

REGULAR MEETING OF THE CITY COUNCIL**January 22, 2024**

The meeting was called to order by President Murphy-Romboletti at 7:11 PM

Councilor Vacon raised a point of order, stating that the Council had unanimously adopted its rules on January 2nd. She then read from Rule 1D, "the seats of the City Council shall be numbered and no member shall change their seat but by permission of the President." She added that Rule 1B stated, "Robert's Rules of Order shall be the authority adopted by this Council on all points of parliamentary practice not specifically covered by the City Charter or any statute, ordinance, of the Rules of the City Council." She also stated that Section 13 of the charter stated that "the City Council shall determine the rules of its own proceedings." She then explained that in referencing Robert's Rules of Order, she noted that "the office of the President includes fulfilling a leadership role by setting goals or a specific tone for the organization during the term of office, performing duties as assigned by the bylaws and presiding at the meetings. Whatever the structure of the organization, the President has authority to do only the things that are assigned to that office by the bylaws. Often those elected to the office of President misunderstand their role in the organization and believe the members have given them free reign to run the organization any way they please, thus setting up a dictatorship." She then challenged the authority of the President to make an involuntary seat change that was not requested by the elected members. She then suggested that the President had created a new rule by assigning seats following the election without authority.

Councilor Devine asked if the meeting had begun through its preceding executive session.

President Murphy-Romboletti expressed her understanding that the meeting had begun. She then asked that the meeting begin by first recognizing there was a special guest and that the Council respect their time. She then stated that the Council had approved a proclamation for Sharon Konstantinidis at the last meeting.

Councilor Jourdain stated that a point of order was a priority motion and no other motions would be allowed until that was recognized. He then stated that the roll call of attendance and pledge should be done first.

Councilor Vacon stated that she would withdraw her point of order to allow the recognition.

The Clerk called the roll. Present Members in person 12 (Bartley, Devine, Givner, Greaney, Jourdain, Magrath-Smith, Murphy-Romboletti, Ocasio, I. Rivera, J. Rivera, Sullivan, Vacon). Present Members on Zoom 1 (Anderson-Burgos).

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 Councilor Vacon was pulled to head the roll call voting.

S. Konstantinidis, OPED Administrative Head Clerk, was invited into the chambers.

President Murphy-Romboletti stated that Ms. Konstantinidis was being recognized in celebration of her retirement after over 20 years of service to the city, adding that in addition to serving as Administrative Head Clerk in OPED, she also worked in many capacities, including the mayor's office as well as Parks and Rec. She then noted that she affectionately knew Ms. Konstantinidis as her City Hall mom, adding that she had made many invaluable contributions for the city, including keeping things organized for various city boards. She added that Ms. Konstantinidis was active in the community, including volunteering for Celebrate Holyoke as well as an active member of the Holyoke Trinity Greek Orthodox Church on Main Street.

S. Konstantinidis stated that it was bittersweet to be leaving but was looking forward to her next phase in life. She then stated that she often wrote poems in big moments, reading one for this moment:

"As I retire from twenty plus years, I leave excited but not without tears. The person that started her second career no longer has unemployment to fear. Rearview mirror for lipstick application, a manicure while driving; such aggravation. Getting to work - a race against time. 8:30 A.M., an unrealistic deadline. Several things I will no longer need: my lunch backpacked with food, indeed. No fingernail polish for a pantyhose run, a drawer full of personal items or gum. Won't miss. email requests, angry calls, or developers' deadlines, bimonthly meetings, Council orders, or doing minutes. No time. Abutter notices, the budget, a thing of the past. I no longer will have to do anything fast. Retirement will be a sweet stage in life. Doing what I want will certainly be nice. Relationships, friends I was blessed to meet. My time with the city is now complete."

President Murphy-Romboletti stated that a proclamation for Irma Cruz would likely be presented at the next meeting. She then stated that there was a point of order to challenge her decision to have the authority to assign seating. She then recalled that at the last Council meeting of the previous term, former Councilor McGiverin spoke about how the President assigned seats. She then stated that while she understood the concerns, she noted that where the rules mention seating, it states that councilors can't change their seats without the President's permission. She then suggested that the Council could change the rules if this was an issue. She then recognized the point of order and denied it.

Councilor Vacon made a motion to challenge the ruling of the chair and asked that the Council come into compliance with Rule 1D, and that councilors return to their previous seating that they were seated in upon election. Councilor Bartley seconded the motion.

Councilor I. Rivera stated that he would not be moving, no matter what was decided.

Councilor Devine stated that she would not move either.

Councilor Anderson-Burgos stated that he would not move either.

Councilor I. Rivera stated that there was no law stating that he had to move.

Councilor Jourdain stated that this situation could have been avoided with consultation. He then reiterated that the rule stated that you cannot move your seat without permission of the President. He then suggested that this did not mean the President can move people out of their seat. He then explained that when new people come in, they don't have a seat and the President gets to say where people are seated and that was how the rule had been interpreted. He then stated that he spoke with former President McGee, who concurred with his opinion on this. He also noted that he spoke with President President Murphy-Romboletti about a possible solution and did not believe that has been taken up. He then emphasized that this rule was about seniority, respect, and consolation. He added that considering the discussions about respect and decorum, doing something like taking seats away without consultation was disrespectful. He then suggested that an order be filed if there was interest in creating a new rule.

Councilor Givner noted that the current didn't make any mention of seniority. She noted that the seats had not been numbered. She then suggested that in reading the rule, it appeared that the president assigning seats was by permission of the President. She then suggested that this was not very important and that the President appeared to be allowed to assign seats. She also noted that the rule didn't say anything about open seats being assignable. She then emphasized that as most members of the Council were currently on two years of service, seniority wasn't a big part issue. She then suggested that in reference to basic courtesies, there were other courtesies that needed to be shown more often.

Councilor Devine questioned what a seat had to do with anyone's mindset or what anyone had to say. She then suggested that while one former president could be asked for an opinion, that didn't require anyone to agree with it. She then asked everyone to see how it works out.

Councilor Anderson-Burgos stated that while he was not happy when he first learned his seat was changed, he had to consider that the seat did not mean he would not be able to do the job he was elected to do. He then emphasized that it was not councilors that owned the chairs and desks, but the people of Holyoke. He added that he did not see a big deal, and understood the President's plan was to try to help councilors learn from one another and break up the routine. He then asked councilors to consider what it was they were there to do.

Councilor I. Rivera suggested that this was wasting a lot of time over something that was not that important. He then emphasized that tradition was not law or policy, adding that tradition evolves and changes over time. He then suggested that there needed to be a clear definition of what seniority meant, whether it was how long someone had served over time or consistent service with no breaks. He then stated that the most important thing was to move forward with the agenda.

Councilor Greaney stated that he was happy with his seat but that this was a question of respect.

Councilor Jourdain stated that this was not just about tradition, but was the rule, reiterating that anyone wishing to move needed permission of the President. He then suggested that this meant a councilor had to ask if they wanted to be moved. He then questioned that if this rule was being altered, what rule would be next. He also reiterated that if anyone dislikes the rules, they can be changed through a process. He then stated that it was disrespectful to come in and have his seat changed without being consulted. He added that he asked to move back to his previous seat and was told no. He then suggested that other could command the type of respect he had after they had

put in the time he had. He then expressed concern that a precedent was being set that the rules could be made up as we go along.

Councilor Vacon pointed out that there were five proposed rule changes on the agenda, which was the correct way to propose rule changes. She added that things needed to be done consistently. She then reiterated that all members of the Council voted to follow the rules and that this rule was clear that someone needed to ask to move their seat.

Councilor J. Rivera thanked President Murphy-Romboletti, adding that she believed this was her decision. She then questioned why the discussion was still on this topic. She then suggested that respect had not been working on this Council. She noted that she had seen presidents disrespected and she had seen women being disrespected. She noted that the city attorney was told to go down. She then stated that she would remain seated where she was told she would be sitting. She also asked for consideration of Councilor Greaney's wife who should not have to wait until late at night.

Councilor Devine recalled that prior to everyone being sworn in and the President assigning seats, the seating arrangement had already been changed from the previous term. She then questioned if anyone asked permission to change those.

Councilor Jourdain stated that he could answer that question.

Councilor Devine stated that she was just pointing that out.

Councilor Greaney stated that he had always exercised respect while serving on Council, and believed that respect was following the rules. He then stated that people occasionally get heated in their opinions and that nobody should ever be censored.

Councilor Ocasio stated that the reason why she sought to be seated between Councilor Jourdain and Councilor Vacon was because she was comfortable asking questions of either of them or Councilor Bartley, and trusted that they would help her as a new councilor without trying to mess her up. She then suggested that some councilors disliked her for some reason. She then stated that she would not tolerate bullying or disrespect toward her. She then stated that while she was not sure anything was done intentionally, she was uncomfortable where she was. She then stated that she would still come in and do her job, and that people needed to work on getting along.

Motion on the challenge failed on a call of the roll of the yeas and nays--Yeas 6 (Bartley, Greaney, Jourdain, Ocasio, Sullivan, Vacon)--Nays 7--Absent 0.

Councilor Jourdain noted that with a 7-6 vote, everyone should consider how they wanted the next two years to go.

PUBLIC COMMENT

No members of the public spoke.

COMMUNICATIONS

(40:10)

From Mayor Joshua A. Garcia, letter appointing Mr. David Blood, 35 South Street, South Hadley, to serve as a member of the Tourism Advisory Committee. Mr. Blood will serve a three-year term; said term will expire January 1, 2027.

Councilor Bartley raised a point of order. He then noted that the appointee was from South Hadley. He then questioned if out of town residents could serve on Holyoke municipal boards. He suggested that the Law Department weigh in to clarify.

Councilor Greaney asked to rescind his initial vote, noting the lack of residency of the appointee.

President Murphy-Romboletti clarified that the Council was not voting on the appointment but just voting to send to committee.

Councilor Givner noted that the appointee was a Holyoke business owner.

---> Received and referred to the Public Service Committee. Copy to Law Department.

From City Clerk Brenna Murphy McGee and CC Admin Asst Jeffery Anderson-Burgos, minutes of January 2, 2024 City Council Reorganization meeting and regular meeting

---> Received and Adopted.

Motion was made and seconded to suspend the necessary rules to take up items 3, 4, and 5 as a package.

From City Auditor Tanya Wdowiak, 2024 YTD PILOT PAYMENTS 1-11-2024

Councilor Sullivan asked that the Treasurer be asked for clarification of a \$50,000 item that did not have description of who it came from. He added that there did not appear to be payments listed from October, November, and December.

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

From City Auditor Tanya Wdowiak, 2024 SEWER ENTERPRISE FUND BUDGET VS ACTUAL 12-31-2023

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

From City Auditor Tanya Wdowiak, 2024 GENERAL FUND BUDGET VS ACTUAL 12-31-2023

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

From Holyoke Police Department, response to Councilor Israel Rivera's order asking for the report of payouts for the Police Dept from the past 20 years.
---> Received and referred to the Finance Committee.

Motion was made and seconded to suspend the necessary rules to take up items 7, 8, and 9 as a package.

Holyoke Historical Commission, minutes of October 2 and November 20, 2023 meetings
---> Received.

Holyoke Redevelopment Authority, summary of activities from November 2022 to October 2023
---> Received. Copy to the Development and Governmental Relations Committee.

From Board of Fire Commission, meeting minutes for the December 18, 2023 meeting
---> Received.

PETITION

(48:40)

Petition of ACMJ for a special permit extension for the Marijuana Manufacturing Establishment at 532 Main St (026-03-012)
---> Received and referred to the Ordinance Committee.

PRESIDENT'S REPORT

(49:00)

President Murphy-Romboletti stated that she presented a proclamation to Mary Lynch, Grand Marshal for the St. Patricks' Parade Committee. She then stated that she and several councilors attended the conference of the Mass Municipal Association, adding that Holyoke was well represented. She stated that it had been a great opportunity to learn about legal updates on law, as well as information on housing and climate change. She then encouraged councilors to sign up for the MMA newsletter, noting that they often held many free webinars that councilors could find helpful. She then stated that there were open seats on committees for councilors to serve on, including the Tourism Advisory Committee, the School Building Committee, the Parking Advisory Committee, as well as the Citizens Advisory Committee.

Councilor Bartley stated that the CAC was a great board to serve on. He then suggested that someone on DGR serve on the committee.

COMMITTEE REPORTS

(52:25)

The Committee on Finance to whom was referred an order that that there be and is hereby appropriated by transfer in the fiscal year 2024, NINE THOUSAND SEVEN HUNDRED SIXTY EIGHT DOLLARS AND 13/100 Dollars (\$9,768.13) as follows:

FROM:

11752-53010 OPED-CONTRACT SERVICES \$9,768.13

TOTAL: \$9,768.13

TO:

11751-51500 VACATION BUYBACK \$4,770.36

11751-51510 SICK LEAVE BUYBACK 4,997.77

TOTAL: \$9,768.13

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that this transfer was to cover the provisions of the union contract for retiring OPED employee, Sharon Konstantinidis. She then encouraged councilors to meet with OPED Director, Aaron Vega.

---> 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 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.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan

Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that the grant would be used to begin work on the Master Plan. She noted that the previous Master Plan was 24 years old. She recalled the discussion of that plan was held at Metcalf School.

---> 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, TWENTY THOUSAND SEVENTY EIGHT AND 00/100 Dollars (\$20,078) as follows:

FROM:

16101-51111 LIBRARY ASSISTANT (NIGHT) \$20,078

TOTAL: \$20,078

TO:

16101-51102 REFERENCE LIBRARY ASSISTANCE \$20,078

TOTAL: \$20,078

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that this was a part time librarian who would be going to full time as the reference library assistant.

---> 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 AND 00/100 Dollars (\$30,000) as follows:

FROM:

14101-51101 ENGINEER/ASST DPW SUPERINTENDENT \$15,000

14101-51105 SR CIVIL ENGINEER 15,000

TOTAL: \$30,000

TO:
14102-53010 PROFESSIONAL ENGINEERING SERVICES \$30,000
TOTAL: \$30,000

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that this was a continuation of contract services for the interim engineer. She also stated that the DPW Director was working hard to find a new permanent engineer and hoped to hire one soon.

---> 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.

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

The Committee on Finance to whom was referred an order The Law Department provide City Council with an updated legal opinion regarding the city's supervisors association and include within it, at a minimum, the following: whether the association is a union: if it is a union, when was this designation approved and by what authority; under what general law is it affiliated; and please specify the department heads who serve at the Mayor's pleasure. Further, please provide the specific department heads included within the association. Please provide any past legal opinions and relevant exhibits.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that this was an older order in the jacket, adding that the requested opinion had been provided in October of 2021.

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

The Committee on Finance to whom was referred an order that the police and fire chiefs appear before the finance committee to document how much of the police overtime total of \$266,682 expended through the end of October was to cover for vacations, sick time, injured on duty status, and grant related detail. The same information is requested for the fire department and the expenditure of \$157,305 through October. In both cases, how many persons per shift being absent leads to use of overtime? The goal of this order is to determine if we are at our most cost effective staffing levels without jeopardizing public safety.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that was also an older order from December of 2020, adding several discussions of overtime had taken place in the time since this was filed. She then suggested that new orders could be filed to discuss overtime if there was interest.

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

The Committee on Finance to whom was referred an order that as the city considers purchasing any replacement vehicles it reach out to the state to see if the city could be eligible for significant rebates off the purchase price of electric vehicles. The MOR-EV program offers rebates to private as well as public entities for purchasing electric vehicles now including trucks. In addition, that the city look into the Massachusetts Green Communities grant program which provides funding to assist with the installation of EV charging infrastructure.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan

Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

Councilor Devine stated that a recent letter was provided by the Procurement officer, Jaime Morrow, which explained some vehicles could not be “green” due to the nature of the equipment needed in the vehicles, including the vehicle for the Animal Control Officer.

Councilor Sullivan stated that at the MMA conference, there had been a seminar on accessing federal funds, adding that there would be more federal funding available for these kinds of needs, including grants and funding for charging stations. He added that the state also had an office to assist municipalities to go through the regulation process.

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

ORDERS AND TRANSFERS

(1:07:10)

President Murphy-Romboletti implored that items going to committee not be debated.

Motion was made and seconded to suspend the necessary rules to take up items 12 through 16 as a package.

Devine, J. Rivera, Givner- that RULE 3 MEETINGS 3(A) be changed to reflect that City Council meetings shall be held on the first and third Tuesday of the month at 6:30 p.m.
(change from 7:00 p.m.)

Councilor Bartley made a motion to amend the order to propose more flexibility by suggested “an earlier time” instead of 6:30 p.m. Councilor I. Rivera seconded the motion. Motion passed.
---> Received and referred to the Charter and Rules Committee.

Devine, J. Rivera, Givner- that RULE 4. CITY CLERK section A: In case of the absence of the City Clerk, a Clerk Pro-Tempore shall be appointed....the words Clerk Pro-Tempore shall be deleted and changed to “Assistant City Clerk, 2nd Assistant City Clerk or Administrative Assistant to the City Council shall resume the duties of the City Clerk when the City Clerk is absent.”
---> Received and referred to the Charter and Rules Committee.

Devine, J. Rivera, Givner- that RULE 8 DECORUM/SPEAKING section C “ During debate, if objection is made thereto, no member shall speak more than twice to the same question without leave if the City Council, no more than once until all other members choosing to speak have spoken. CHANGE: Delete the words “without leave of the Council”
---> Received and referred to the Charter and Rules Committee.

Devine, J. Rivera, Givner- RULE 6 DECORUM section E add the words or city employees after the words “another member”

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

Devine, J. Rivera, Givner- RULE 7 AGENDA section ii Delete all the words after “The Pledge of Allegiance”

Councilor Vacon asked for an explanation of the words being proposed for deletion.

Councilor Anderson-Burgos suggested that could be discussed in committee.

Councilor Sullivan stated that the language proposed to be deleted was “God bless America. God bless the City of Holyoke and all its citizens. God bless the City Council.”

Councilor Jourdain stated that while he understood the order would be discussed in committee, he wanted to make clear that there was a long tradition on the Council. He then emphasized that he was raised with the right values, including thanking of God. He also emphasized that councilors put their hands on the heart at the beginning of every meeting and say “one nation under God” while giving the Pledge of Allegiance and that every dollar spent says “In God We Trust” printed on them. He added that the Council had a long history of asking God to bless America, to bless Holyoke and its citizens, and the City Council. He then stated that this statement was added as an agenda items many years earlier. He also noted that it was optional for any councilor to say any of these statements. He then noted that with every other order for a rule change proposed, the specific language being changed was explained the in order while it was not in this order. He then emphasized that he would continue to stand for these principles and speak to these principles.

President Murphy-Romboletti reminded everyone that these matters would be discussed in committee and there did not need to be an extra hour of this meeting to discuss things that will be discussed in committee.

Councilor Greaney asked if some of these orders constituted censorship.

President Murphy-Romboletti stated that could be asked of the Law Department when discussed in committee.

Councilor Vacon noted that she was accused of being petty, and found that this order was unnecessary and created division where it was not needed.

Councilor Devine stated that she did not call anyone petty.

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

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY FIVE THOUSAND FOUR HUNDRED FORTY SIX AND 34/100 Dollars

(\$35,446.34) as follows:

FROM:

12101-51105 SERGEANTS \$10,493.16

12101-51107 PATROLMEN 24,953.18

TOTAL: \$35,446.34

TO:

12101-51180 INJURED ON DUTY (PAYROLL 1/6/2024) \$35,446.34

TOTAL: \$35,446.34

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Monday, January 22, 2024.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President Murphy-Romboletti stated that this transfer represented 14 officers.

Councilor Devine stated that this was an accounting formality when there were officers out due to being injured on duty, allowing them to continue to be paid.

Councilor Sullivan stated that the Council was not given information on how long some of these people had been out on injured on duty.

Councilor Bartley stated that a discussion should be had with the Police Chief to amend the information to provide those details. He also noted that IOD payments were made tax-free. He also emphasized the importance of having these details when the Council approves these transfers.

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

Motion was made and seconded to suspend the necessary rules to take up items 18 through 22 as a package.

Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY THOUSAND AND 00/100 Dollars (\$20,000) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$20,000

TOTAL: \$20,000

TO:

11212-53009 CONTRACTED SERVICES-MAYOR \$20,000

.....-..... AMBULANCE FEASIBILITY

TOTAL: \$20,000

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Monday, January 22, 2024.

Joshua A Garcia, Mayor

Councilor Bartley asked that an update be requested on the city's free cash certification.
---> Received and referred to the Finance Committee.

Devine- Ordered, 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:

12101-51105 SERGEANTS \$115,000
12101-51107 PATROLMEN 65,000
12101-51117 E911 DISPATCHERS 120,000
TOTAL: \$300,000

TO:

12101-51300 OVERTIME \$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 Monday, January 22, 2024.

Joshua A Garcia, Mayor

Councilor Bartley stated that a summation be requested on how many transfers had been made to overtime and what the total was year-to-date.
---> Received and referred to the Finance Committee.

Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "MASS EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION PLAN, 26,800, 10% IN KIND/VOLUNTEER 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 Monday, January 22, 2024.

Joshua A Garcia, Mayor

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

Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "2023 COMMUNITY MITIGATION FUND TRANSPORTATION PLANNING GRANT, \$82,300, 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 Monday, January 22, 2024.

Joshua A Garcia, Mayor

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

Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY23 TDI EQUITY, \$38,550, 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 Monday, January 22, 2024.

Joshua A Garcia, Mayor

Councilor Bartley stated that he had noticed a lot more grants had been coming in. He then emphasized that there was an ordinance requiring a report on grants when they were completed, motivated by past issues with mismanaged grants that had caused big holes in the budget. He then suggested that language be added to the orders emphasizing the grant-reporting requirement.

Councilor Jourdain asked for lease documents related to this grant. He also asked that Purchasing attend to talk about monitoring of the lease and the purchasing rules relative to the grant.

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

Devine, Jourdain - That the DPW make the no parking sign outside of 88 Jarvis Avenue larger.

Councilor Bartley asked for quantification of what is meant by larger.

Councilor Devine stated that she would speak with the DPW Director on this. She then explained that the current sign was extremely small leading to a problem for the resident when there was overflow from Donovan's and other nearby locations.

Councilor Jourdain asked to be added to the order. He stated that he had also heard from this constituent about the issue.

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

Devine- That a new sign BLIND DRIVEWAY AHEAD be placed at 35 mph sign heading toward 88 Jarvis.

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

Devine – Ordered, to add the position of City Engineer to the Ordinance under Schedule A, Grade 13.

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

Devine- Ordered, That the City Council resurrect the "Peace and Good Order Ordinance." Copies to the Mayor, City Clerk, Law Department and Police Chief.

Councilor Devine stated that this order had disappeared from the codes. She then explained that the ordinance allowed officers to ticket people that were not abiding by the laws. She added that it helped raise revenues and improve quality of life for people.

Councilor Jourdain suggested that pieces of the ordinance had likely been added to other ordinances throughout the codes.

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

Jourdain- That the Mayor please provide the City Council with his plan to bring our structural budget deficit to zero in FY 25 budget including a plan that does not raise the tax levy by more than \$1 million per year.

---> Received and Adopted. Copy to Mayor, Finance Committee.

Jourdain, Ocasio-That the Board of Health and Police dept come to the Public Safety Committee to discuss various issues in the community related to homelessness and how we can work towards better solutions.

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

Jourdain, Ocasio- That OPED come to the D&GR committee to discuss how to help people start new small businesses in the city.

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

Jourdain, Ocasio- DPW also install a flashing signal/stop sign for cars to stop at the crosswalk at Cabot and South Summer Street so residents can safely cross Cabot Street.

Councilor Jourdain stated that people crossed the busy street at that location and there needed to be something to catch the attention of drivers.

Councilor Bartley suggested that the Council may not have the authority to adopt this right away, noting the significant cost involved. He suggested that it be sent to the mayor and have a discussion in Finance to figure out the funding.

Councilor Jourdain stated that while he understood the point, he preferred to have it adopted and then a discussion could be had with the DPW Director if there was an issue of funding. He emphasized that it was a dangerous area and that the crosswalk was approved and put in.

Councilor I. Rivera stated that he had filed several orders for this area in the past two years. He noted that flashing stop signs were adopted at the intersections of Race and Dwight as well as Race and Appleton, and they were eventually done with the funding was there to install them. He also suggested that there could be a discussion of adding bump outs, which would prevent people from parking right at the intersection, creating issues with line of sight.

Councilor Ocasio stated that when she brought this concern to the former Ward 2 councilor, they added a sign for the crosswalk but it had been placed too high and right in the center of the sidewalk, creating issues for wheelchairs and strollers. She added that she often saw people struggling to cross the street because drivers would not stop.

Councilor Sullivan noted that there still was not a city engineer.

Councilor Jourdain stated that the contracted engineer could look at it.
---> Received and Adopted. Copy to Engineer, Public Safety Committee.

Jourdain, Ocasio- DPW please repaint the crosswalk lines at the corner of Cabot and South Summer Street, they were just done and already fading.

Councilor Givner stated that she had a lot of luck getting lines painted for existing crosswalks by just emailing the DPW Director and having them add it to their list.

Councilor I. Rivera asked for clarification of which crosswalk this order was referring to, noting that one crossed over Cabot and other one crossed over South Summer.

Councilor Ocasio stated that this was for the one crossing over Cabot, going from the corner of Capri Pizza over to Key Foods.

Councilor I. Rivera suggested that the order be amended to clarify that.

Councilor Jourdain made a motion to amend the order to clarify the crosswalk was the one going over Cabot.

Councilor Greaney recalled that they used to have a special paint that glowed in the dark, allowing motorists to see it better.

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

Jourdain, Ocasio- That the DPW clear the path on the sidewalk free from extra signs at the corner of Cabot and So Summer Street so residents can properly access the crosswalk with wheelchairs, scooters, or baby carriages, etc.

Councilor Devine suggested that the handicap advisory committee be included, noting the need for dimples for wheelchairs to be able to cross.

Councilor Jourdain clarified that the issue was that there were too many signs preventing wheelchairs from being able to get through.

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

Magrath-Smith- Ordered, that the City Clerk provide information outlining the procedures for submitting changes to Municode and ensuring accurate publication of the City Charter.

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

Magrath-Smith- Ordered, that the City Forester and DPW Director provide information outlining the criteria for tree-cutting on private property and procedures for communication to property owners.

Councilor Bartley suggested that a communication be requested from the DPW within 30 days

Councilor Greaney suggested that the Law Department may need to weigh in, noting the impact on private residences.

---> Received and Adopted. Copy to DPW, Law Department.

Murphy-Romboletti- Ordered, that the City Council vote to approve the attached Memorandum of Understanding allowing the City of Holyoke to receive transportation reimbursement in accordance with the provisions of the Every Student Succeeds Act, and as allowed by the provisions of M.G.L. c. 44, s70.

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

Murphy-Romboletti- Ordered, that the City of Holyoke establish a Health Insurance Trust Agreement pursuant to MGL c. 23B, Section 3A. MGL c. 32B, Section 3A permits a municipality to establish a health insurance trust to “organize, arrange, or provide for the delivery or payment of health care coverage or services”. The establishment of a trust by the City to administer health care payments will create a significant savings to the FY’25 proposed budget.

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

Murphy-Romboletti- Ordered, that 3 salary reports for calendar year 2023 be provided to the City Council as an update to the past reports published on the City website: the top 100 salaries for the City of Holyoke, the top 100 salaries for the Holyoke Public Schools, and a report of salaries for elected officials. Reports should not include confidential identifying information such as social security numbers.

Councilor Greaney suggested that the top 100 salaries would all be in the school system.

---> Received and Adopted. Copy to City Treasurer.

I. Rivera — Ordered, that the City Council be provided with a report of retirement payouts for the Police Department for the past 20 years.

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

Vacon, Jourdain- That DPW/Veolia clean the storm drains on Mountain Road.

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

Vacon, Jourdain-That Mountain Road be evaluated for the installation of beams and berms be installed where needed.

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

Vacon, Bartley- That permanent radar feedback signs be placed on Homestead Avenue, Northbound and southbound (from Westfield Rd to Lower Westfield Rd & from Cherry Street to Westfield Road for a total of 4)

Councilor Vacon stated that this may require an appropriation from the mayor.

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

Bartley- The city council invite the Parade Committee winners for the purposes of bestowing a city council proclamation; and invite the president, its members and their guests as well as invite the Holyoke Caledonian Pipe Band to its March 5 regular meeting. The parade is scheduled for March 17 and this will be the only regular CC meeting prior to the Parade. This is a tradition started in city council that is now in its 10th year. Receive and Adopt.

Councilor Bartley made a motion to amend to add AOH man and woman of the year.

Councilor Devine stated that she informed the Parade Committee of this invitation.

Councilor Jourdain asked to clarify that this was referring to the St. Patrick's Day Parade.

Councilor Bartley confirmed that this was obvious.

President Murphy-Romboletti stated that the Caledonian Band had confirmed with Admin Asst Anderson-Burgos earlier that day.

---> Received and Adopted.

Bartley- The DPW and the City Engineer (or its consultant) provide an update on traffic signal improvements the at the main gate to HCC and the Hitchcock/Martin St intersection. Please send a communication on the plan ASAP to City Council or at the latest by its 2/20/24 meeting.

Councilor Bartley stated that this issue had been going on for eight years. He also stated that he had sought HCC's participation in this but found it to be tough to get them to step up. He then emphasized that the plan was all set, the Alarm Division had the equipment, and the funding was just needed to build the plan already put together by the previous City Engineer.

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

Bartley- In light of the recent announcement of Holyoke's allocation from the State of nearly \$500,000.00 in tax appropriation for its infrastructure, the Mayor and DPW Superintendent provide a plan on how to use the funds for this fiscal year. So the public is aware, please see agenda item #8 from the 1/2/24 meeting (Fair-Share Amendment). Refer to Finance.

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

Bartley – The DPW paint markings on the east side of Martin St at the intersection with Hitchcock to indicate no parking. This is a constituent request to allow better visibility for motorists. Receive, Adopt and Refer to DPW.

---> Received and Adopted. Copy to DPW

Motion was made and seconded to suspend the necessary rules to take up items 46 and 47 as a package.

Bartley- The DGR chair invite into committee the Governor's representative for western Mass and Sen Markey's representative for western Mass. to a future meeting.

Councilor Bartley noted that Jesse Lederman was recently named the rep from Senator Markey's office, adding that his predecessor was now working for Governor Healey.

---> Received and Development and Governmental Relations Committee.

Bartley- The DGR chair invite the state delegation to a future meeting.

---> Received and Development and Governmental Relations Committee.

Brenna Murphy McLee
Adjourned at 9:09 PM