

# Holyoke City Council aims to change city charter, wants more say in mayoral appointments

Updated: Oct. 21, 2021, 4:04 p.m. | Published: Oct. 21, 2021,

**Dennis Hohenberger** [Source: MassLive.com](#)

**HOLYOKE** – With little protestation, The City Council took the first step in amending the City Charter, requiring mayoral appointees undergo council review. The Massachusetts Legislature must approve amendments to city charters.

With Councilor At-large Joseph M. McGiverin the sole holdout, the council voted 9-1 to change the charter. The Charter and Rules Committee recommended altering the charter but sought a legal opinion from the city's Law Department.

The original order called for amending the charter "to provide City Council confirmation of all new mayoral appointments to the Board of Public Works and Fire Commission. Further, the charter be amended to provide for City Council confirmation on any current appointees at the time of reconfirmation."

However, the language approved Tuesday by the council stated, "that Holyoke amends its charter to provide for City Council confirmation of all new mayoral appointments," pending legal review.

McGiverin said while he understood the order's intent, the charter is a "unique" and "extremely old" document. The City Council was given and maintains appointment authority for the Assessor, Tax Collector and City Auditor.

"In respect to the charter, there was some give and take. I think when the makers of the charter put this together, they gave some things to the position of the mayor not to be confirmed by the City Council," he said.

McGiverin stated his "no" vote represented preserving the "original spirit" of the charter, particularly the separation of power between the city's legislative and executive branches.

Ward 2 Councilor and acting Mayor Terence Murphy said, "Bringing appointments before the City Council and making sure that the connection is made between the council and the administrators and commissioners makes sense."

Murphy said the give and take between the council and appointees provide feedback and neutrality, with the appointee acknowledging they must get council approval. "It creates a pathway for communication that is productive than just a mayoral appointment," he said.

Councilor At-large Howard Greaney said the charter change would allow for more transparency.

The Public Works and Fire Commission was the domain of past and current mayors, allowing a sense of independence from the city's legislative branch. The mayor also directly appoints the police chief and immediate staff.

The Fire Commission holds the power to hire, fire and discipline department members. If the charter changes are approved, mayoral appointments to the commission will undergo City Council scrutiny.

In her opinion, Assistant City Solicitor Kathleen E. Degnan noted that under Section 26 of the Holyoke City Charter, "The mayor shall have the sole power of appointment to all the municipal offices established by or under this act, unless herein otherwise provided."

Also, the council does not require a referendum question placed on the ballot to change the charter. Instead, under the Special Act Legislation, the City Council, mayor, and Massachusetts Legislature approve the change.

State Rep. Patricia Duffy (D-Holyoke) or State Sen. John Velis (D-Westfield) or both must submit the legislation. Then, the bill is then assigned to the appropriate committee and voted up or down by both houses.

Murphy's time as acting Mayor expires Nov. 15, a date agreed upon by Mayoral Candidates Joshua A. Garcia and Michael J. Sullivan. Sullivan voted for the charter change.

All city councilors are up for reelection during the Nov. 2 municipal election. Not seeking or not eligible for reelection are Councilors Rebecca Lisi, Libby Hernandez, Gladys Lebron-Martinez, Sullivan and Murphy.

Lisi, Lebron-Martinez, and Hernandez were not present for Tuesday's vote