then stated that the elevator would be expected to work for over 30 years.

Councilor McGiverin quipped that as Councilor Tallman was planning to become more involved in veterans issues, he wanted to be sure he would be able to use the elevator.

---> 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.

Councilor Tallman commended the City Clerk's office for all their work and the professionalism of everyone in the office. He added the city had been able to see the importance of the work of that office since City Clerk Murphy President McGee took over. He recalled Jimmy Shea had been a book of knowledge when he served in that role. He then commended Councilor McGiverin for teaching him a lot about city government. He also recalled being the deciding vote when Councilor Jourdain took over as president, expressing confidence in what he could do, adding that he did well to keep the meetings in control. He then stated that he appreciated President McGee's knowledge as something the city was going to miss.

Motion was made and seconded to suspend the necessary rules to take up items 10C, 32, and 34 as a package.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, SIXTY THOUSAND FIVE HUNDRED AND 00/100 Dollars (\$60,500) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$60,500

TOTAL: \$60,500

TO:

14803-58004 PARKING CAPITAL OUTLAY-VEHICLES \$60,500

TOTAL: \$60,500

have considered the same and Recommended that the order be referred back to the City Council.

Committee Members:

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

UNDER DISCUSSION:

Councilor McGiverin stated that the order was this original request was divided into three separate categories, leading to a lot of questions. He then explained that the committee asked that the transfers be divided into two votes, one about vehicles and the other about uniforms, allowing councilors to vote differently on either one. He then stated that one category was for the two parking enforcement officers to do their work. He then noted that the tickets they wrote brought in revenue of over \$37,000. He then emphasized that unenforced laws were useless. He added that in addition to revenue, the desks and parking lots were generating revenue, although many people were still working remote from COVID. He further stated that revenue was coming in from parking meters, although there was a hope that the parking committee could work on a plan to address meters that were out of commission. He then explained that the request was for uniforms specific to their job, which were set by contract. He also explained that uniforms through the DPW were rented, which included regular cleaning. He then stated that those officers had difficulty issuing tickets wearing regular DPW uniforms because it wasn't clear to people that they were legitimate enforcement officers. He then noted that item 34 was the replacement order for that specific request. He then shifted to the other request for vehicles, explaining that the two vehicles were utility vehicles for the parking officers that allowed them to get around for ticketing, a secure box for collection of coins out of meters. He noted that were currently sharing a hand-me-down Crown Victoria without any safety features and was not easy to park to get around for their job. He then emphasized that if parking revenues got back to 100%, the extra revenue would be enough to cover these costs. He added that in regard to the uniforms, there needed to be a good reason not to honor the contract. He then explained that the third part was for radios that would allow them to communicate with the foreman as well as with the Police Department if there was an emergency.

Councilor Rivera_I stated that this was an opportunity to merge together things that were happening simultaneously. He noted that many councilors had been advocating for getting a traffic squad back and suggested that that could be combined with the officers ticketing for parking violations. He suggested that reserve officers could be a part of the traffic squad, while also generating revenue. He also suggested that they could then use police vehicles and not need to purchase new cars.

Councilor McGiverin stated that the suggestion was worth discussion. He then suggested caution not to go too far into an area that would be subject to union negotiations. He suggested that the proposal be channeled through the mayor in order to bring it up during negotiations. He also emphasized that parking enforcement were not police officers.

Councilor Rivera_I noted that the auxiliary officers were not police officers either. He then noted that it was good to see them paired with the auxiliary officers for better safety.

Councilor McGiverin reiterated the importance of considering the collective bargaining process.

Councilor Jourdain expressed his understanding that these were going back to committee for further discussion.

Councilor McGiverin clarified that 10C was being replaced with 32 and 34 to vote on them separately. He also clarified that Councilor Jourdain had another commitment and was unable to attend the committee meeting.

Councilor Jourdain stated that he did get the additional information. He then suggested that splitting two bad ideas from one request into two was still two bad ideas. He then explained that the only thing he agreed with was the radios but those had been merged in with the vehicles. He then suggested that the contract did not require the city to spend \$2,000 to rent uniforms. He then suggested looking into that further by returning the request to Finance. He questioned needing to wash their uniforms and giving them between 5-11 sets each. He also emphasized that the average Holyoker wasn't spending \$1,000 on an outfit for work clothes. He then suggested that Rivera's suggestion of sharing vehicles should start right away instead of purchasing two vehicles for \$54,254, noting that the Police Department was constantly cycling through vehicles. He then advocated for better fiscal discipline, describing these as nice-to-have items, not need-to-have items, especially with the likely \$2-\$3 million shortfall in the budget for the next fiscal year. He also stated that while was okay voting for the radios, he noted that the employees had been operating off of their cell phones and it had been fine. He questioned how many calls they could be making.

President McGee asked for clarification of the plan for item 10C.

Councilor McGiverin stated that would be returned to the Auditor.
---> Report of Committee received and returned to the Auditor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, FIFTY FOUR THOUSAND TWO HUNDRED FIFTY FOUR AND 71/100 Dollars (\$54,254.71) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$54,254.71

TOTAL: \$54,254.71

TO:

14803-58004 PARKING CAPITAL OUTLAY-VEHICLES \$54,254.71

TOTAL: \$54,254.71

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Vacon stated that she would be more comfortable voting on items like this if the city's books were closed and free cash was known. She emphasized that every other community in the area already knew what their free cash was before setting their tax rate. She added that knowing the free cash number would be critical in being able to finish out the year. She then explained that she was not against radios and uniforms but wanted to see more information on the vehicles.

Councilor Bartley stated that he was not opposed to this request but was concerned about the quantity being out of whack. He also suggested that the revenue collected from enforcement be used for the cost. He then stated his intent not to vote for this for those reasons.

Councilor Rivera_I stated that he had similar concerns but would support it, noting the approval of similar requests for other departments for some of the same things. He then suggested that the way things were structured needed to be addressed so that more money wasn't being spent on these kinds of items when the revenue could be used.

Councilor Anderson-Burgos stated that he would support this because what he heard made sense, emphasizing that this would be paid for in the long run. He then suggested that if people are hired to do a job, they needed to be given the tools to do their job effectively. He also emphasized that the vehicles were planned to be multipurpose and would also be used by the Fire Department. He added that they were designed to fit into spaces normal vehicles could not. He also stated that they had secure locked boxes for coins.

Councilor McGiverin noted that as New Englanders, the coldest months of the year were coming. He then explained that the uniforms were for all seasons, not just for a single season. He then reiterated that the uniforms were contractual, adding that each employee was not being given 11 uniforms every week but there was an ability to be able to outfit them according to the weather changes. He added that the safety of the workers should be foremost in everyone's mind. He also emphasized that radios with a secure channel to get to the Police Department was far more efficient than trying to call by cell phone if there is an emergency. He also emphasized that not having a lockbox for coins was a safety issue and a crime waiting to happen. He also emphasized that the Police Department did not want to be involved in collecting money out of meters and confirmed to one area of the city.

Councilor Vacon expressed her understanding that the reason for separating the items was that the vehicles were coming out of stabilization while the uniforms were coming out of the operational budget.

Councilor McGiverin clarified that the separation he asked for was due to a desire to vote on the issues separately. He then explained that capital stabilization could be used for these purposes.

Councilor Tallman stated that while he had the same concerns initially, hearing about the revenue coming in made sense. He added the need for two vehicles was needed to allow them to go to two different parts of the city, allowing them to collect more revenue. He also emphasized that the way someone dressed and the equipment they have for their job was important. He then questioned how safe it was for them to be wheeling a blue recycling bin with the money from the meters. He then suggested that these items were a must-have for these employees.

Councilor Jourdain rhetorically questioned how the parking program managed for decades without everyone having their own vehicles and all of these uniforms. He then asked that a business case be made for these costs. He then emphasized that the city had managed for all of these years, and now these requests were being made. He suggested that he would need to look into how other cities were managing their parking programs. He then suggested that this was amounting to putting the family vacation on a credit card and not having the funds to pay it off.

Councilor Givner suggested that it was not accurate to say the city was managing just fine, noting that 40% of the meters were operating. She also suggested that giving them the proper tools would help pull in more revenue than they already had.

Councilor Puello stated that he would not be voting for this. He then suggested that it was a failure of leadership that the officers were having to walk around with recycling bins collecting money. He then suggested that people did not need police-grade radios to be safe. He also suggested that they should have police officers patrolling to make sure they were safe.

Councilor Vacon stated that in looking at this from a longer term perspective, the concept of a cashless system needed to be considered. She noted that in visiting other communities, people were using apps. She suggested that this was spending money on a system that would not be around long. She then suggested that the departments be asked to share until the city gets to the new system.

Councilor Rivera_I questioned what the city had been doing with the revenue coming in if it was not fixing the meters for the past 10-15 years. He emphasized that a lot of effort had been put in by others for things they wanted, including the filing of lawsuits, while this was getting ignored. He then expressed his intent to file an order to ask for the parking revenue from the past 10 years. He then suggested that the body come together to work together on something that works and is efficient and effective.

Councilor Givner expressed her understanding that there were contractual obligations to buy uniforms. She also noted that even a cashless system would require enforcement.

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

Councilor McGiverin noted that the city had been going toward a cashless system. He recalled that when there was an old system with the parking garages, there were attendants that would collect fees as people left the lots for the day. He also noted that the city was working on getting a cashless meter that could be paid for through an app. He then stated that with a regular meter, when someone puts a coin in and leaves, someone else could still park there if there is time left but with a cashless meter, the timer would start over when someone leaves. He also stated that changes were being made, there was a study committee going, but this was about getting as much revenue as possible out of the next five years. He also recalled the work that had been done on the Suffolk Street parking deck with the hope that there would be a greater need for parking downtown.

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

Approved by the Mayor.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, THREE THOUSAND EIGHT HUNDRED SIXTY SIX AND 32/100 Dollars (\$3,866.32) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$3,866.32

TOTAL: \$3,866.32

TO:

14802-55830 UNIFORMS \$3,866.32

TOTAL: \$3,866.32

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Jourdain stated that a post-game analysis study be done to add millions in cost to add the second level garage at the Suffolk Street garage to see if it made back the revenue. He then suggested that history proves that much of what was said about downtown parking turned out not to be true.

Councilor McGiverin clarified that the second deck was built but was saved due to adding steel girders. He added that he was optimistic about retail returning to downtown and that the Victory Theatre would reopen, bringing in more activity to downtown.

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

Approved by the Mayor.

President McGee stated that the city would be hosting a Kwanzaa celebration on Thursday, December 28th, at 1 p.m. at City Hall.

Councilor Jourdain asked about inauguration plans for January 2nd.

President McGee stated that a press release would come out the next day.

(2:57:50)

Motion was made and seconded to suspend the necessary rules to take up items 12A, 12B, and 12C as a package.

The Committee on Public Service to whom was referred an order that the City Council sign and support the attached Resolution to create a state-authorized cultural district for at least (5) years to be named the Puerto Rican Cultural District.

have considered the same and Recommended that the resolution be adopted, as amended.

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated the resolution included language that a city official would be appointed by the mayor with approval of the City Council. He then commended Councilor Murphy-Romboletti, Councilor

Rivera_I, Councilor Rivera_J, and Councilor Maldonado Velez for putting the order forward.
--> 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 Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Brenna Levitin, 48 Vernon St. to serve as a member on the Library Board of Directors for the City of Holyoke: Ms. Levitin will replace Ms. Julia Santiago and will serve her remainder 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 Ms. Levitin had great experience on the Board of Trustees for the Wilbraham Library, attended school for Library and Information Science, was new to the city and wanted to get involved in city government.

--> Report of Committee received and recommendation Adopted.

The Committee on Public Service to whom was referred an order that Personnel post to fill City Council At-Large appointment(s) to the Community Preservation Committee that will be opening soon.

have considered the same and Recommended that the appointment of Jason Ferreira be confirmed.

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman stated that Mr. Ferreira was the one applicant so far, noting that at least one other position may need to be filled. He then explained that Mr. Ferreira wanted to get back involved in the community, discussed the benefits of the CPA to the community, and wanted to lend his voice to the committee.

Councilor Jourdain stated that he was pleased to see Mr. Ferreira stepping forward to be on this committee. He noted that Mr. Ferreira was also a former colleague on the Council.

Councilor Rivera_I expressed disappointment that there was only one applicant stepping forward. He suggested that more be done to get the word out.

Councilor Tallman stated that the post was still up and expressed hope that more people would hear about it and want to get involved.

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

The Committee on Public Service to whom was referred an order That the City Solicitor review section 2-156 &162 of the charter covering legal opinions and provide a written legal opinion explaining, when is the department allowed to refuse to provide legal opinions.

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

Committee Members:

Peter Tallman
Will Puello
David K. Bartley

UNDER DISCUSSION:

Councilor Tallman noted there was some contention on this issue, recalling that the attorneys were not available to attend that evening, but some discussion happened, and it was considered complied with.

Councilor Puello stated that he believed Councilor Tallman had been very fair as chair. He then questioned the notion that city employees were above criticism. He then emphasized that councilors were there to work for the taxpayers, not for the city employees. He then stated that someone who just got a raise and was making six figures was not above criticism.

Councilor Tallman stated that he respected that position. He added that while employees were not above criticism, there should be respect shown in how employees are talked to and how they are treated. He then emphasized that while he often was not confrontational, he believed it was important to back people up and try to seek more cordiality.

Councilor Vacon stated that while the importance of having respect should not be lost, the Council should not lose sight of the legal obligations of employees. She added that when the City Council asks for a written legal opinion, the Law Department was obligated to provide one. She also stated that precedent should not be set in allowing a department to decide they don't want to do something because they didn't like the tone.

Councilor Rivera_I emphasized that the main point was respect. He also stated that the system was different, and people don't like to be disrespected. He added that if people feel offended when being asked to do something, they'll likely not want to do what was asked or do it in a less effective or efficient manner. He suggested that in the current system, someone could go somewhere else and make more.

Councilor Jourdain stated that with the advent of social media, people should avoid going on there and blasting their colleagues. He suggested that people refrain from going after each other on social media where the public can see it. He then expressed concern that while there was a need for good decorum, there needed to be healthy debate that was kept to issues.

Councilor Anderson-Burgos stated that while he may be guilty of posting things on social media, he believed it was not as bad as what was said in this room that would be on record for years. He then stated that with a following on social media, he believed he owed it to people to express himself there. He added that he avoids disrespecting people or using peoples' names but tries to call things like he sees them. He also suggested that if people don't like what they see on social media, they should look at themselves. He also emphasized that the way councilors talk to each other was being watched by the city.

Councilor Tallman stated that a lot of these issues were why he was not on social media. He then agreed that there was a need to show more respect in person and also online.

Councilor McGiverin stated that he loved everyone.

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

(3:18:55)

The Committee on Development and Governmental Relations to whom was referred an order As the city of Holyoke continues to grow and host an increasing number of events, it is essential to foster effective collaboration among various city departments, including the Licensing Board, Board of Health, Fire Department, Police Department, DPW, and any other relevant city agencies. To achieve this, we propose convening a comprehensive meeting aimed at discussing and streamlining the event planning process within our city, particularly in cases involving vendors – crafts, food, food trucks, non-profits. This meeting will serve as a platform for addressing key aspects such as permits, licenses, fees, and the distinction between events held on public property versus private property. Our primary objective is to enhance clarity and coherence across departments, event organizers, and stakeholders. Furthermore, we will explore potential updates or revisions to existing ordinances to ensure a more efficient and transparent process that benefits all parties involved.”

have considered the same and Recommended that the order has been complied with, and be referred to the mayor to provide a checklist.

Committee Members:

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

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that the intent behind the order was motivated by many events where there was confusion over who should go to what department for what permits and also whose responsibility it was to notify people about road closures. She noted that most departments were unavailable to attend other than Mike Gallagher from DPW. She then explained that it was the job of event hosts to notify people about road closures. She then noted that Councilor Vacon suggested that a checklist be created for people. She then explained that this being sent to the mayor was in recognition that this wasn't in the City Council's purview.

Councilor Maldonado Velez stated that another order was discussed in the Ordinance Committee around special events with the police. He suggested that there was potential for changing the ordinance to streamline event planning. He noted that the checklist would be a big help, but there were contradictory ordinances about costs for permitting, differences between types of vendors, and how special events impacts people with permits to be in certain locations. He expressed a hope that things could be made more clear to department heads and to community members trying to do good things in the community.

Councilor McGiverin emphasized the streamlining of event planning in the city. He suggested that the Parade Committee may have a good example with their process where they meet with each of the departments a month before the event to ensure everything needed was in place.

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

The Committee on Development and Governmental Relations to whom was referred an order From Councilor Bartley, Resolution in Support of Paint Stewardship Legislation

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 a follow up from a previous discussion, which resulted in this resolution being filed in support of state legislation to enact a paint stewardship program to encourage safe discarding of paint.

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

The Committee on Development and Governmental Relations to whom was referred an order Special Permit Application of James Kay per 7.2.1 to operate a gasoline station and convenience store at 820 High Street (009-02-009).

have considered the same and Recommended that the special permit be granted with the following condition:

1. That the hours of operation will be 6am-11pm, seven days a week.

Committee Members:

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

UNDER DISCUSSION:

Councilor Murphy-Romboletti stated that Mr. Kay attended, as well as the attorney for the owner of the property. She then explained that the discussion included questions over whether the special permit was needed. She explained that the use may be allowed outright. She noted that the Law Department was looking into it. She then explained that they would not be making major improvements to the property and so no site plan review was needed. She also noted that nobody from the public attended to peak in favor or against the permit.

Councilor McGiverin recalled that when the gas station and convenience store was opened, it was a required special permit. He then explained that it was becoming apparent across the country that gas stations were also adding convenience items and it made no sense to keep the special permit off the books, and he believed it was taken off the books. He then noted that the Building Department gave the new owner the occupancy permit because he did not believe the permit was needed. He then expressed concern that the applicant was paying fees when he may not need to.

Motion was made and seconded to suspend the necessary rules to allow Atty Bissonnette to address the Council.

Atty Bissonnette stated that there was a change to the definitions allowing that to go in as a service station with convenience store or fast food. He then explained that in this case, the permit originally given to the property had long expired, requiring this permit to be granted before this could be allowed by right. He then suggested that this path was the safest for the investment.

Councilor Bartley asked for that to be provided in writing. He then stated that the property owner had already put in substantial investment and would be a credit to the city.

President McGee asked to clarify that the special permit was still going to be granted.

Councilor McGiverin stated that it may be a vote in vain. He then asked that if the special permit turned out not to be needed, the applicant should be refunded their application fees.

---> 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 declare a lot on Easthampton Road as surplus property available for disposition. Said parcel is identified by the Holyoke Board of Assessors records as Map 212, Block 00, Parcel 001 consisting of vacant land of approximately 53.5 acres in size. The property is more particularly described at the Hampden County Registry of Deeds in Book 5574, Page 41. On May 21, 2007, the property was awarded to the City via a Land Court Decree with a Final Judgment recorded in Hampden County Registry of Deeds Book 16740, Page 126. The property is zoned Business General (BG) and has an assessed value of \$1,119,200.

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 for the Easthampton Road parcel, an undeveloped forested lot zoned, located south of the Log Cabin property. She added that it contained significant wetland resources and was designed for both estimated and priority habitat of rare and endangered species. She added that the committee voted 4-1 to declare it surplus.

Councilor McGiverin emphasized the importance of declaring this as surplus when the city wanted to dispose of property. He added that the mayor can then negotiate the price, to be confirmed by the City Council. He then explained that Fish and Game came to the mayor with an offer. He then noted that the city had a lot of protected land. He then suggested that this land could be developed in a limited way. He then explained that this originally was discussed at an earlier meeting and failed to come out of committee on a 2-2 vote, but that the mayor and Purchasing Department still went out with an RFP at the committee's request to see if there was interest but that nobody responded to it. He then suggested that the property needed to be at least declared surplus to allow it to be available for sale if the next City Council can look at the proposal from Fish and Game.

Councilor Vacon questioned how the local assessed value was \$1.1 million and then a new assessed value for \$270,000 being considered as market rate. She suggested that it needed to be marketed more aggressively so that the city gets the value for the land.

Councilor Bartley expressed disagreement with declaring this surplus, emphasizing that there was no rush on doing this. He then emphasized that that the assessment was different from the appraisal that wasn't necessarily independent, and it wasn't clear what it was based on. He then suggested that it was premature to declare it as surplus and more work needed to be done by the Planning Department.

Councilor Jourdain questioned how someone already wanting to buy it came to the committee meeting when it still needed to be declared surplus for the city to market it. He also questioned if enough was being done to market it to everyone.

Councilor Rivera_I expressed his understanding that the lot was not buildable. He also asked who was currently covering the cost of maintaining the property and who would if the property was taken over by Fish and Game. He suggested that if it was not sold, the city would remain on the hook for maintaining it for another several years. He then stated that he would be in favor of keeping the property there was a plan but there did not appear to be a plan.

Councilor Murphy-Romboletti emphasized that what was on the agenda was declaring the property as surplus, and any discussion about proposals could be taken up whenever the next DGR meeting takes place. She then emphasized that the property was owned by the city and not generating any tax revenue.

Councilor Givner expressed her understanding that the parcel was not developable and that the financial burden should be shifted to another entity.

Councilor Jourdain emphasized that he was paid to think forward and look ahead. He then questioned how much in taxes the state would pay if they took it over. He then suggested that there was likely not

much in maintenance costs when it was just a wooded lot. He then reiterated that the city should do its due diligence to ensure it was being marketed well.

Councilor Murphy-Romboletti suggested that people watch the DGR meeting when a lot of these things were discussed. She then reiterated that this was just about declaring it surplus.

---> Report of Committee received and recommendation Denied on a call of the roll of the yeas and nays--Yeas 8--Nays 5 (Bartley, Jourdain, McGee, Puello, Vacon)--Absent 0.

The Committee on Development and Governmental Relations to whom was referred an order That the Honorable City Council, in accordance with M.G.L. ch. 30B and the Holyoke Procurement Ordinance, vote that the City of Holyoke accept the proposal submitted by Jeffrey Dias and Tiago Martins and sell 736 Dwight Street (Parcel #006-09-002) and Dwight Street Parcel #006-09-001 for \$17,500. These surplus properties are contiguous parcels of vacant land on Dwight Street at the corner of Walnut Street totaling approximately 10,109 square feet in size. The properties are zoned Limited Business (BL) and have a combined assessed value of \$46,800.

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 applicants had renovated nearby new apartments at Dwight and Walnut Streets. She then stated that this was a \$1.3 million investment proposal, representing 6 townhouses, with construction to begin in 12-18 months.

Councilor Bartley stated that this would be an expansion to an incredible investment they had already put up. He emphasized the new housing was exciting for 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.

The Committee on Development and Governmental Relations to whom was referred an order That the Honorable City Council, in accordance with M.G.L. ch. 30B and the Holyoke Procurement Ordinance, vote that the City of Holyoke accept the proposal submitted by The Boys & Girls Club of Greater Holyoke and sell 118 Newton Street (Parcel #011-03-008), Newton Street Parcel #011-03-009 and 94 Newton Street (Parcel #011-03-010) for \$15,000. These surplus properties are contiguous parcels of vacant land on Newton Street totaling approximately 19,230 square feet in size. The properties are zoned Downtown Residential (118 Newton St.) and Downtown Business (Parcel 009 & 94 Newton St.) and have a combined assessed value of \$83,100.

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 property abutted the lot with the Boys and Girls Club playground, adding that their plan was to build a youth center and afterschool program, primarily serving teens between 13 and 18 years old.

Councilor Bartley stated that would link up with a basketball court on Newton Street. He emphasized that this would help provide needed teen programming for the city. He then expressed an expectation that this would come to fruition.

Councilor Rivera_I asked if they had already secured funding for the project. He noted that the city had historically done this kind of thing before for the Boys and Girls Club where a project was proposed but they did not have the funding. He then stated that while he was okay with selling them the lot, he was concerned that it could take 10-15 years and it could still end up as an empty lot.

Councilor McGiverin stated that he did disclose a perception of a conflict but was told by the Ethics Commission that it was not a conflict. He then commended the Boys and Girls Club for the type of programming that has allowed many kids to come out and go on to be very successful. He noted that this lot had been empty for close to 25 years. He then explained that the question on funding was not asked but would be a good question. He then expressed his intent to file a disclosure with the City Clerk.

Councilor Murphy-Romboletti stated that the funding issue was discussed where they were asked if they had proof of funds. She also noted that there was a reverter, as there were in all city RFPs.

Councilor Bartley stated that while he did not get into development, there was a reverter clause.
---> Report of Committee received and recommendation Adopted on a call of the roll of the yeas and nays--Yeas 13--Nays 0--Absent 0.

Councilor Jourdain asked item 13H.

Councilor Bartley clarified that the committee met the night before, but it was still awaiting surplus and was not really on the agenda.

Councilor Jourdain questioned how the proposal was there if the item wasn't yet declared surplus.

(4:03:15)

The Committee on Charter and Rules to whom was referred an order that committee chairs limit the amount of public hearings added to an agenda, It is not fair and undemocratic to have the public wait until 10:30 – 11:00 pm so they can be heard.

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

Committee Members:

Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A. McGee

UNDER DISCUSSION:

Councilor Maldonado Velez stated that the language was discussed to add a new rule, and it was decided that it would require that any public hearings starting after 9 p.m. be continued to a future date so that the public is able to contribute if they want to say something. He added that it was also requiring committee chairs inform the public that they can email the administrative assistant if they want to submit comments but can't attend.

Councilor Bartley stated that while it was a noble idea other than the fact that people travel distances to the city for their hearing. He then suggested that requiring it to a future date ties the hands of those applicants. He suggested tweaking it to make continuation at the option of the petitioner.

Councilor Maldonado Velez noted that Councilor Vacon has a similar concern at the meeting. He then explained that the intent was that a hearing opening after 9 would still be discussed but still allow members of the public to provide input at a future date if they could not stick around until that late.

Councilor Jourdain stated that the intent was to be concerned for the public. He then questioned opening a public hearing at 10 and not having anyone from the public to speak. He then stated that he did not care if a petitioner was okay with having nobody from the public to speak. He emphasized that this was about protecting the public's voice, giving people real rights to be heard.

Councilor Maldonado Velez suggested that it could be made more clear by stating "if a public hearing opens after 9 p.m." He added that it was not fair to expect people to stick around that late in order to make their voices heard.

Councilor Bartley stated that while he understood the intent, the petitioner was the one paying for it and could be coming a long distance. He suggested tabling this or sending back to committee to work on the language to incorporate some of these additional thoughts.

President McGee asked to clarify the amendment.

Councilor Jourdain asked what the language was.

Councilor Bartley stated that it should be changed to "may" be continued.

Councilor Jourdain stated that if that was the case, there should be no rule. He added that "may" would mean it wouldn't happen and it would become arbitrary and wouldn't be a change from what the Council was already doing. He then suggested that it state that no public hearing be opened after 9 p.m. He also noted that they get advertised for 6:30 but then so many get stacked up that they start much later.

Councilor Vacon offered a reminder that laws dictate timelines relative to when public hearings have to be scheduled. She suggested that hearings could be shorter if people didn't talk for two hours for every hearing. She also suggested that a rule could state that hearings have to be opened before 9 p.m. to ensure the availability of the petitioners and respect the public.

Councilor Jourdain suggested that the language could state that "no public hearing shall be opened after 9 p.m."

Councilor Vacon suggested saying it in the affirmative, "any public hearings shall be opened before 9 p.m." She suggested that the other way could prohibit a hearing opening, which would violate the law.

President McGee asked to clarify the amendment.

Councilor Jourdain stated that the motion from Councilor Vacon was that the language would be changed to say that "every public hearing shall begin before 9 p.m." He then seconded the motion.

Councilor Rivera_I suggested that chairs plan the agenda accordingly to list hearing first for those who may be coming from other distances. He questioned that the language will still result in hearings happening after 9 p.m.

Councilor Maldonado Velez suggested that the amendment did not make sense procedurally unless all public hearings were being opened as a group before 9 p.m. He then questioned how that could be assured with the way the presentation and debates tend to proceed. He then suggested that the original language made the most sense.

Councilor Jourdain suggested that the amendment would be the better rule was stronger before in the other scenario, a petitioner could come in and present their whole plan but then the hearing has to be continued and not be required to present again at the next meeting, preventing the public in the second meeting from having the benefit of the presentation.

---> Laid on the table.

The Committee on Charter and Rules to whom was referred an order With community support, order that city council meetings be regulated to 2.5 hours or 150 minutes. AND that a majority vote be required to continue meetings beyond 150 minutes, adding an additional 15 minutes no more than twice, capping meetings at 180 minutes. This with the intention of encouraging a broader participation of Holyoke's public through meeting efficiency and limited repetition of comments. The most common critique by Holyoke residents regarding City Council meetings is that they are too long, continue too late, and are dominated by lengthy repetitive commentary.

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

Committee Members:

Jose Maldonado-Velez
Tessa Murphy-Romboletti
Todd A. McGee

UNDER DISCUSSION:

Councilor Maldonado Velez stated that after back and forth discussion, including conversation about Springfield's time limit, it was decided that it was complied with and other councilors could come back with another order in the next term if they wanted to.

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

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

ORDERS AND TRANSFERS

(4:22:25)

Motion was made and seconded to suspend the necessary rules to take up items 16 and 18 as a package.

ANDERSON-BURGOS — That a handicap sign be placed in front of 38 Beacon Ave. for Elijah Santos, Placard #PL5530997.

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

GIVNER — that a handicap sign be removed from 195 Beech St. for Wilfrin Puello.

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

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

BARTLEY — Ordered, that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare 432 Hillside Avenue (Assessors Map 123, Block 00, Parcel 021) as surplus property available for disposition. The property was acquired via a judgment in tax lien foreclosure in 2023. It is an approximately .17 acres lot with a single family home constructed, zoned R1-A and has an assessed value of \$175,600.00.

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

BARTLEY — Introduced by Councilor Bartley: Ordered, that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare 37 Brown Avenue (Assessors Map 081, Block 00, Parcel 042) as surplus property available for disposition. The property was acquired via a judgment in tax lien foreclosure in 2022. It is an approximately .14 acres lot with a single family home constructed, zoned R-2 and has an assessed value of \$219,900.00.

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

MALDONADO-VELEZ — Order that the city council takes necessary steps towards imposing term limits for all elected officials. Maximum 5 terms per elected official. Send to Charter and Rules.

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

MALDONADO-VELEZ — Order that all city departments work towards creating digital access to all their forms, permits, and licenses to streamline access and reduce paperwork. Send a copy to all department heads and request an update to the finance committee with any expenses we would acquire in order to

make this transition happen.

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

MALDONADO-VELEZ — Order that zoning ordinance for cannabis expand beyond the IG district. Once expanded, social equity applicants and those negatively impacted by the racist War on Drugs get priority to opening business within these zones. Send to Ordinance.

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

Motion was made and seconded to suspend the necessary rules to take up items 22 through 26 as a package.

MALDONADO-VELEZ — Order to create a rental registration, requiring all rental units, including short term rentals, register with the city. This can be housed in the Board of Health or Building Department. Send to Public Safety.

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

MALDONADO-VELEZ — Order that the council works with Tapestry, state delegation, and appropriate city departments to work towards creating safe injection sites. These would be medically supervised and connect users to services available in our community. Send to Public Safety with a copy to Ordinance.

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

MALDONADO-VELEZ — Order that the city creates a Certificate of Occupancy program that works to inspect rental units in order to acquire the certificate. Certification is based on passing State Safety and Sanitation Codes on a regular basis (not more than 3 year cycles, less for continuously problematic properties) for properties with 3 or more units. Send to Public Safety.

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

MALDONADO-VELEZ — Order that the city creates a public accessible landlord registry database. Information includes (but not limited to) who owns the property, who is responsible for maintenance, how many code violations that property has received through the city, and how many no cause evictions has the landlord filled on residents. Send to Public Safety.

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

MALDONADO-VELEZ — An order that the Holyoke City Council declare that Housing is a Human Right, which means everyone regardless of income, history of criminal justice involvement, mental health status, substance use, race, sexual orientation, immigration status, physical ability, sex, gender, religion, and veteran status deserve safe and affordable dignified housing.

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

MALDONADO-VELEZ — Order that we create pathways for community ownership of property (land trusts, condominium conversion, cooperative housing etc). Send to Public Safety with a copy to Ordinance.

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

Motion was made and seconded to suspend the necessary rules to take up items 28 and 29 as a package.

MALDONADO-VELEZ — Order that the city creates an Office of Tenant Protections, that would oversee rental registration, certificate of occupancy and public database implementation, build relationships with landlords, tenants and community agencies to create recurring Know Your Rights and Responsibilities program, and house tenant legal services. Send to Ordinance.

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

MALDONADO-VELEZ — Order that the city creates a Housing Committee tasked with creating policy suggestions and implementation of office of tenant protections, office of returning citizens and homelessness liaison. Roles and committee to be created by Ordinance while bylaws to be created by the committee.

The committee should included at least one of the following – 1 tenant in market rate housing, 1 tenant with section 8 voucher holder, 1 tenant with MRVP or continuum of care, 1 tenant of HHA, 1 tenant representative of local organization working on housing issues, 1 home owner, 1 landlord.

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

Motion was made and seconded to suspend the necessary rules to take up items 30 and 33 as a package.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, THREE HUNDRED THOUSAND AND 00/100 Dollars (\$300,000) as follows:

FROM:

8810-10400 CITY STABILIZATION \$300,000

TOTAL: \$300,000

TO:

19412-57630 CLAIMS & DAMAGES \$300,000

TOTAL: \$300,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

Councilor McGiverin stated that sending this to committee could put it on hold until late January or early February.

President McGee noted this was addressed during an executive session.

---> 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 “COMMUNITY PLANNING GRANT PROGRAM, \$90,000, 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.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

Councilor McGiverin stated that he had not heard about a time frame on this.

President McGee stated that there was not any communication on that question.
---> Received and referred to the Finance Committee.

MCGIVERIN — that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY FIVE THOUSAND THREE HUNDRED EIGHTY EIGHT AND 75/100 Dollars (\$25,388.75) as follows:

FROM:

12101-51105 SERGEANTS \$8,394.52

12101-51107 PATROLMEN 16,994.23

TOTAL: \$25,388.75

TO:

12101-51180 INJURED ON DUTY \$25,388.75

TOTAL: \$25,388.75

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, December 19, 2023.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President McGee stated that this covered 12 employees.

Councilor McGiverin suggested that the next Council try to figure out a way to not have to vote on these. He then stated that this was an accounting and tracking move for public safety officials being paid their salary while out due to being injured on duty.

Councilor Bartley noted that the salary was paid tax free.

---> Passed two readings and Adopted on a call of the roll of the yeas and nays--Yeas 12--Nays 0-- Absent 1 (Givner).

PUELLO — That a handicap sign be placed in front of 958 Main St. for Wilfrin Puello, Placard #PL3650728.

Puelo stated it would be refiled in the next term.

---> Given a leave to withdraw.

Motion was made and seconded to suspend the necessary rules to take up items 36 and Late File C as a package.

PUELLO, Vacon — That a new rule regarding proclamations be established: When a proclamation is issued by the City Council recognizing good citizenship of a person, it shall be withdrawn upon discovery & documentation of repeated criminal convictions (such as illegal guns and drugs).

Councilor Vacon asked to be added to the order.

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

Communication from Councilor Puello, context regarding article for Juan Montano

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

PUELLO, Bartley, Tallman — That the DPW please continue to monitor Ingleside and St. Vincent for water and treat/salt as needed during freezing temperatures.

Councilor Bartley asked to be added to the order.

Councilor Tallman asked to be added to the order. He also motioned to amend to add Bemis across from Kennedy Park.

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

PUELLO — That the handicap parking at 527 South Bridge Street please be removed. The original applicant has moved and will be reapplying for the new location.

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

LATE FILED ORDERS AND COMMUNICATIONS

(4:32:40)

VACON — Ordered, the law department send a communication to Valley Springs and the company emptying the dumpster at Valley Springs, advising them re: our ordinance re: allowed times. Could you please inform the Commercial disposal group of the Code of Ordinances Sec. 38, item 6. Either Suez Or Republic companies They are emptying Valley Spring's dumpsters every Monday morning between 4-4:30 AM which, without fail, wakes us up. Section 38 item 6 “(6) Loading and unloading. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers. The emptying of bulk waste containers located within 1,000 feet of a residentially zoned parcel shall be prohibited between the hours of 11:00 p.m. and 7:00 a.m.”

Motion was made and seconded to take final action.

---> Received and Adopted. Copy to the Law Department.

MCGEE -- Ordered, that the City Council give Sean Gonsalves a proclamation for years of service to the Board of Health

Motion was made and seconded to take final action.

---> Received and Adopted.

Councilor Anderson-Burgos stated that three of his favorites were leaving the Council. He recalled that when he was first elected, he was nervous as it was all new to him. He then recalled President McGee explaining how things went, and he then thanked President McGee for his leadership. He then thanked Councilor McGiverin for how much he had learned from him. He then stated that he learned a lot of patience from watching Councilor Tallman. He then expressed how much he respected and loved Councilor Maldonado Velez for everything he had done. He then stated that while working with Councilor Puello had sometimes been difficult, he respected him and thankful for what he brought to the table, no matter how things played out.

Adjourned at 11:41 PM