

AGENDA FOR THE CITY COUNCIL
FEBRUARY 18, 2025

PUBLIC HEARING

PUBLIC COMMENT

LAI D ON THE TABLE

1. The Committee on Ordinance to whom was referred an order that the Police Department be allowed to hire a Crime Analyst past the Grade 10 mid-range (which is \$70,407) to \$78,000.
Recommended that the order be adopted.
2. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWENTY ONE THOUSAND SIX HUNDRED AND 22/100 Dollars (\$21,600.22) as follows:

			FROM	TO
11211	51276	MAYOR'S CONTRACT	21,600.22	
		NEGOTIATIONS		
15411	51103	ASSISTANT DIRECTOR - COA		2,222.00
15411	51101	DIRECTOR COUNCIL ON AGING		3,030.00
11711	51101	CONSRVTN & SUSTNBLTY DIRECTOR		3,030.00
12441	51101	SEALER OF WEIGHTS AND MEASURES		2,525.00
16301	51101	DIRECTOR PARKS/REC FORESTRY		2,899.14
16301	51103	ASST DIRECTOR OF PARKS & REC		2,222.00
14211	51108	SAFETY OFFICER		2,020.00
15101	51101	DIRECTOR BOARD OF HEALTH		1,632.00
15101	51202	ANIMAL CONTROL OFFICER		2,020.08
			21,600.22	21,600.22

3. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, EIGHT THOUSAND ONE HUNDRED EIGHTY TWO AND 93/100 Dollars (\$8,182.93) as follows:

FROM	TO
------	----

12401	51101	LOCAL INSPECTOR	8,182.93	
12401	51102	ASST BUILDING COMMISSIONER		3,132.93
12401	51103	CHIEF INSPECTOR OF WIRES		2,828.00
12401	51107	ZONING OFFICIAL		2,222.00
			8,182.93	8,182.93

4.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, ELEVEN THOUSAND THREE HUNDRED FORTY TWO AND 00/100 Dollars (\$11,342.00) as follows:

			FROM	TO
11751	51106	PLANNER I	11,342.00	
11751	51108	ASSISTANT DIRECTOR OF PLANNING		4,560.00
11751	51102	ASST DIR OF ECONOMIC DEV		4,560.00
11751	51105	SENIOR PROJECT MANAGER		2,222.00
			11,342.00	11,342.00

5.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FIVE THOUSAND FIFTY AND 00/100 Dollars (\$5,050.00) as follows:

			FROM	TO
16911	51104	ENTERPRISE COORDINATOR	5,050.00	
16911	51101	DIRECTOR WISTARIAHURST		2,828.00
16911	51103	CITY HISTORIAN		2,222.00
			5,050.00	5,050.00

6.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, ONE THOUSAND FIVE HUNDRED SIXTY AND 99/100 Dollars (\$1,560.99) as follows:

			FROM	TO
15431	51104	INVESTIGATOR	1,560.99	
15431	51105	NATIONAL SERVICE OFFICER		1,560.99
			1,560.99	1,560.99

7. From Assistant Solicitor Jane Mantolesky, letter regarding St. Vincent Lots

COMMUNICATIONS

8. From Mayor Joshua Garcia, letter appointing Ms. Patricia Normand of 36 Pleasant St to serve as a member of the Conservation Commission. Ms. Normand will serve a three year term expiring February 1, 2028.
9. From Mayor Joshua Garcia, letter appointing Mr. Denis Luzuriaga of 6 Pinehurst Rd., to serve as a Commissioner of the Holyoke Housing Authority. Mr. Luzuriaga will replace Mr. Jose Maldonado-Velez and will serve the remainder of his term expiring April 1, 2029.
10. From Mayor Joshua Garcia, letter reappointing Ms. Lyn Horan of 100 Southampton Rd., to serve as a member of the Commission on Disabilities. Ms. Horan will serve a three year term expiring in March 2028.
11. From Mayor Joshua Garcia, letter reappointing Ms. Jessica Lebron-Martinez of 102 Brown Avenue., to serve as a member of the Commission on Disabilities. Ms. Lebron-Martinez will serve a three year term expiring in March 2028.
12. From Mayor Joshua Garcia, letter reappointing Mr. Jeffrey Horan of 100 Southampton Rd. to serve as a member of the Conservation Commission. Mr. Horan will serve a three year term expiring February 1, 202.
13. From Mayor Joshua Garcia, letter reappointing Ms. Rosemary Arnold of 30 Mountain Rd. to serve as a member of the Conservation Commission. Ms. Arnold will serve a three year term expiring February 1, 2028.
14. From Mayor Joshua Garcia, letter reappointing Ms. Sarah Wedaman of 28 Howard St., to serve as a member of the Commission on Disabilities. Ms. Wedaman will serve a three year term expiring in March 2028.
15. From City Solicitor: Lisa Ball- Case of Fuller v. Haines 224 Mass. 176 which addresses the first reading of an order
16. From City Solicitor: Opinion from KP Law
17. From Assistant City Solicitor Jane Mantolesky- Notice of Sale - 285 Main
18. From Councilor Givner- Boston Globe article on Impact fees
19. From DOR- Guideline on appropriation transfers
20. From Frank Demarinis, Shermerhorns site plan review
21. Cultural Humility Workshop Curriculum
22. From City Clerk Brenna Murphy Leary and Amin. Assistant Jeffery Andreson-Burgos, minutes from February 4, 2025 meeting.

PETITIONS

PRESIDENT'S REPORT

REPORTS OF COMMITTEES

23. The Committee on Public Service to whom was referred an order From Mayor Garcia, letter appointing Ms. Beverlyn Blanchard of 46 St. Kolbe Dr. to serve as a member of the Library Board of Directors. Ms. Blanchard will serve a three year term expiring February 2028.
Recommended that the appointment be confirmed.
24. The Committee on Public Service to whom was referred an order From Mayor Joshua Garcia, letter appointing Ms. Beverlyn Blanchard of 46 St. Kolbe Dr. to serve on the Library Board of Directors. Ms. Blanchard term will expire Feb. 2025.
Recommended that the order be given a leave to withdraw.
25. The Committee on Public Service to whom was referred an order From Mayor Joshua Garcia, letter appointing Mr. Thomas Gilchrist of 26 Dunn Ave to serve on the Library Board of Directors. Mr. Gilchrist term will expire Feb. 2026.
Recommended that the appointment be confirmed.
26. The Committee on Public Service to whom was referred an order From Mayor Joshua Garcia, letter appointing Mr. Joseph Black of 1015 Maple St. to serve as a member of the Recycling Advisory Committee. Mr. Black's will serve a three year term, expiring on August 1, 2027.
Recommended that the appointment be confirmed.
27. The Committee on Public Service to whom was referred an order From Mayor Joshua Garcia, letter appointing Ms. Tiffany Espinosa of 30 Amherst St Holyoke to serve as a member of the Holyoke Redevelopment Authority. Ms. Espinosa will replace Mr. Jorge Colon and will serve the remainder of his term expiring November 1, 2029.
Recommended that the appointment be confirmed.
28. The Committee on Development and Governmental Relations to whom was referred an order The DGR committee invite Andrew Morehouse, executive director of the W. Mass Food Bank, to a future committee meeting. Mr. Morehouse will present an overview of the Food Bank, how it impacts and serves the city of Holyoke, and offer ways for the public to help and volunteer. Copy to DGR. Invite any relevant social agency serving Holyoke to attend.
Recommended that the order has been complied with.
29. The Committee on Development and Governmental Relations to whom was referred an order Special Permit Application of Salmar Realty LLC c/o Peter Martins for a special permit for a Proposed Coffee shop/Drive Thru Restaurant at South Street Plaza, A Portion of 209 South St.
Recommended that the special permit be granted with the 32 conditions described in the Planning Board Site Plan Review Notice of Decision letter dated January 16, 2025
30. The Committee on Development and Governmental Relations to whom was referred an order Special permit application of F & M Hideway, Inc to reconstruct and renovate Schermerhorn's Restaurant and retail store per sec 4.7.3 at 224 Westfield Road (157-

00-072).

Recommended that the special permit be granted.

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

32. -- The Committee on Development and Governmental Relations to whom was referred an order The Law Dept., Building Commissioner and the city's property group provide its annual update on the City's Receivership program. Please send communication to the Clerk for the second city council meeting in January 2023.
Recommended that the order has been complied with.

33. 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 "FY2025 FIREFIGHTER SAFETY EQUIPMENT GRANT PROGRAM, \$24,081, 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.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.'

Recommended that the order be adopted.

34. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, THIRTY THREE THOUSAND AND 00/100 Dollars (\$33,000) as follows:

FROM

14101-51105 SR CIVIL ENGINEER	\$ 17,000
14251-51102 HOISTING EQUIPMENT OPERATOR	16,000
TOTAL	\$33,000

TO:

14102-53010 PROF ENGINEERING SERVICES	\$33,000
TOTAL	\$33,000

Recommended that the order be adopted.

35. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, ONE HUNDRED THOUSAND AND 00/100 Dollars (\$100,000) as follows:

FROM

12101-51107	\$ 50,000
PATROLMEN	
12101-51117 DISPATCH	50,000
TOTAL	\$100,000

TO:

12102-53010 MAP/DATA	\$100,000
MAINTENANCE	

Recommended that the order be adopted.

36. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, EIGHTY THOUSAND AND 00/100 Dollars (\$80,000) as follows:

FROM

12101-51105	\$40,000
SERGEANTS	
12101-51107	40,000
PATROLMEN	
TOTAL	\$80,000

TO:

12102-53010 MAP/DATA	\$80,000
MAINTENANCE	

Recommended that the order be adopted.

37. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, EIGHTY THREE THOUSAND SIX HUNDRED FIFTY SIX AND 00/100 Dollars (\$83,656) as follows:

FROM

11511-51201 PT ASSISTANT	\$83,656
SOLICITOR	
TOTAL	\$83,656
L	

TO:

11511-51202 PT ASSOCIATE	\$83,656
SOLICITOR	
TOTAL	\$83,656

Recommended that the order be adopted.

38. The Committee on Finance to whom was referred an order From Sean Sheedy, Maintenance Admin for Holyoke Public Schools, 2-4-2025 SOI ARP PROJECTS HPS Recommended that the order be adopted.

39. The Committee on Finance to whom was referred an order that the City of Holyoke appropriates the amount of One Hundred Thousand (\$100,000) Dollars for the purpose

of paying costs of conducting a Schematic Design Study at Kelly Elementary School located at 216 West Street Holyoke MA 01040 for a potential roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council
Recommended that the order be adopted.

40. The Committee on Finance to whom was referred an order That the City of Holyoke appropriates the amount of One Hundred Thousand(\$100,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Lt Elmer J McMahon Elementary School located at 75 Kane Road Holyoke MA 01040 for a potential roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council
Recommended that the order be adopted.

41. The Committee on Finance to whom was referred an order That the City of Holyoke appropriates the amount of Seventy-Five Thousand(\$75,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Lt Clayre Sullivan Elementary School located at 400 Jarvis Avenue Holyoke MA 01040 for a potential partial roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority("MSBA"), said amount to be expended under the direction of mayor Joshua Garcia.To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council
Recommended that the order be adopted.

42. The Committee on Finance to whom was referred an order That the City of Holyoke appropriates the amount of One Hundred and Fifty Thousand (\$150,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Holyoke High School located at 500 Beech Street Holyoke MA 01040 for a potential roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of

Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council
Recommended that the order be adopted.

43. The Committee on Finance to whom was referred an order That the City of Holyoke appropriates the amount of Seventy-Five Thousand(\$75,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Maurice A Donahue Elementary School located at 210 Whiting Farms Road Holyoke MA 01040 for a potential partial roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council
Recommended that the order be adopted.

44. The Committee on Joint Committee of City Council and School to whom was referred an order the School Department, the School Committee, the Receiver and Mayor present a plan for the future of Metcalf School. I'd like to hear long-terms plans as well

as temporary ones. I would like the district to consider the City continue using the school in its current purpose: as a learning institution. If not in the plan, then let's consider it as the headquarters of the School Department. Should a committee be formed? What plans are being discussed? The building, erected 1911, is iconic and should be preserved and, if needed, rehabilitated and repurposed for City uses. Refer to HPS, Receiver, Mayor and Joint Committee.

Recommended that the order has been complied with.

45. The Committee on Joint Committee of City Council and School to whom was referred an order From Mayor Garcia and Superintendent Soto, a Joint statement affirming the rights of immigrants
Recommended that the order has been complied with.
46. The Committee on Joint Committee of City Council and School to whom was referred an order The Superintendent of Schools discuss his recent memo on affirming the rights of immigrants with the Joint Committee on City Council and School Committee.
Recommended that the order has been complied with.
47. The Committee on Joint Committee of City Council and School to whom was referred an order rom Sean Mangano, School Committee Finance Subcommittee 12.12.24
Recommended that the order has been complied with.
48. The Committee on Joint Committee of City Council and School to whom was referred an order The Superintendent of Schools please update the Joint Committee on City Council and School Committee on any updated plans for the School Dept headquarters in light of their decision not to go forward with proposed High Street location.
Recommended that the order has been complied with.

MOTIONS, ORDERS AND RESOLUTIONS

49. Magrath-Smith, ordered that City Council review CPA Committee recommendations and approve funding for FY25 CPA projects.
50. Murphy-Romboletti- With community support, the City Council issue a proclamation to Gina Nelson, Executive Director of Community Roots Neighborhood Services, Inc. and the Veterans Lunch Program in recognition of the invaluable work they do for our community's veterans.
51. Vacon- ORDER: That the American flag protocol is followed for flags at public schools such as McMahon & on other city property, including; either lighting the flag or bringing the flag in each night and putting it up in the morning.
52. Vacon, Jourdain- ORDER: The Treasurer & Auditor provide the City Council with an update & timeline for the certification of free cash. Refer to Finance Committee
53. Bartley- Ordered that Schedule B, Compensation for Elected Officials of Chapter 2 of the Code of Ordinances be amended as follows:

City Clerk: \$90,000

54. Devine, Glvner - ORDERED: that the Directors of the Board of Health, Zoning, Planning, and the Animal Control Officer and Law Department meet with the Ordinance Committee to discuss Ordinance Sec. 14-12 as it relates to #2 Hens, specifically the keeping of hens DEFINITIONS, SPECIAL PERMIT PROCESS, SPECIFICATIONS AND DIMENSIONS, GENERAL REGULATIONS, VIOLATIONS and any and all regulations whether State or Federal that may be pertinent.
55. Devine - ORDERED: that the City Engineer determine if a BLOCK THE BOX is warranted at Columbus Avenue and Northampton Street. Refer to City Engineer
56. Devine- ORDERED that the Law Department determine and render an opinion as to whether DPW supervisors/employees can ticket those automobiles/trucks that are impeding snow removal and plowing during a legal parking ban.
57. Devine-Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "BYRNE STATE CRISIS INTERVENTION PROGRAM, \$84,458.79, 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.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

58. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, NINE THOUSAND NINE HUNDRED EIGHTY ONE AND 52/100 Dollars (\$9,981.52) as follows:

FROM

12201-51103 CAPTAIN	\$3,663.90
12201-51104	6,317.62
LIEUTENANTS	
TOTAL	\$9,981.52

TO:

12201-51180 INJURED ON	\$9,981.52
DUTY	
PP#16	
TOTAL	\$9,981.52

59. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWENTY FIVE THOUSAND AND 00/100 Dollars (\$25,000) as follows:

FROM

8811-10400 CAPITAL STABILIZATION	\$25,000
	TOTA \$25,000
	L

TO:

12103-58003 HPD CAP OUTLAY- BUILDING IMPROVEMENTS	\$25,000
	TOTAL \$25,000

60.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, ONE HUNDRED EIGHT THOUSAND SIX HUNDRED NINETY FIVE AND 56/100 Dollars (\$108,695.56) as follows:

FROM

8815-10400 CANNABIS STABILIZATION	\$108,695.56
	TOTA \$108,695.56
	L

TO:

19412-57630 SOLICITOR CLAIMS & DAMAGES	\$108,695.56
	TOTA \$108,695.56
	L

61. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FIVE THOUSAND Dollars AND 00/100 Dollars (\$5,000) as follows:

	FROM	TO
12101 5119POLICE RESERVE	5,000	
0010 57200 OUT OF STATE TRAVEL		5,000
	5,000	5,000

62. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FIVE THOUSAND Dollars AND 00/100 Dollars (\$5,000) as follows:

	FROM	TO
1421 51102DPW HOISTING EQUIP OPERATOR	5,000	
01010 57200 OUT OF STATE TRAVEL		5,000

5,000 5,000

63. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FIVE THOUSAND Dollars AND 00/100 Dollars (\$5,000) as follows:

	FROM	TO
12101 5119 FIRE FIGHTER LINE	5,000	
0010 57200 OUT OF STATE TRAVEL		5,000
	5,000	5,000

64. Givner- In the interest of transparency, order that the Collins Center for Public Management present its findings, working with Holyoke's Government Restructure Advisory Council, on Payments In Lieu of Taxes, PILOTs. Some cities and towns (Boston, Brookline) developed formal PILOT policies where the municipality asks the nonprofit to pay a portion of the taxes their tax-exempt property would have paid if it wasn't tax-exempt. Springfield and Concord are exploring the need for PILOT policies. Holyoke has hundreds of tax-exempt properties including group homes, charities, drug recovery agencies, hospitals, health centers, churches, schools, colleges, and more that were included in the study. ~Send to DGR
65. Givner- In an effort to promote efficiency while upholding quality of life standards, Order that the City Council invite department heads involved with permitting in to review special permit processes. Incomplete applications regularly come before DGR. The current process is incredibly inefficient wasting 8-10 hours, per applicant, in efforts from the Clerk's office, the Planning department, the Planning Board, building department, as well as City council and subcommittees. Our permitting Ordinance should be reviewed and updated if needed. ~Send to DGR for discussion / copy to ordinance for updates

LATE FILED ORDERS AND COMMUNICATIONS

Addendum:

Per City Council rule 2B, meeting shall end by 10 PM unless an extension is approved by a two-thirds majority of those present. If any items remain, those items will be added to the beginning of the next regular meeting.

The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting.

Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law

City Clerk

City of Holyoke Request for Appropriation Transfer Within a Classification

Dept. Name MAYOR'S CONTRACT NEGOTIATIONS

2/4/2025

I hereby respectfully request that the following amounts be transferred within one of the following indicated (X) appropriation classifications within my department and as further detailed below:

Personal Services x

Expenditures

Capital Outlay

Account No.		Account Name	\$ Amount	
Organization	Object		From	To
11211	51276	MAYOR'S CONTRACT NEGOTIATIONS	\$ 21,600.22	
15411	51103	ASSISTANT DIRECTOR - COA		\$ 2,222.00
15411	51101	DIRECTOR COUNCIL ON AGING		\$ 3,030.00
11711	51101	CONSRVTN & SUSTNBLTY DIRECTOR		\$ 3,030.00
12441	51101	SEALER OF WEIGHTS AND MEASURES		\$ 2,525.00
16301	51101	DIRECTOR PARKS/REC FORESTRY		\$ 2,899.14
16301	51103	ASST DIRECTOR OF PARKS & REC		\$ 2,222.00
14211	51108	SAFETY OFFICER		\$ 2,020.00
15101	51101	DIRECTOR BOARD OF HEALTH		\$ 1,632.00
15101	51202	ANIMAL CONTROL OFFICER		\$ 2,020.08

Reason for request:

AFCME/PSA Contract

Head of Department

Mayor

City of Holyoke Request for Appropriation Transfer Within a Classification

Dept. Name BUILDING

2/4/2025

I hereby respectfully request that the following amounts be transferred within one of the following indicated (X) appropriation classifications within my department and as further detailed below:

Personal Services x

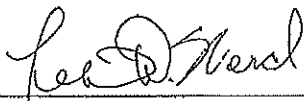
Expenditures

Capital Outlay

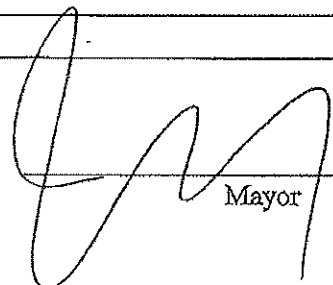
Account No.		Account Name	\$ Amount	
Organization	Object		From	To
12401	51110	LOCAL INSPECTOR	\$ 8,182.93	
12401	51102	ASST BUILDING COMMISSIONER		\$ 3,132.93
12401	51103	CHIEF INSPECTOR OF WIRES		\$ 2,828.00
12401	51107	ZONING OFFICIAL		\$ 2,222.00

Reason for request:

AFCME/PSA Contract



 Head of Department



 Mayor

City of Holyoke Request for Appropriation Transfer Within a Classification

Dept. Name OPED

2/4/2025

I hereby respectfully request that the following amounts be transferred within one of the following indicated (X) appropriation classifications within my department and as further detailed below:

Personal Services x

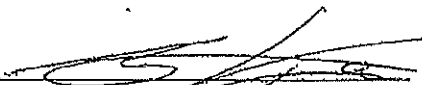
Expenditures

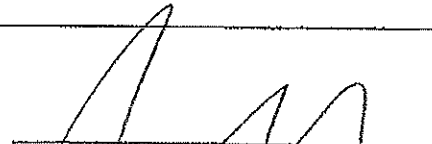
Capital Outlay

Account No.		Account Name	\$ Amount	
Organization	Object		From	To
			11,342-	
11751	51106	PLANNER 1	\$ 12,432.00	
11751	51108	ASSISTANT DIRECTOR OF PLANNING		\$ 4,560.00
11751	51102	ASST DIR OF ECONOMIC DEV		\$ 4,560.00
11751	51105	SENIOR PROJECT MANAGER		\$ 2,222.00
11751	51106	PLANNER 1		\$ 1,090.00

Reason for request:

AFCME/PSA Contract


Head of Department


Mayor

City of Holyoke Request for Appropriation Transfer Within a Classification

Dept. Name WISTARIAHURST

2/4/2025

I hereby respectfully request that the following amounts be transferred within one of the following indicated (X) appropriation classifications within my department and as further detailed below:

Personal Services x

Expenditures

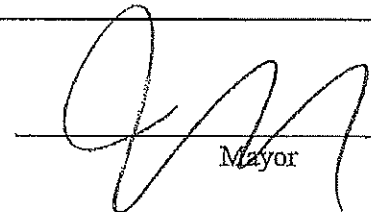
Capital Outlay

Account No.		Account Name	\$ Amount	
Organization	Object		From	To
16911	51104	ENTERPRISE COORDINATOR	\$ 5,050.00	
16911	51101	DIRECTOR WISTARIAHURST		\$ 2,828.00
16911	51103	CITY HISTORIAN		\$ 2,222.00

Reason for request:

AFCME/PSA Contract


Head of Department


Mayor

City of Holyoke Request for Appropriation Transfer Within a Classification

Dept. Name VETS

2/4/2025

I hereby respectfully request that the following amounts be transferred within one of the following indicated (X) appropriation classifications within my department and as further detailed below:

Personal Services x

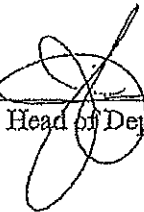
Expenditures

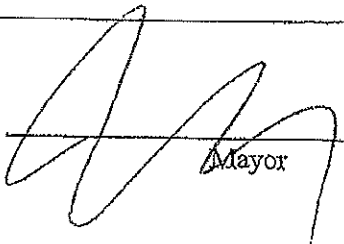
Capital Outlay

Account No.		Account Name	\$ Amount	
Organization	Object		From	To
15431	51104	INVESTIGATOR	\$ 1,560.99	
15431	51105	NATIONAL SERVICE OFFICER		\$ 1,560.99

Reason for request:

AFCME/PSA Contract


Head of Department


Mayor



Mayor Joshua A. Garcia

Lisa A. Ball, Esq.

City of Holyoke

City Solicitor

Kathleen E. Degnan, Esq.
Jane L. Mantolesky, Esq.
Michael D. Bissonette, Esq.
Tasheen Davis, Esq.
Mary E. Gotham, Paralegal

February 3, 2025

Holyoke City Council
City Of Holyoke
536 Dwight Street
Holyoke, MA 01040

RE: St. Vincent Street & Route 5

Councilors:

Please see enclosed proposal from Heritage Land Survey & Engineering, Inc. As previously discussed at the City Council, the School Department no longer has a public need for the parcel; see enclosed letter dated November 29, 2021. It has been expressed at the City Council that the parcel be potentially subdivided in three (3) separate lots for housing. At present, the parcel is still only one (1) lot.

Please advise as to which direction the City Council would like to go with this parcel and direct as to whether or not the City Council would wish to proceed with the proposal from Heritage Land Survey & Engineering, Inc.

Very truly yours,

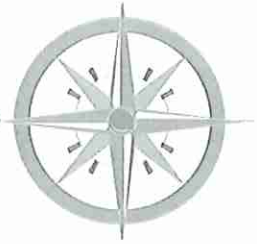
Jane Mantolesky
Assistant City Solicitor

Enclosures

HERITAGE

Land Surveying & Engineering, Inc.

241 College Highway & Clark Street
Post Office Box 90
Southampton, Massachusetts 01073-0090
(413) 527-3600



Date: January 23, 2025

Jeff Burkott / Assistant Director of Planning, Principal Planner
Office of Planning & Economic Development
City of Holyoke
20 Korean Veterans Plaza, Suite 401
Holyoke, MA 01040

RE: Request for Proposal
St. Vincent Street & Route 5
Holyoke, MA 01040

Dear Mr Burkott:

This letter is in response to your request for professional services at the above-mentioned site in Holyoke, MA. The scope of services below is based on our discussion on 23 Jan 2025. A description of work to be performed, as well as an estimated cost are described below:

Task #1 ~ Approval Not Required Plan: Estimated Cost = \$1,305.00

Heritage Land Surveying & Engineering, Inc., shall prepare an Approval Not Required plan showing proposed three conforming parcels, or one proposed parcel as required

Task #2 ~ Monumentation: Estimated Cost = \$1,620.00

Heritage Land Surveying & Engineering, Inc., shall perform sufficient fieldwork to set monuments at the boundary corners of the proposed parcels.

Total estimated cost = \$2,925.00

This proposal does not include any filing fees or meetings with the City of Holyoke . All survey work will comply with established standards for the performance of similar surveys within the Commonwealth of Massachusetts. Field information will be obtained using electronic measuring and data collection equipment. Office computations and drafting will be performed using CAD computer software.

We would be able to begin within 1 to 2 weeks of receipt of written authorization to proceed and receipt of the retainer. Other work requested and authorized by the client will be billed at our hourly rates in effect when the work is performed.

Please contact this office if there should be any questions, comments, or suggested modifications to the proposal. Thank you for providing us with the opportunity to submit the proposal.

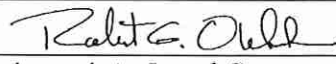
Sincerely,



Robert G. Oleksak
Associate Land Surveyor

Payment Terms	Invoices will be rendered to the client monthly or periodically as the work progresses, in accordance with rates in effect when the work is performed. Invoices will be due and payable upon receipt, and subject to service charges of 1.5% per month if unpaid 30 days from the invoice date. The client agrees to pay costs of collection and reasonable attorney's fees, if required.
Ownership of Documents	All original documents, including but not limited to plans, drawings, field notes, electronic data, written or typed letters and reports, etc., assembled or created during the course of the described project, shall remain the sole and exclusive property of Heritage Land Surveying & Engineering, Inc. Any plans provided under the Scope of Services described above shall not be altered or expanded upon. With permission, plan data can be used as base data for plans subsequently produced by the project architect, provided that appropriate credits are made for the base data, and such plans do not give the appearance of being prepared, endorsed, or certified by Heritage Land Surveying & Engineering, Inc.

ACCEPTANCE OF PROPOSAL

COMPANY	City of Holyoke Office of Planning & Economic Development	COMPANY	Heritage Land Surveying & Engineering, Inc.
NAME	Jeff Burkott	NAME	Robert G. Oleksak
SIGNATURE		SIGNATURE	
TITLE	Assistant Director of Planning, Principal Planner	TITLE	Associate Land Surveyor
DATE		DATE	January 23, 2025

This proposal will be kept open for 30 days. Please sign and return this original and retain a copy for your records.



HOLYOKE PUBLIC SCHOOLS
A PATHWAY FOR EVERY STUDENT

57 Suffolk Street – Holyoke, Massachusetts 01040
Tel. (413) 534-2000 | Fax. (413) 534-2297
asoto@hps.holyoke.ma.us

Anthony Soto, Receiver / Superintendent
Mildred Lefebvre, Vice Chair, Holyoke School Committee

11/29/2021

President Todd McGee
Holyoke City Council
City Hall
Holyoke, Ma, 01040

Dear President McGee,

This letter is to inform you that the Holyoke School Committee, in its authority, at their November 15, 2021 meeting transfers to the city of Holyoke the St. Vincent st. property effective November 15, 2021. We have deemed that this property serves no need for the Holyoke Public schools. Reference exhibit attached.

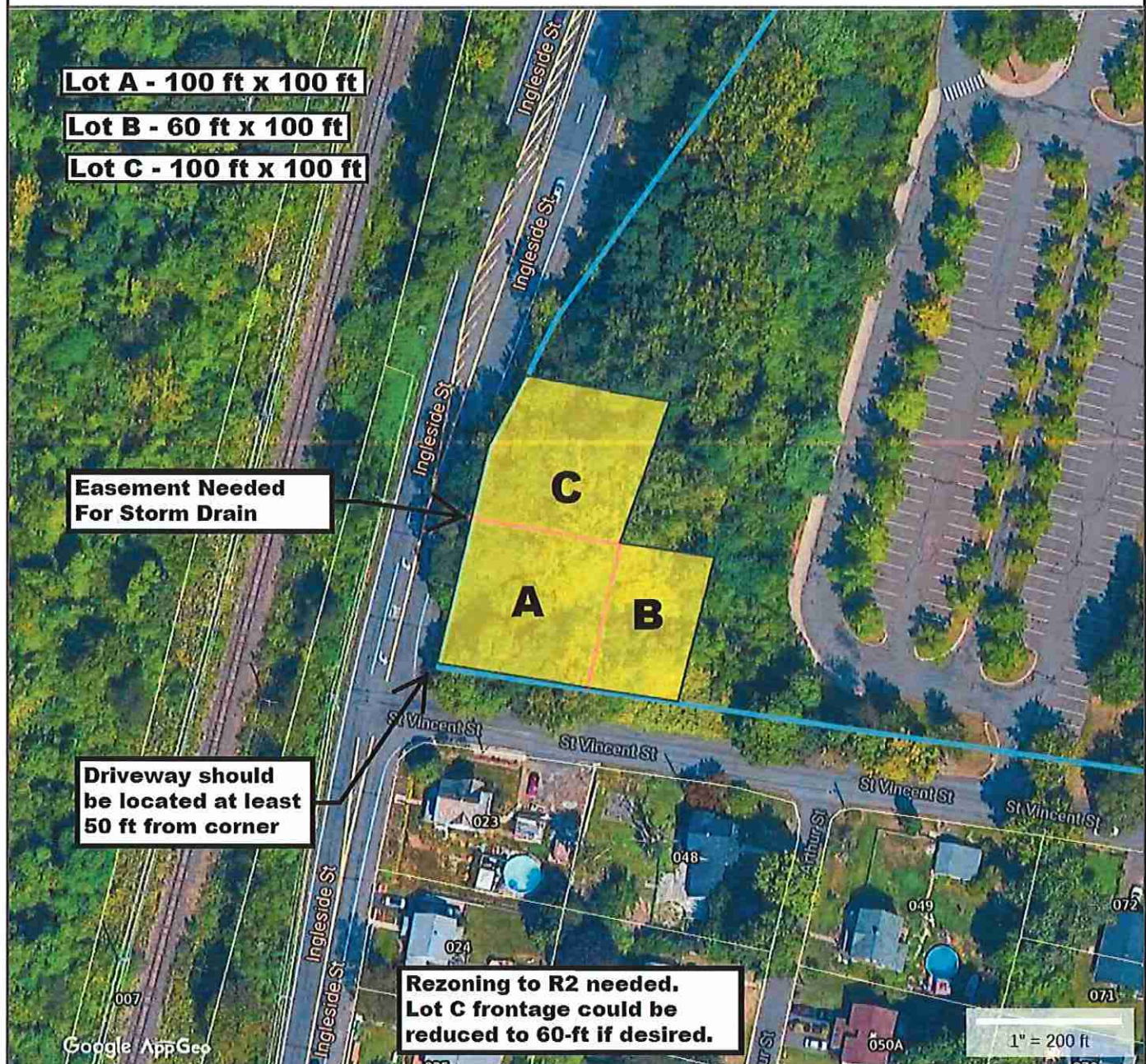
If you have any questions, please do not hesitate to contact me.

Sincerely,

Anthony Soto

Mildred Lefebvre

Cc: Mayor Garcia
City Solicitor Lisa Ball



The sketch shown above is only intended to assist with internal discussions and is not an assurance that the property is suitable for development. Prospective buyers of the property would need to complete their own assessment of the development potential of property. Field survey and filing of an ANR plan to the Planning Board would be required to establish any new lots.



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Holyoke, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 08/23/2019
Data updated 11/19/2018

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Potential Residential Development of School Department Property at St. Vincent and Ingleside Streets



MAYOR JOSHUA A. GARCIA
CITY OF HOLYOKE

December 14, 2023

RECEIVED

JAN 31 2025

The Honorable City Councilors
City of Holyoke
Holyoke, MA 01040

Holyoke City Clerk's
Holyoke, MA

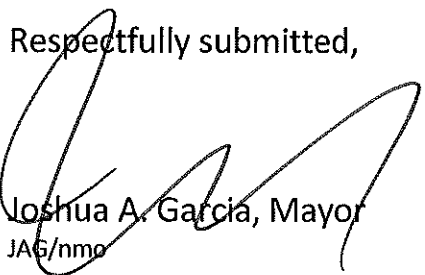
Dear Council Members:

Subject to your approval, I hereby appoint the following individual to serve as a member of the Conservation Commission for the City of Holyoke:

Ms. Patricia Normand
36 Pleasant Street
Holyoke, MA 01040

Ms. Normand will serve a three-year term; said term will expire on February 1, 2028.

Respectfully submitted,


Joshua A. Garcia, Mayor
JAG/nmo

CC: Ms. Patricia Normand
Yoni Glogower, Conservation



MAYOR JOSHUA A. GARCIA

CITY OF HOLYOKE

February 5, 2025

RECEIVED

The Honorable City Council
City of Holyoke
Holyoke, MA 01040

FEB 05 2025

Holyoke City Clerk's
Holyoke, MA

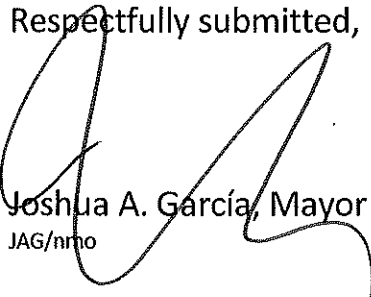
Honorable City Council:

Subject to your approval, I hereby appoint the following individual to serve as a Commissioner of the Holyoke Housing Authority for the City of Holyoke:

Mr. Denis Luzuriaga
6 Pinehurst Road
Holyoke, MA 01040

Mr. Luzuriaga will replace Mr. Jose Maldonado and will serve the remainder of his term; said term will expire on April 1, 2029.

Respectfully submitted,


Joshua A. Garcia, Mayor
JAG/nmo

Cc: Denis Luzuriaga
Matt Mainville



MAYOR JOSHUA A. GARCIA
CITY OF HOLYOKE

February 4, 2025

RECEIVED
FEB 04 2025
Holyoke City Clerk's
Holyoke, MA

The Honorable City Council
City of Holyoke
Holyoke, MA 01040

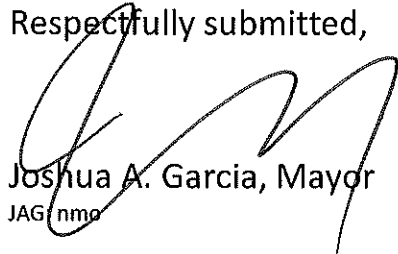
Dear Council Members:

I hereby reappoint the following individual to serve as a member of the
Commission on Disabilities for the City of Holyoke:

Ms. Lyn Horan
100 Southampton Road
Holyoke, MA 01040

Ms. Horan will serve a three-year term; said term will expire in March 2028.

Respectfully submitted,


Joshua A. Garcia, Mayor

JAG:nma

CC: Ms. Lyn Horan
Ms. Elizabeth Larivee
Personnel



MAYOR JOSHUA A. GARCIA

CITY OF HOLYOKE

January 31, 2025

RECEIVED

FEB 04 2025

The Honorable City Council
City of Holyoke
Holyoke, MA 01040

Holyoke City Clerk's
Holyoke, MA

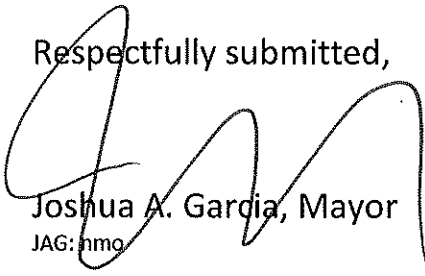
Dear Council Members:

I hereby reappoint the following individual to serve as a member of the
Commission on Disabilities for the City of Holyoke:

Ms. Jessica Lebron-Martinez
102 Brown Avenue
Holyoke, MA 01040

Ms. Lebron-Martinez will serve a three-year term; said term will expire in
March 2028.

Respectfully submitted,


Joshua A. Garcia, Mayor

JAG:nmo

CC: Ms. Jessica Lebron-Martinez
Ms. Elizabeth Larivee
Personnel



MAYOR JOSHUA A. GARCIA
CITY OF HOLYOKE

January 30, 2025

RECEIVED

JAN 31 2025

The Honorable City Councilors
City of Holyoke
Holyoke, MA 01040

Holyoke City Clerk's
Holyoke, MA

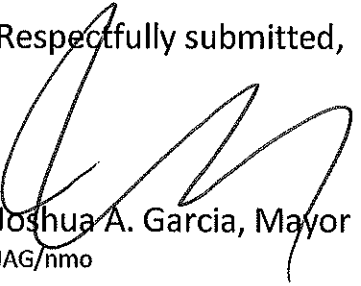
Dear Council Members:

Subject to your approval, I hereby re-appoint the following individual to serve as a member of the Conservation Commission for the City of Holyoke:

Mr. Jeffrey Horan
100 Southampton Road
Holyoke, MA 01040

Mr. Horan will serve a three-year term; said term will expire February 1, 2028.

Respectfully submitted,


Joshua A. Garcia, Mayor
JAG/nmo

CC: Jeffrey Horan
Yoni Glogower, Conservation



MAYOR JOSHUA A. GARCIA
CITY OF HOLYOKE

January 30, 2025

RECEIVED

JAN 31 2025

The Honorable City Councilors
City of Holyoke
Holyoke, MA 01040

Holyoke City Clerk's
Holyoke, MA

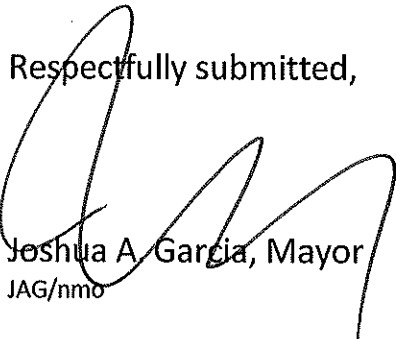
Dear Council Members:

Subject to your approval, I hereby re-appoint the following individual to serve as a member of the Conservation Commission for the City of Holyoke:

Ms. Rosemary Arnold
30 Mountain Road
Holyoke, MA 01040

Ms. Arnold will serve a three-year term; said term will expire February 1, 2028.

Respectfully submitted,


Joshua A. Garcia, Mayor
JAG/nmo

CC: Ms. Rosemary Arnold
Conservation Dept



MAYOR JOSHUA A. GARCIA

CITY OF HOLYOKE

February 3, 2025

RECEIVED

FEB 04 2025

The Honorable City Council
City of Holyoke
Holyoke, MA 01040

Holyoke City Clerk's
Holyoke, MA

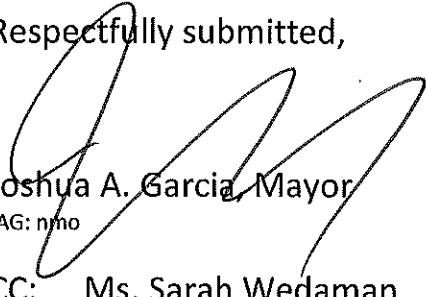
Dear Council Members:

I hereby reappoint the following individual to serve as a member of the
Commission on Disabilities for the City of Holyoke:

Ms. Sarah Wedaman
28 Howard Street
Holyoke, MA 01040

Ms. Wedaman will serve a three-year term; said term will expire in March
2028.

Respectfully submitted,


Joshua A. Garcia, Mayor
JAG: nmo

CC: Ms. Sarah Wedaman
Ms. Elizabeth Larivee
Personnel



Cited

As of: February 13, 2025 3:43 PM Z

Fuller v. Haines

Supreme Judicial Court of Massachusetts, Middlesex

May 19, 1916

No Number in Original

Reporter

224 Mass. 176 *; 112 N.E. 873 **; 1916 Mass. LEXIS 1100 ***

FULLER et al. v. HAINES et al.

Core Terms

municipal, voters, board of aldermen, city charter, referendum, words

Case Summary

Procedural Posture

Petitioners, 10 taxpayers of a city, filed a bill in equity under Mass. Rev. Laws ch. 25, § 100, to restrain respondents, a city's mayor and treasurer, from borrowing money to construct a city hall, pursuant to an order of the city's board of aldermen. The taxpayers alleged that the order was invalid because the city's voters elected not to borrow or appropriate money for a city hall and that result was neither revoked nor amended.

Overview

Shortly before the board passed the order, a proper petition of the voters was presented to the board, which resulted in the municipal election ballot issue on funding the city hall's construction. The court concluded that the petition did not stay the board's right to pass the order because the consequent referendum vote only had an advisory effect and did not prevent the board from dealing with the subject. The court found that under Medford, Mass., Charter § 16, none of the board objected to considering the order. The board adopted the order on a roll call by the vote of 16 to three. The court determined that the board did not pass the order through all of its stages at one meeting. In the first meeting, the board referred the order to a committee for a reading. The court decided that, even if it was assumed that a negative vote was the equivalent to an objection to the order, for two reasons the order was at its final stage in the second meeting when the roll call vote occurred. First, the order received its initial

consideration at the first meeting. Second, the objection of three members at the second meeting was not enough to require further postponement of the issue.

Outcome

The court dismissed the taxpayers' bill.

LexisNexis® Headnotes

Governments > Local Governments > Charters

Governments > Local Governments > Elections

Governments > Local Governments > Finance

[HN1](#) Local Governments, Charters

Medford, Mass., Charter § 7, 1903 Mass. Acts 345, as amended by 1906 Mass. Acts 252, § 1, contains two sentences referring to two different matters. The first relates to general meetings of citizens. It provides for the exercise of the right secured by [Mass. Const. Decl. Rights art. 19](#). It is a provision almost universally found in city charters. The purpose of that sentence in general is to enable the voters to have full and free discussion and consultation upon the merits of candidates for public office and of measures proposed in the public interests. The second sentence of Medford, Mass., Charter § 7, 1903 Mass. Acts 345, as amended by 1906 Mass. Acts 252, § 1, relates to the general subject of ascertaining the view of such voters as choose thus to express themselves upon any question of public interest which can be answered by a plain affirmative or negative.

Governments > Local Governments > Elections

[HN2](#) [↓] Local Governments, Elections

See Medford, Mass., Charter § 7, 1903 Mass. Acts 345, as amended by 1906 Mass. Acts 252, § 1.

Governments > Local

Governments > Administrative Boards

Governments > Local Governments > Charters

[HN3](#) [↓] Local Governments, Administrative Boards

Medford, Mass., Charter § 16, provides that an order of the board of aldermen may be passed through all its stages at one session by unanimous consent, but, if one member objects, the measure shall be postponed for at least one week.

Governments > Legislation > Enactment

[HN4](#) [↓] Legislation, Enactment

In legislative bodies where several readings of an order are required, and in the absence of special rule, the referral of the order to a committee constitutes one stage or the first reading.

Counsel: [***1] Edward E. Elder and Frederick W. McGowan, both of Boston, for petitioners.

Charles S. Baxter and George C. Scott, both of Boston, for respondents.

Opinion by: RUGG

Opinion

[*177] [**873] RUGG, C. J. This is a petition in equity under R. L. c. 25, § 100, by ten taxpayers of the city of Medford, to restrain the mayor and city treasurer of that city from borrowing money to construct a city hall, in accordance with an order of the board of aldermen, dated January 25, 1916. The main contention is that the order authorizing the action sought to be enjoined is invalid because the voters of the city at the municipal election in 1913 voted not to borrow or appropriate money for a city hall, which vote has not been revoked or amended.

This contention is founded on section 7 of the city

charter of Medford, St. 1903, c. 345, as amended by St. 1906, c. 252, § 1. ¹ [HN1](#) [↑] That section contains two sentences referring to two different matters. [*178] The first relates to general meetings of citizens. It provides for the exercise of the right secured by article 19 of the Declaration of Rights. It is a provision almost universally found in city charters. [Wheelock v. Lowell, 196 Mass. 220, 226, \[***2\] 81 N. E. 977, 134 Am. St. Rep. 543, 12 Ann. Cas. 1109](#). The purpose of that sentence in general is to enable the [**874] voters to have full and free discussion and consultation upon the merits of candidates for public office and of measures proposed in the public interests. Its importance in this respect is of the highest moment. See *Commonwealth v. Porter*, 1 Gray, 476. It never has been suggested, so far as we are aware, that the vote of such a meeting had a legally binding force upon the city. It certainly can have no bearing upon its financial obligations. The second sentence of section 7 relates to the general subject of ascertaining the view of such voters as choose thus to express themselves upon any question of public interest which can be answered by a plain affirmative or negative. Its collocation with the other sentence in one section is some indication that it is of the same general character. It is in the briefest possible phrase and contains no words expressive of the effect of such vote. The force to be given it rests entirely upon implication. The natural inference is that its force and effect is the same as that of the other form of expression of public opinion [***3] with which it stands combined in one section, which is a provision long known in legislation and whose force and effect are well understood. It hardly can be presumed, in the absence of a definite enactment to that end, that the Legislature intended such a vote to bind the city absolutely and to fix finally the municipal policy upon the subject of the vote.

The conception of the referendum as to definite measures of local administration in cities is a comparatively new one in the legislation of this state. While it has been the legislative practice for a long time

¹ [HN2](#) [↑] 'General meetings of the inhabitants of the city may from time to time be held, according to the right secured to the people by the Constitution of the commonwealth; and such meetings may, and upon the request in writing of fifty qualified voters setting forth the purposes thereof shall be called by the board of aldermen. The board, upon request in writing of twenty-five per cent. of the qualified voters, shall order placed upon the official ballot for a municipal election any question of public interest set forth in such request, provided that such question can be answered by 'Yes' or 'No.'

to make the taking effect [***4] of a statute of local concern in a particular municipality dependent upon acceptance in some form (*Barnes v. Chicopee*, 213 Mass. 1, 4, 99 N. E. 464), it is only within recent years that what is popularly known as the initiative and referendum have been applied in matters involving policy as to particular measures of improvement. *Graham v. Roberts*, 200 Mass. 152, 85 N. E. 1009. It is hardly to be inferred that so radical a departure in municipal government would have been undertaken in any city without plain words indicative of that design.

[*179] It may well have been thought that the machinery for the expression of an advisory opinion by the voters of a city at a public meeting was quite inadequate, in view of the inconvenience of gathering at a single hall a substantial proportion of the citizens, and that this should be supplemented by giving to any voter the privilege of expressing his view so that it would be counted. Advisory expressions of public opinion participated in by large numbers of people may have been deemed likely to be a sufficiently strong incentive to action by city officers. It is no idle form to secure a definite conception in this form of what the people [***5] think on any subject of general interest. Ample scope thus is given for the operation of the language of the section without stretching it to include that which, when intended, commonly is expressed by clear words.

When the Legislature has designed to give binding force to an initiative or referendum vote, it has been able to find expression for that purpose in unmistakable words. See, for example, the city charters referred to in the footnote, where provisions in this respect are clear.²

The conclusion seems to us inevitable that the effect of the referendum vote of the voters of Medford in 1913 had no more than an advisory effect and did not prevent the board of aldermen from dealing with the subject as it deemed wise [***6] at any time.

Shortly before the order in question was passed by the board of aldermen, a petition signed by twenty-five per cent. of the qualified voters of the city was presented to the board, requesting that there be placed on the official

ballot at the municipal election for 1916 the questions whether a city hall should be built and whether, if to be built, it should be built under the supervision of three or more citizens. What has been said disposes in substance of the contention that the filing of this petition operated to stay the right of the board of aldermen to pass the order until after such election. It cannot have been the intent of the Legislature to [*180] suspend all power of the municipality to act touching a matter to be voted on at the municipal election, then almost eleven months in the future, when the vote itself would be simply advisory and not compulsory in its effect. When the Legislature has intended that the filing of a petition for a referendum should have the effect of suspending the power of the municipal government to act touching the matter referred until after the popular vote, it has disclosed that intent by plain words. This is manifested by [***7] language used in the city charters referred to in the last footnote.

The city charter of Medford provides in section 16 [HN3](#) [↑] that an order of the board of aldermen may be passed through all its stages at one session by unanimous consent, but, if one member objects, the measure shall be postponed for at least one week. The single justice has found that 'no one objected to the consideration of the passage of the order here assailed.' The record of the board of aldermen shows the order first was presented as accompanying the letter of the mayor on January 11, 1916. It then was referred to a committee. The committee unanimously recommended the adoption of the order by report presented to the board of aldermen on January 25th. Its adoption then was [**875] moved, and after discussion by several members it was adopted on a roll call by the votes of sixteen members in the affirmative to three in the negative. The order was not passed through all its stages at one meeting. It was or should have been read, and was referred to a committee at the meeting of January 11th. [HN4](#) [↑] In legislative bodies where several readings are required, and in the absence of special rule, that constitutes one stage or [***8] the first reading. The presentation at the meeting of January 25th was its second stage. Since the rules of the board of aldermen of Medford do not prescribe several readings of orders like this, that was its final stage. Therefore, even if it be assumed, but without so intimating, that a negative [*181] vote was the equivalent to an objection, the order was at its final stage on January 25, 1916, having received its first consideration at the earlier meeting, and the objection of three members was not enough to require further postponement.

² St. 1908, c. 611, §§ 27, 28, 29, Gloucester; St. 1908, c. 574, §§ 42, 43, Haverhill; St. 1910, c. 602, pt. 1, §§ 64, 65, Lynn; St. 1911, c. 621, pt. 1, §§ 45, 53, Lawrence; St. 1911, c. 680, pt. 1, §§ 54, 55, Chelsea; St. 1911, c. 645, §§ 60, 61, Lowell; St. 1914, c. 680, §§ 25, 26, Attleboro; St. 1914, c. 609, §§ 28, 29, Westfield; St. 1911, c. 732, pt. 3, § 55, Pittsfield; St. 1911, c. 531, § 69, Cambridge; St. 1915, c. 267, pt. 1, § 42, General Act.

224 Mass. 176, *181; 112 N.E. 873, **875; 1916 Mass. LEXIS 1100, ***8

Bill dismissed without costs.

End of Document

TO: Lisa Ball, Esq., Holyoke City Solicitor
(*By Electronic Mail Only*)

FROM: Mark R. Reich, Esq.

RE: City Council Voting Requirements – Fund Transfers, Special Purpose Stabilization Fund Appropriations

DATE: February 6, 2025

Question

You have requested an opinion regarding the quantum of vote required of the Holyoke City Council with regard to fund transfers made at the end or beginning of the fiscal year, and with regard to appropriations from special purpose stabilization funds. You have indicated concerns have been raised by the City Council regarding inconsistencies between the City's Special Act Charter and provisions of applicable General Laws. Specifically, the City Charter, at Section 49, requires a two-thirds vote of the City Council, with the recommendation of the Mayor, for the expenditure of funds for any other purpose than that for which the funds were originally appropriated. The provisions of G.L. c. 44, §33B, which addresses budget transfers made at both the end and beginning of fiscal years, and the provisions of G.L. c. 40, §5B, as recently amended, which address the creation of and transfers from stabilization funds, differ from the Charter with respect to the necessary quantum of vote for such actions. Your department has issued opinions, based upon review of the City Charter as well as statutes and caselaw, which you have also forwarded for my review, and which concluded that the statutory provisions regarding end and beginning of year fund transfers and appropriations from special purpose stabilization funds should govern notwithstanding the general provisions of the City Charter regarding fund appropriations.

Short Answer

I have reviewed your prior opinions, as well as the City Charter, applicable statutes, and the caselaw you cited in your previous opinions. In my opinion, the specific provisions of G.L. c. 44, §33B and G.L. c. 40, §5B, as recently amended, will govern the quantum of vote for action by the City Council notwithstanding the more general provisions of Section 49 of the City Charter. I therefore concur with your department's prior opinions, which are consistent with the rules of statutory construction and allow the provisions of the City Charter and relevant statutes to be applied in a harmonious manner to achieve the intent of those provisions. To determine otherwise would, in my opinion, be contrary to the purpose of the more recent and specific statutory enactments.

Detailed Analysis

The City's Charter, enacted by special act in 1896, addresses transfers and appropriations of City funds in Article VIII, Section 49, as follows:

Sec. 49. - Transfers of appropriations; authorization of expenditures without appropriation; approval of bills, pay rolls and vouchers; fiscal year.

No sum appropriated for a specific purpose shall be expended for any other purpose, and no expenditure shall be made nor liabilities incurred by or in behalf of the city until an appropriation has been fully voted by the city council, sufficient to meet such expenditure or liability, together with all prior unpaid liabilities which are payable out of such appropriation, except in accordance with the recommendation of the mayor to the city council, approved by the ye and nay vote of two-thirds of the council: provided, however, that after the expiration of the financial year and until the passage of the annual appropriations liabilities payable out of a regular appropriation to be contained therein may be incurred to an amount not exceeding one third of the total of such appropriation for the preceding year. Every bill, pay roll or other voucher covering an expenditure of money shall be approved by the signatures on the back of such bill or voucher of the majority of the board or committee having control of or incurring such expenditure, and after such approval such bills, pay rolls or vouchers shall be turned over to the auditor. The financial year shall begin with the first day of December in each year.

This section of the Charter, which I am informed has remained essentially unchanged since the Charter's enactment in 1896, addresses transfers from appropriations generally but does not address either fund transfers undertaken at the end or beginning of a fiscal year or the creation of, appropriation to, or expenditure of funds from, a stabilization fund. These omissions are not surprising given the time of enactment of the Charter. The Charter has been amended over the years to address certain items, such as the change in the form of government from a Board of Aldermen to a City Council, but the provisions of Section 49, including the superseded reference to the beginning of the City's financial year, have remained intact. In my opinion, this section of the Charter continues to apply generally to the process of the City Council in consideration of fund transfers and appropriations. However, in my further opinion, this provision should be read in harmony with later statutory enactments that more specifically address such matters, and the quantum of vote requirements of applicable statutes should be applied by the City Council.

Rules of Statutory Construction

In my opinion, the general rules of statutory construction must be applied when considering statutes and special acts which relate to a common subject matter. Such statutes and special acts "should be construed together so as to constitute a harmonious whole."

Commonwealth v. Smith, 431 Mass. 417, 424 (2000); quoting Board of Education v. Assessor of Worcester, 368 Mass. 511, 513-514 (1975). Further, a later-enacted, more specific provision

will be considered to prevail over a general rule. See Lukes v. Election Comm'rs of Worcester, 423 Mass. 826, 829 (1996), which held that, “Where two provisions are in conflict, if a specific provision . . . is enacted subsequent to a more general rule, the specific and not the general provision applies.”

Further, it is understood that where “a general statute and a specific statute cannot be reconciled, the general statute must yield to the specific statute.” Pereira v. New England LNG Co., 364 Mass. 109, 118 (1973). See Morales v. Trans World Airlines, Inc., 504 U.S. 374, 384 (1992), citing Crawford Fitting Co. v. J.T. Gibbons, Inc., 482 U.S. 437, 445 (1987) (“it is a commonplace of statutory construction that the specific governs the general”); Morey v. Martha's Vineyard Comm'n, 409 Mass. 813, 819, (1991) (general language must yield to more precise language); Hennessey v. Berger, 403 Mass. 648, 651 (1988). “This is particularly true where, as here, the specific statute was enacted after the general statute.” Pereira, 364 Mass. at 118

Fund Transfers at the Beginning and End of the Fiscal Year

The provisions of G.L. c. 44, §33B, which govern fund transfers, were amended in 2006 to address transfers made at the end and beginning of a fiscal year, and were further amended by the Municipal Modernization Act in 2017. This specific statutory enactment, which significantly postdates the enactment of the City's Special Act Charter, provides in pertinent part as follows:

(a) On recommendation of the mayor, the city council may, by majority vote, transfer any amount appropriated for the use of any department to another appropriation for the same department. In addition, the city council may, by majority vote, on recommendation of the mayor, transfer within the last 2 months of any fiscal year, or during the first 15 days of the new fiscal year, to apply to the previous fiscal year, any amount appropriated, other than for the use of a municipal light department or a school department, to any other appropriation. Except as provided in the preceding sentence, no transfer shall be made of any amount appropriated for the use of any city department to the appropriation for any other department except by a 2/3 vote of the city council on recommendation of the mayor and with the written approval of the amount of the transfer by the department having control of the appropriation from which the transfer is proposed to be made. No transfer involving a municipal light department or a school department shall be made under the previous sentence without the approval of the amount of the transfer by a vote of the municipal light department board or by a vote of the school committee, respectively.

The provisions of G.L. c. 44, §33B, as amended in 2006, allow the City Council to act by majority vote, upon a recommendation of the Mayor, within the last two months of the fiscal year, or during the first fifteen days of the new fiscal year, to apply to the previous fiscal year, the transfer of funds previously appropriated to any other appropriation, with the exception of funds appropriated for the use of a municipal light department or the School Department.

Transfers made outside the specific time period established in the statute as referenced above would require approval by a two-thirds vote of the City Council, consistent with the requirements of Section 49 of the City Charter.

In my opinion, it is important, when reviewing Section 49 of the City Charter together with the provisions of G.L. c. 44, §33B, to consider the general rules of statutory construction as referenced above. In the instant case, Section 49 of the City Charter generally governs transfers of City funds, requiring a two-thirds majority vote of the City Council to approve a transfer of an amount appropriated for a specific purpose for use for a different purpose. Section 49 does not include a different procedure for transfers being considered at specific times within the fiscal year. By contrast, the provisions of G.L. c. 44, §33B, as amended, in addition to addressing transfers of appropriations in general, provide for a reduced simple majority quantum of vote applicable to transfers within the last two months of the fiscal year, or during the first fifteen days of the new fiscal year to be applied to the prior fiscal year. Consideration of the provisions of Section 49 of the City Charter and G.L. c. 44, §33B should be undertaken in a manner so as to create a harmonious whole and to implement the more specific provisions of the later-enacted statute. In my opinion it is therefore appropriate to apply the lesser simple majority vote requirement to transfers of previously appropriated City funds within the last two months of the fiscal year, or during the first fifteen days of the new fiscal year, as opposed to the two-thirds majority vote generally applied by Section 49 of the City Charter. Such a reading would preserve the general provisions of Section 49 for transfers during the remainder of the fiscal year. This opinion is consistent with opinions previously provided by your office in this matter.

Special Stabilization Funds

The provisions of G.L. c. 40, §5B address the creation and use of stabilization funds. The statute was amended by the provisions of Chapter 77 of the Acts of 2023, which provided in pertinent part as follows:

SECTION 8. Section 5B of chapter 40 of the General Laws, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

There shall be designated 2 types of stabilization funds: (i) the general purpose stabilization fund; and (ii) special purpose stabilization funds. At the time of creating any stabilization fund, the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including, but not limited to, an approved school project pursuant to chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. The specification and any alteration of purpose and any appropriation of funds from the general purpose stabilization fund shall be approved by a two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C of said chapter 59,

any such vote shall be of the legislative body of the city, town or district, subject to its charter. Appropriation of funds from a special purpose stabilization fund shall be approved by a majority vote.

The statute, as amended, allows for the creation of special purpose stabilization funds by a two-thirds vote of a municipality's legislative body, which in the instant case would be the City Council. The amended statute also provides that appropriations from a special purpose stabilization fund may be authorized by a simple majority vote.

As noted above, the provisions of Section 49 of the City Charter generally address transfers of appropriated funds by a two-thirds majority vote. Section 49 does not address stabilization funds, as the enactment of the Charter predates the enactment of G.L. c. 40, §5B, as originally enacted and as amended. Once again applying the rules of statutory construction, in my opinion the Charter and the statute should be read together to apply the more specific provision in order to reach a harmonious whole. In this case, where the Charter does not address stabilization funds, the specific statutory provisions allowing for the creation of special purpose stabilization funds by a two thirds majority vote of the City Council, and further allowing appropriations from special purpose stabilization funds by a simple majority vote, should be applied in such matters. This application would not disturb the governance of other matters by the general requirements of Section 49 of the City Charter, in my opinion. Again, this opinion is consistent with opinions provided by your office.

Conclusion

For the reasons stated above, based upon a review of the City's Special Act Charter, applicable statutes, and prior opinions of your office, in my opinion the specific provisions of the above referenced statutes regarding the quantum of vote required for the City Council to authorize fund transfers and appropriations from special purpose stabilization funds should be controlling where the Charter is silent as to these matters.

961611/HOLY/0001



Mayor Joshua A. Garcia

Lisa A. Ball, Esq.

City of Holyoke

City Solicitor

Kathleen E. Degnan, Esq.
Jane L. Mantolesky, Esq.
Michael D. Bissonette, Esq.
Mary E. Gotham, Paralegal

February 11, 2025

To:	Mayor's Office	Department of Public Works
	Board of Health	Building Department
	City Assessor	City Auditor
	City Council	Fire Department
	Police Department	City Solicitor
	City Treasurer	Tax Collector
	Water Dept.	HG&E
	Purchasing Department	OPED

Subject: Sale 285 Main Street, Assessors Map 030, Block 08, Parcel 004

Please be advised that on February 10, 2025, the City of Holyoke sold the above referenced property to Johnna Caizan-Torres. The deed is recorded in the Hampden County Registry of Deeds in Book 25755/ Page 313. The sale price was \$15,000.00.

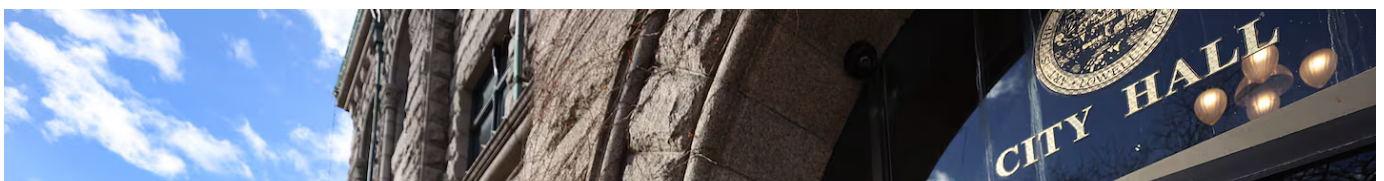
Should you have any questions, please feel free to contact me.

Best regards,

Jane Mantolesky,
Assistant City Solicitor

The state has eliminated cannabis ‘impact fees.’ But many Mass. towns are still charging them.

By [Diti Kohli](#) Globe Staff, Updated February 2, 2025, [2 hours ago](#)





Nairobi Sanchez, photographed in front of Lowell City Hall. She has ran into issues eliminating future community impact fees for her upcoming cannabis business, La Bodeguita. SUZANNE KREITER/GLOBE STAFF

Almost three years ago, state lawmakers decided to end “community impact fees” on cannabis businesses. The charge of up to 3 percent of sales collected by cities and towns was intended to address the side effects some feared would follow new dispensaries and grow facilities, such as traffic congestion, crime, and rampant substance abuse.

When those impacts did not arise, policymakers [ruled that the fees were unnecessary](#) and instead required towns to provide a breakdown of how the money would be spent before businesses have to pay up.

But the reforms have changed little: Dozens of communities across Massachusetts are still demanding impact fees from marijuana companies amounting to thousands of dollars each year, while others refuse to return the funds they’ve already collected — [at least \\$50 million in all](#) since 2018. Officials

funds they've already collected — [at least \\$50 million in all](#) since 2018. Officials have spent the money on new police cruisers, six-figure nonprofit donations, or simply, to grow their general budget.

Now a flurry of litigation is underway, as cannabis entrepreneurs fight to block the fees from being spent on things they say have nothing to do with cannabis. Many believe that the prolonged battle over the money is yet another drag on the emerging industry, suffering from plummeting consumer prices and an oversaturated market. Pot businesses, strangled by [high federal taxes](#) and persistent issues with investment and credit lines, are already [closing rapidly](#) across the state.

“At first, a lot of municipalities thought it was a windfall. They thought they got the 3 percent [fees] and got to run with it — no questions asked,” said Thomas Macmillan, a lawyer representing a half dozen or so cannabis entrepreneurs who are renegotiating the “host community agreements” that set impact fees. “But the dominoes are starting to fall.”

Under the new law, fees can only be charged for expenses that towns can prove are a direct result of a company’s behavior, though attorneys representing municipalities argue that officials are not obligated to rewrite the contracts that oversee the fees until the prior version expires — or at all. Some say that the agreements signed before the law changed are simply not subject to the alterations.

A handful of communities, including Boston and Northampton, voluntarily returned millions in impact funds when the reforms were first introduced. But by this January, state data shows less than half of Massachusetts municipalities

by this January, state data shows, less than half of Massachusetts municipalities that house marijuana businesses had removed the impact fees and brought all their cannabis community agreements up to code.

Meanwhile, retailers in [Hanover](#) and [Great Barrington](#) are suing their respective towns to recoup \$7 million in impact fees they believe were taken unfairly, drawing inspiration from successful lawsuits last year in [Pittsfield](#) and [Haverhill](#). In Uxbridge, Caroline's Cannabis [landed a landmark \\$1.2 million settlement](#) in January 2024, a refund of 80 percent of the fees collected.

After the lawsuit, Uxbridge town manager Steven Sette said officials hold “a renewed interest in working together” on future agreements concerning the fees.

A spokesperson for the Cannabis Control Commission said the agency “is committed to pursuing all legal avenues within its authority to ensure licensees and municipalities comply with regulatory reforms.”

In the interim, some marijuana businesses in communities that refuse to comply with the new standards have stopped paying impact fees on principal, risking their relationship with town officials. Others hope the fees will be eliminated before they open their doors.

Nairobi Sanchez, for example, has spent years planning a marijuana delivery warehouse-slash-[consumption lounge](#) called La Bodeguita, which would be the only cannabis business in Lowell founded by a woman of color. City officials have repeatedly demanded she agree to pay a 3 percent fee on all sales once her business launches. She has pushed back, to no avail. It feels like yet another barrier to success, she said.

“The use of [host community agreements] as a tool for discrimination — a tool to keep out cannabis businesses and charge us unfairly — is unfortunately succeeding,” Sanchez said.

Nairobi Sanchez, an aspiring cannabis entrepreneur, inside Lowell City Hall. SUZANNE KREITER/GLOBE STAFF

These agreements were originally conceived — and signed by marijuana businesses — to convince municipalities and wary neighbors that having a dispensary in town would not be a drag on public safety budgets. Though research on the impacts of pot businesses is scant, [recent studies](#) show few negative consequences. If anything, researchers found, a legal marijuana market can lead to [lower crime](#), [reduced opioid consumption](#), and [rising housing values](#).

Some municipal officials are now coming around to those arguments. Launching more cannabis businesses, they say, could bolster commercial districts and spur economic development in towns.

Lowell City Councilor Corey Robinson said the city is squandering a “golden opportunity” by asking Sanchez for impact fees, rather than signing an agreement that fits the new regulations and sets her up for success.

Other city officials in Lowell declined to comment on Sanchez’s situation.

“Why they’re targeting one industry like this doesn’t make sense to me,”

Robinson said. “We need to find a way to show them that we’re welcoming of those endeavors.”

But other towns have dug in their heels.

Newton Mayor Ruthanne Fuller recently responded to threats of litigation from three cannabis businesses in a [citywide email](#) that skewered the companies for “breach of contract.”

“The Newton Law Department will vigorously defend the legality of our signed agreements,” she added.

In some municipalities, KP Law, a Boston firm that represents several towns in community agreement negotiations, has argued that future fees are warranted to address impacts to come, including intoxicated driving, odor from cannabis cultivation facilities, and an increase in marijuana use among teenagers.

That is the case in Great Barrington. There, a complaint from three cannabis dispensaries cites written excerpts from town officials who said they experienced “zero impacts” from marijuana licensees that were still charged the three-percent fees.

The CCC is poised to intervene in that suit with a letter of support for the dispensaries “forced to tender to the town millions of dollars in unlawful” fees, legal payments, and reimbursements.

In Great Barrington, that includes hundreds of thousands in city contributions to the Railroad Youth Project, which supports young adults in the Berkshires; \$15,000 to help restore a 19th-century church; and \$182,000 to add a mental health responder to the town’s police force.

Public records show that in Rockland, cannabis impact fees funded street paving,

CPR devices, and two electric vehicles for the inspectional department. In Northampton, they helped pay for the design of an accessible bus station. Other towns used the money to pad public school budgets, asserting that the fees supported positions that mitigated substance use among their students.

The Cannabis Control Commission is weighing in on behalf of dispensaries suing the town of Great Barrington over cannabis impact fees. JOHN TLUMACKI/GLOBE STAFF

Around 60 cannabis licensees across the state that received license extensions from regulators to negotiate an acceptable agreement ahead of the renewal will hit their deadlines in April.

Should they and their towns fail to reach an agreement, it's not clear what the cannabis commission will do.

If they can't reach a deal by then, revoking their business license would amount to a lose-lose, said Phil Silverman, a partner in law firm Vicente LLP who represents cannabis companies. The business would have to shut down, and towns would relinquish thousands in sales taxes and real estate revenue from cultivators and dispensaries.

"The operator is stuck in the middle here," Silverman said. "The CCC does not want to reward these towns for refusing to get to a compliant [agreement] by terminating their license."

As part of their negotiations, some towns are trying to get cannabis businesses to waive their right to recoup impact fees that have already been paid, according to lawyers representing cannabis businesses.

Peter Most, a commercial litigation lawyer in Great Barrington who has written extensively about towns' shortcomings on host community agreements, said that amounts to "abuse."

"You can't charge a fee without also having an invoice of some sort, and that is exactly what towns did for years," Most said. "They should not be automatically entitled to keeping that money forever."

It is of utmost concern to small cannabis companies, which are often barely profitable, said Donna Norman, chief executive of the dispensary Calyx Berkshire. She is behind the second Great Barrington lawsuit, suing for almost \$400,000 in impact fees paid since 2020.

She said having Great Barrington take that money as she does her part in the community — by purchasing her own building, cosponsoring a local music festival in town, and helping construct workforce housing, among other moves — feels like an exploitative transaction and a lack of responsible stewardship.

"It leaves such a bad taste in your mouth when you see all these other towns giving their money back," she said. "They know and have always known that this is not how this should go down."

Diti Kohli can be reached at diti.kohli@globe.com. Follow her [@ditikohli_](https://twitter.com/ditikohli_).

 [Show 10 comments](#)

©2025 Boston Globe Media Partners, LLC



Informational Guideline Release

Bureau of Municipal Finance Law
Informational Guideline Release (IGR) No. 17-13
May 2017

Supersedes IGR 06-209 and Inconsistent Prior Written Statements

APPROPRIATION TRANSFERS

(G.L. c. 44, § 33B)

This Informational Guideline Release (IGR) informs local officials of changes made by the recent Municipal Modernization Act to the alternative end-of-year budget transfer procedure.

Topical Index Key:

Accounting Policies and Procedures
Appropriations
Budgets
Town Meetings

Distribution:

Accountants/Auditors
Mayors/Selectmen
Finance Directors
Finance Committees
Managers/Administrators/Exec. Secys.
City/Town Councils
City Solicitors/Town Counsels

Supersedes IGR 06-209 and Inconsistent Prior Written Statements

APPROPRIATION TRANSFERS

(G.L. c. 44, § 33B)

SUMMARY:

These guidelines explain amendments to the alternative end-of-year budget transfer procedure under [G.L. c. 44, § 33B](#). The changes give cities and towns greater flexibility to make year-end budget transfers for the last two months of the fiscal year, i.e., May and June, and the first 15 days of July of the new fiscal year, which is the statutory period for closing municipal financial records for the fiscal year. [G.L. c. 44, §§ 56 and 56A](#). These amendments were made by the Municipal Modernization Act, which took effect on November 7, 2016. [St. 2016, c. 218, §§ 75 and 76](#).

The amendments eliminate the limits on types and amounts of end-of-year appropriation transfers that can be made under the alternative procedure. End-of-fiscal-year transfers may now be made from health insurance, debt service or other unclassified or non-departmental line item appropriations. In addition, the amount that may be transferred from any department under this procedure is no longer limited to three percent of the department's budget. The school and light departments remain exempt from this procedure.

These guidelines are in effect and supersede Informational Guideline Release (IGR) No. 06-209, *Appropriation Transfers*, and any inconsistent prior written statements or documents.

GUIDELINES:

A. APPROPRIATION TRANSFERS IN GENERAL

1. Available Amount

The amount of any appropriation available to be used as a financing source for another appropriation is the unspent and unencumbered balance, i.e., the amount after all potential liabilities to be charged to the appropriation are considered. Accounting officers should determine this amount before any transfer from an appropriation is approved.

2. Available Use

Transfers from surplus bond proceeds after a project that was financed by borrowing has been completed or abandoned may only be made in the manner and for the purposes set forth in [G.L. c. 44, § 20](#). Transfers from appropriations financed by other restricted sources, e.g., stabilization, enterprise, water surplus or community preservation funds, are subject to the same statutory restrictions as the original appropriations.

3. Governing Law

The procedures explained in these guidelines govern appropriation transfers unless a charter or special act provides otherwise. Officials should consult with municipal counsel about any applicable charter or other provisions.

B. APPROPRIATION TRANSFERS IN TOWNS

1. General Procedure

At any time during the fiscal year, a town meeting may by majority vote transfer any amount from any appropriation to any other municipal use authorized by law.

2. Alternative Year-end Procedure

During May and June, and the first 15 days of July of the new fiscal year, the selectboard, with the agreement of the finance committee, may transfer any amount from a departmental or other appropriation to any other appropriation. This procedure may not be used, however, to transfer funds from a municipal light or school department budget.

An end-of-year transfer using this alternative procedure requires a majority vote of the selectboard and a majority vote of the finance committee.

Any end-of-year transfer from the municipal light or school department budget requires town meeting approval. See Section B-1 above.

C. APPROPRIATION TRANSFERS IN CITIES

1. General Procedure

a. Intra-departmental Transfers

At any time during the fiscal year, the city council, upon recommendation of the mayor, may transfer any amount from a departmental appropriation to another appropriation within the same department. Intra-departmental transfers require a majority vote of the council.

b. Inter-departmental Transfers

At any time during the fiscal year, the city council, upon recommendation of the mayor, may transfer any amount from a departmental or other appropriation to any other appropriation. Inter-departmental transfers require the prior written approval of the amount by the department from which the transfer is being made, if applicable, and a two-thirds vote of the city council. If the transfer is being made from a municipal light or school department appropriation, the light board or school committee must approve the amount by majority vote.

2. Alternative Year-end Procedure

During May and June, and the first 15 days of July in the new fiscal year, the city council, upon the recommendation of the mayor, may transfer any amount from a departmental or other appropriation to any another appropriation. This procedure may not be used, however, to transfer from a municipal light or school department budget.

An end-of-year transfer using this alternative procedure requires only a majority vote of the council. Approval of the department from which the transfer is being made is not required.

Any end-of-year transfer from the municipal light or school department budget requires approval under the applicable general transfer procedure. See Section C-1-a and C-1-b above.

SCHERMERHORNS RESTAURANT

224 WESTFIELD ROAD

HOLYOKE, MASSACHUSETTS 01040

DATE: 11-21-24, REV. 2-7-25

OWNER & PROFESSIONALS

APPLICANT:

FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

RECORD OWNER:

FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

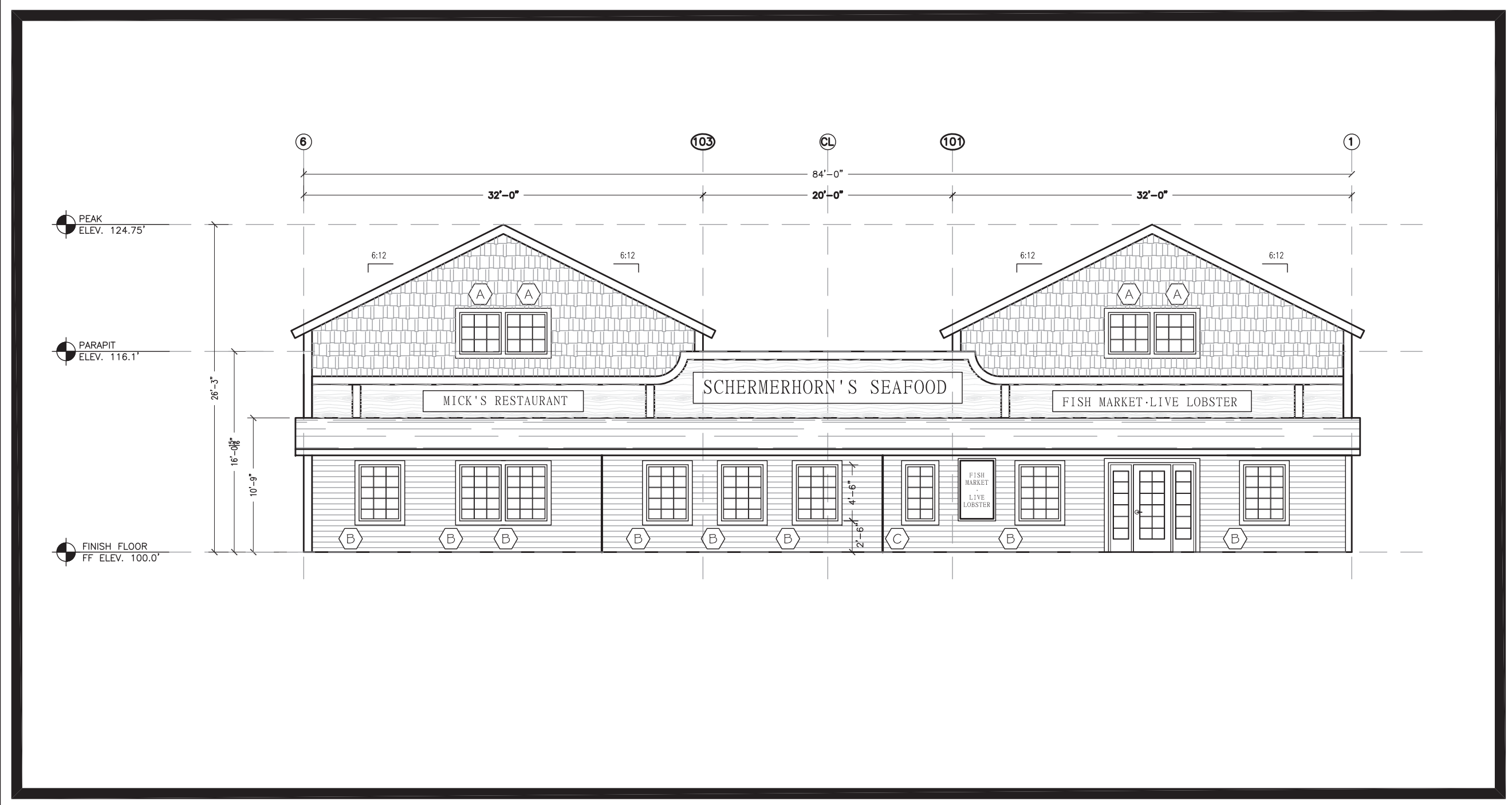
ENGINEER:

FURROW ENGINEERING
199 SERVISTAR INDUSTRIAL WAY - SUITE 2
WESTFIELD, MA 01085

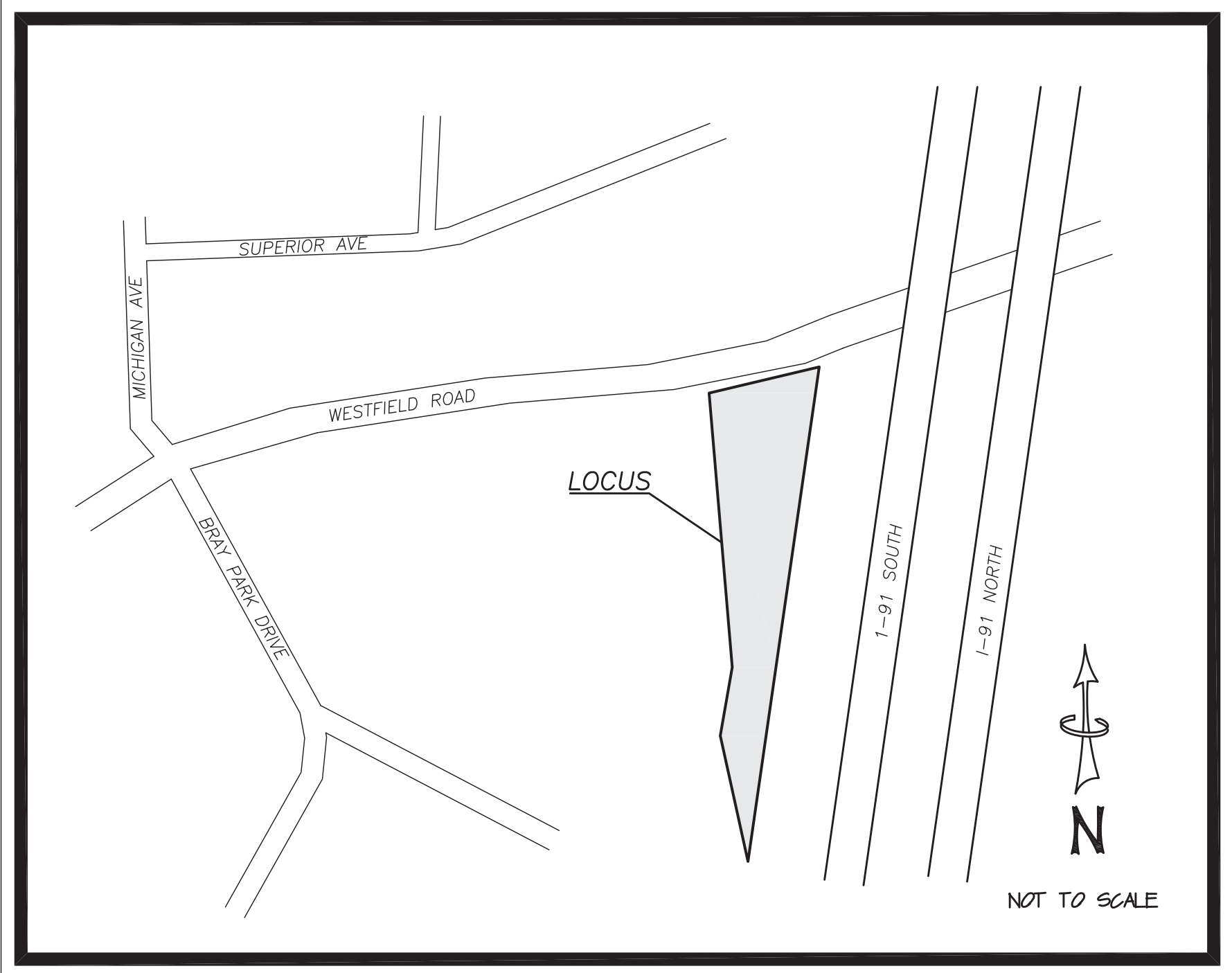
BUILDER:

SAGE ENGINEERING & CONTRACTING, INC.
199 SERVISTAR INDUSTRIAL WAY - SUITE 2
WESTFIELD, MA 01085

ELEVATION



LOCUS PLAN



GENERAL NOTES

GENERAL NOTES

1. FOR REFERENCE TO ENCLOSED PERIMETER SEE HAMPTON COUNTY REGISTRY OF DEEDS BOOK 25599 PAGE 132 & BOUNDARY SURVEY PLAN TITLED "PLAN OF LAND IN THE CITY OF HOLYOKE, MASSACHUSETTS" PREPARED FOR MICHAEL & MARILYN FITZGERALD BY DURKEE, WHITE, TOWNE AND CHAPPELAIN, DATED JANUARY 12, 2023.

2. ABUTTING PROPERTY LINE INFORMATION AND BUILDING LOCATIONS ARE APPROXIMATE ONLY AND THIS INFORMATION WAS OBTAINED FROM HOLYOKE GIS.

3. PRIOR TO STARTING EXCAVATION WORK ON THE SITE, THE CONTRACTOR SHALL CONTACT DIG-SAFE (FOUR DAYS PRIOR TO WORK), TO HAVE ALL UTILITIES PROPERLY MARKED IN THE FIELD.

DRAWING LIST

T-1 TITLE SHEET	2-7-25
C-2 SITE LAYOUT PLAN	11-21-24
A1.1 EXISTING FLOOR & DEMOLITION PLAN	11-21-24
A1.2 PROPOSED FLOOR PLAN	11-21-24
A2.1 EXISTING BUILDING ELEVATIONS	11-21-24
A2.2 PROPOSED BUILDING ELEVATIONS	11-21-24
A3.1 BUILDING CROSS-SECTIONS	11-21-24
A4.1 WALL SECTIONS	11-21-24
A5.1 ROOF PLAN	11-21-24
A7.5 ENLARGED BATHROOM & ADA PLAN	2-7-25
S1.1 FOUNDATION PLAN	11-21-24
S2.1 ROOF FRAMING PLAN	11-21-24
S2.2 WALL FRAMING PLAN	11-21-24
S3.1 STEEL ELEVATIONS	11-21-24
S3.2 STEEL DETAILS	11-21-24
E1.1 ELECTRICAL POWER PLAN	2-7-25
E1.2 LIGHTING PLAN	2-7-25
E2.1 FIRE ALARM PLAN	2-7-25
M1.1 HVAC PLAN	2-7-25
P1.1 PLUMBING PLAN	2-7-25

LEGEND

EX. GAS LINE	— GAS —	EX. FENCE	— X 500.00 —
EX. WATER LINE	— W —	EX. SPOT GRADE	— 150 —
EX. OVERHEAD ELECTRIC WIRES	— DHE —	EX. CONTOUR	— 150 —
EX. UNDERGROUND ELECTRIC	— UE —	EX. UTILITY POLE	— 150 —
EX. UNDERGROUND TEL-CATV-DATA	— UGT —	EX. HYDRANT	— 150 —
EX. STORM WATER DRAIN	— SD —	EX. WATER GATE	— 150 —
EX. SANITARY SEWER	— SS —	EX. CATCH BASIN	— 150 —
PR. WATER LINE	— W —	EX. DRAINAGE MANHOLE	— 150 —
PR. UNDERGROUND ELECTRIC	— UE —	EX. SANITARY MANHOLE	— 150 —
PR. UNDERGROUND TEL-CATV-DATA	— UGT —	EX. ELECTRIC MANHOLE	— 150 —
PR. SANITARY SEWER	— SS —		

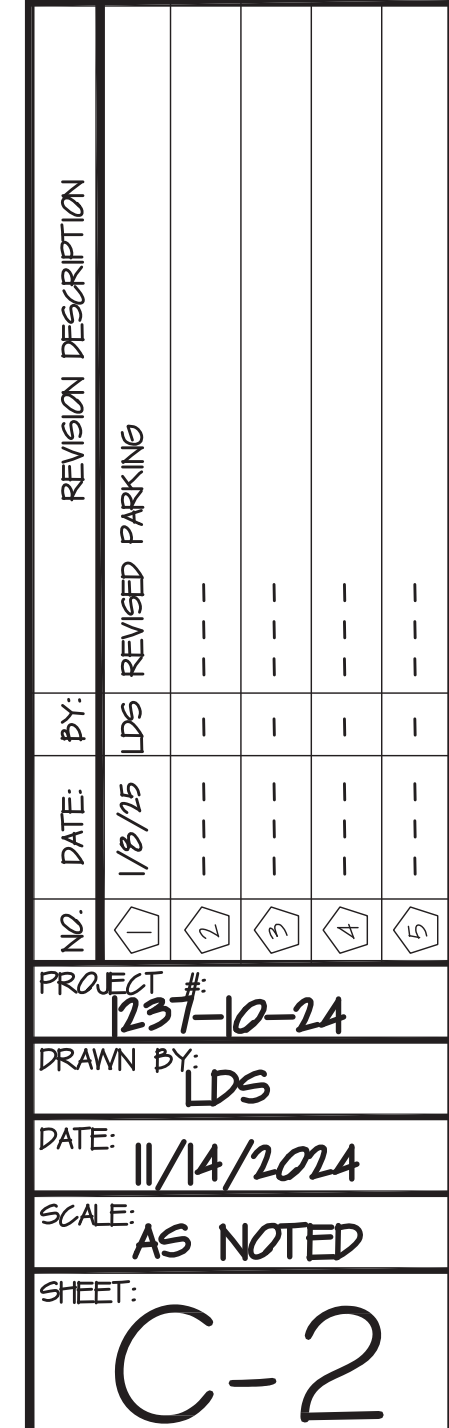


Furrow
Engineering

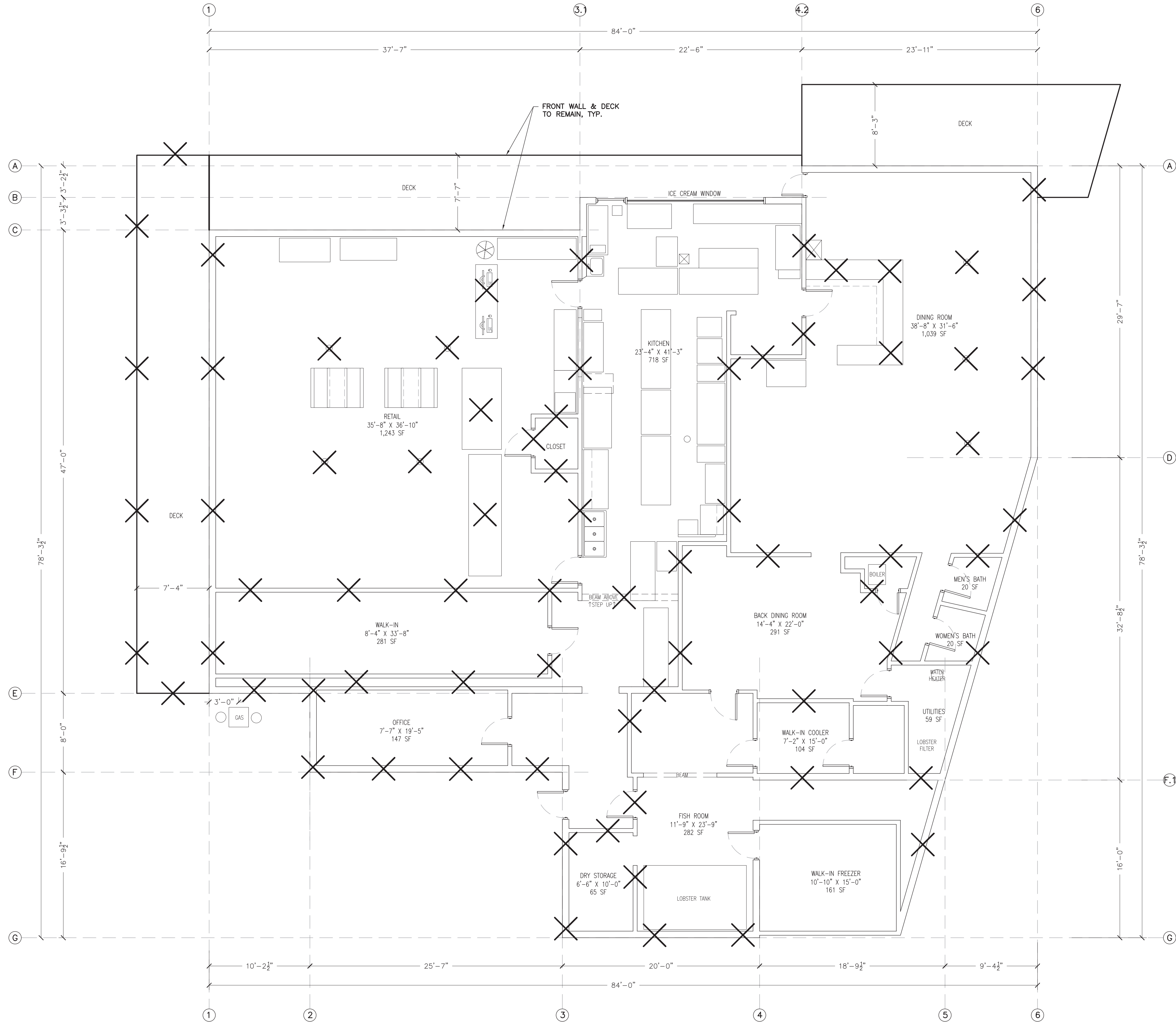
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884

2-7-25

T-1 TITLE SHEET

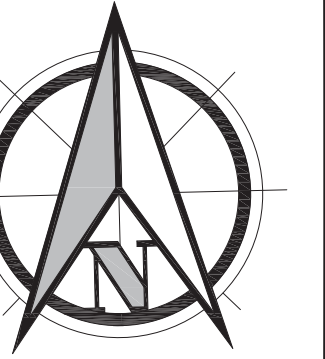


C-2 LAYOUT PLAN



- NOTES:
1. ALL KITCHEN & MECHANICAL EQUIPMENT TO BE REMOVED.
 2. ALL EXISTING FOUNDATION WALLS TO REMAIN
 3. NORTH WALL & DECK TO REMAIN
 4. ROOF STRUCTURE IN STRUCTURAL FAILURE & PRESENT LIFE SAFETY HAZARD. ROOF STRUCTRE TO BE REMOVED.

A1.1 EXISTING FLOOR & DEMOLITION PLAN

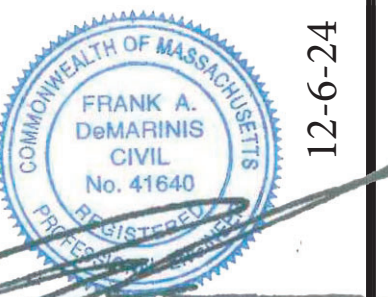


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION DESCRIPTION	
DATE	BY
1	1
2	2
3	3
4	4
5	5
6	6

PROJECT #:
237-10-24

DRAWN BY:
HJM

DATE:
10-11-24

SCALE:
3/16" = 1'-0"

SHEET:
A1.1

Per IBC 2015 and 780 CMR, Ninth Edition:

Table 1004.1.2: Maximum Floor Area Allowances Per Occupant
Mercantile: 60 Gross
Mercantile, Storage, Stock, Shipping Areas: 300 Gross
Kitchens, commercial: 200 Gross
Assembly, Fixed Seating: For areas having fixed seats and aisles, the occupant load shall be determined by the number of fixed seats installed therein.

Area:
Mercantile Gross Area: 777 SF
Mercantile, Storage, Stock, Shipping Area: 1,791 SF
Kitchen, commercial: 596 SF

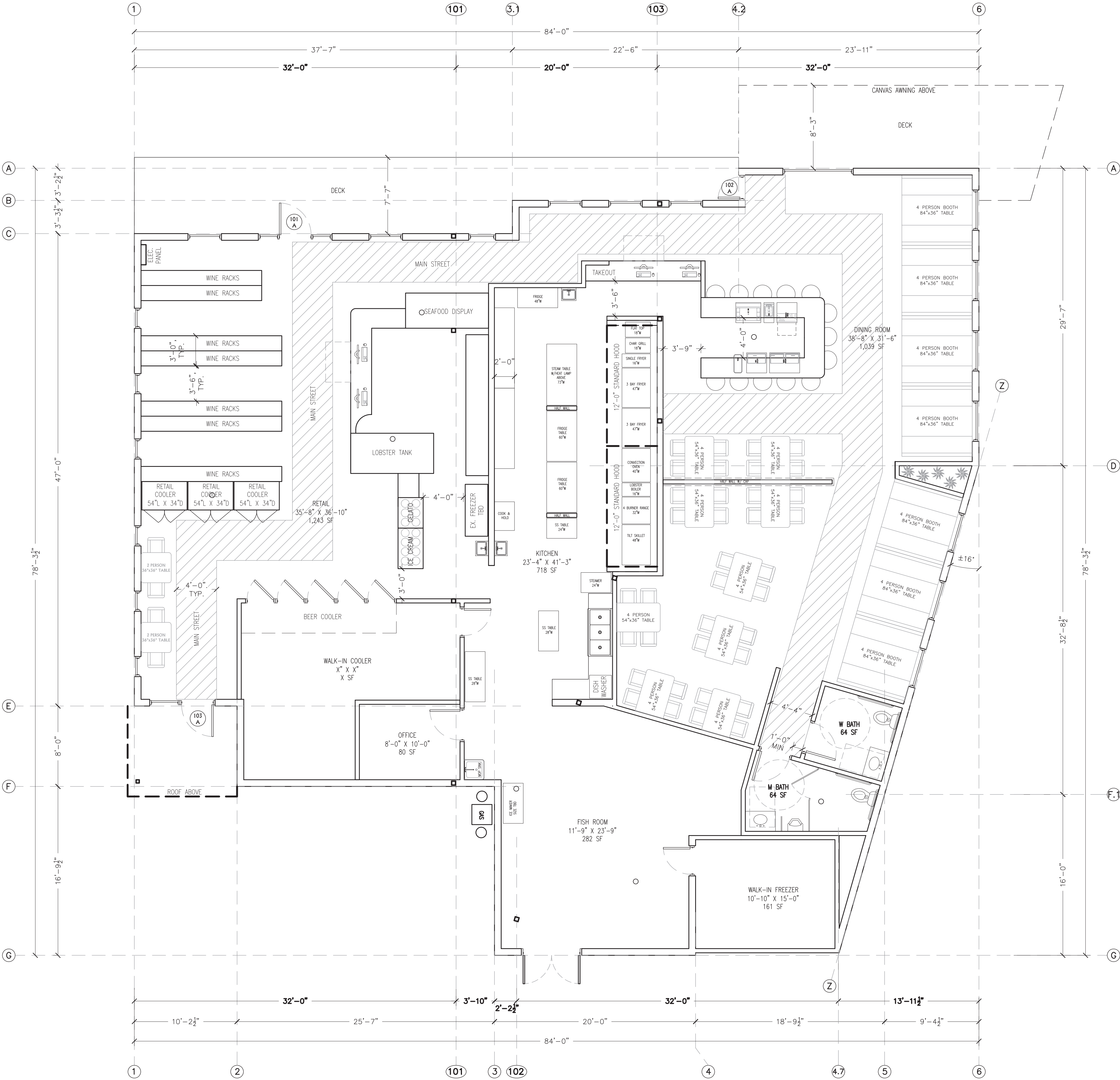
Minimum Design Occupant Load:
Mercantile:
777 SF / 60 SF/Occupant = 13 Occupants

Mercantile, Storage, Stock, Shipping Area:
1,791 SF / 300 SF/Occupant = 6 Occupants

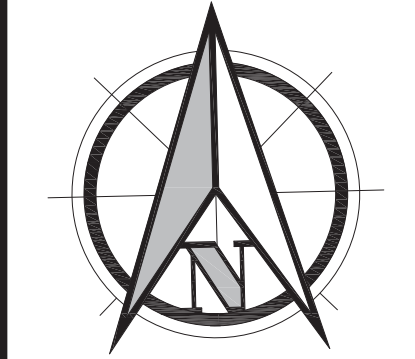
Kitchen, commercial:
596 SF / 200 SF/Occupant = 3 Occupants

Assembly, Fixed Seating:
77 Seats = 77 Occupants

TOTAL: 99 Occupants

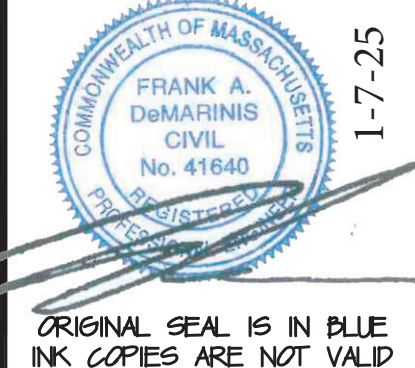


A1.2 PROPOSED FLOOR PLAN



PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040
APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884

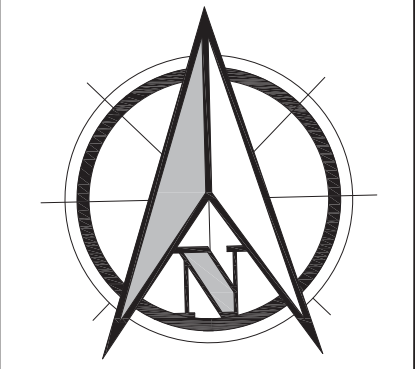
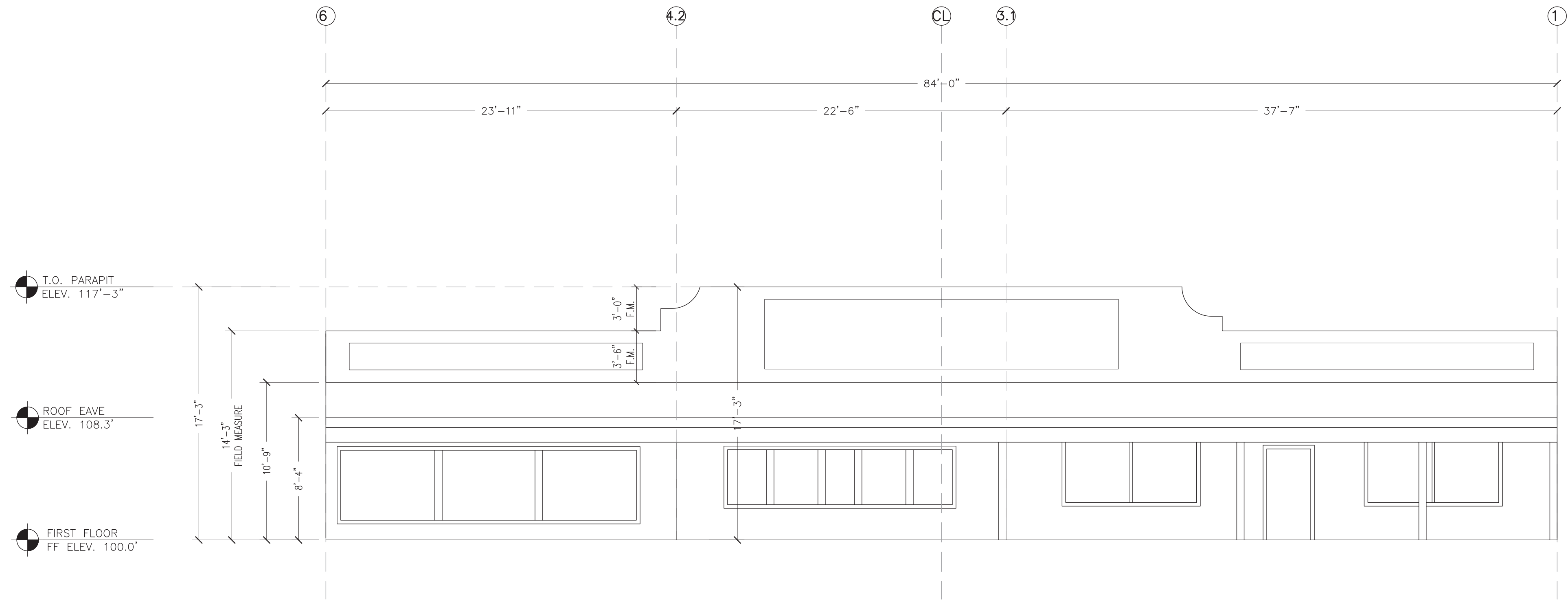


ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION	DATE	BY	DATE	BY
1		1-7-24	BM		
2					
3					
4					
5					
6					

PROJECT #:
1237-10-24
DRAWN BY:
HJM
DATE:
10-11-24
SCALE:
3/16" = 1'-0"
SHEET:

A1.2

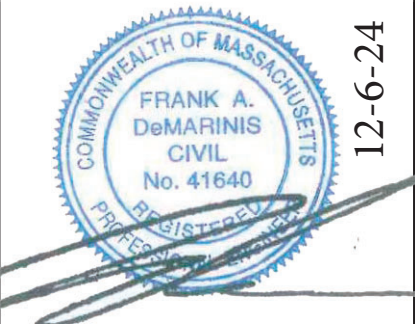


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			

PROJECT #
1237-10-24

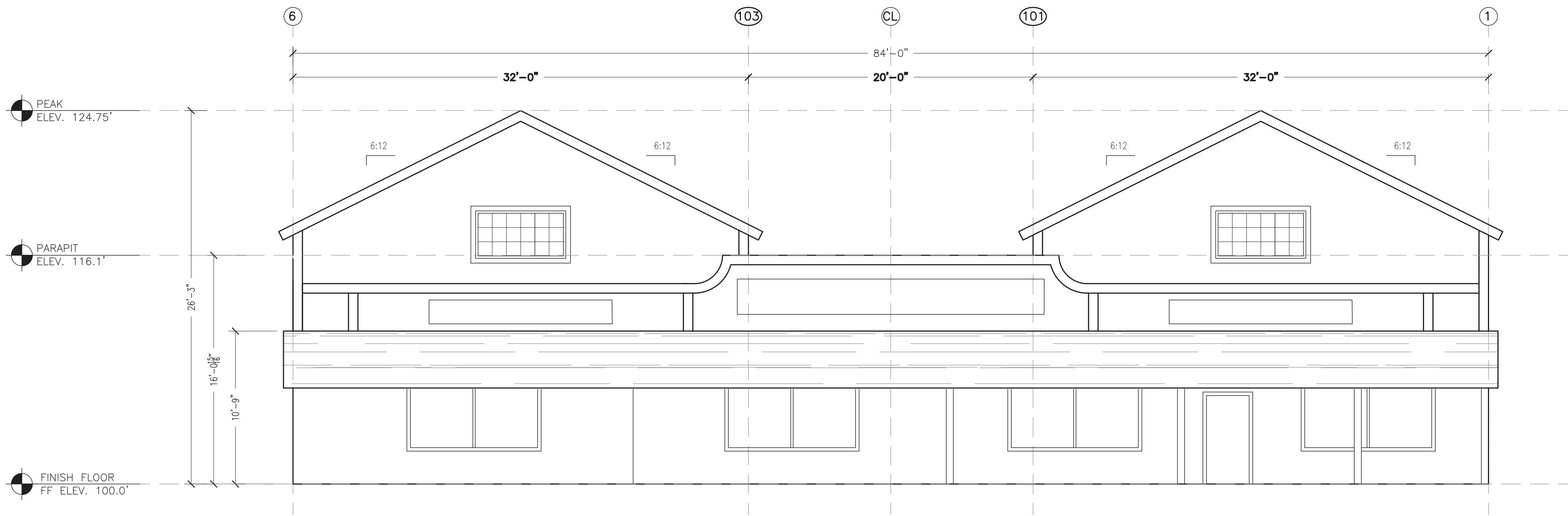
DRAWN BY:
HJM

DATE:
10-11-24

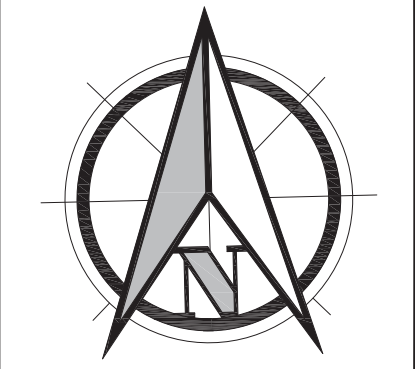
SCALE:
3/16" = 1'-0"

SHEET:
A2.1

A2.1 EXISTING BUILDING ELEVATIONS



1 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

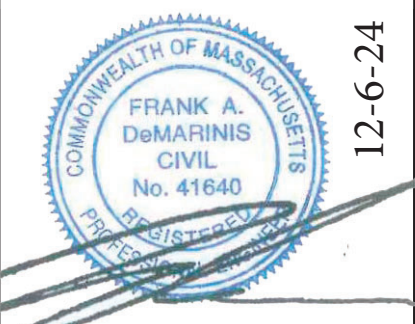


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION	DATE	BY:
1			
2			
3			
4			
5			
6			

PROJECT #
1237-10-24

DRAWN BY:
HJM

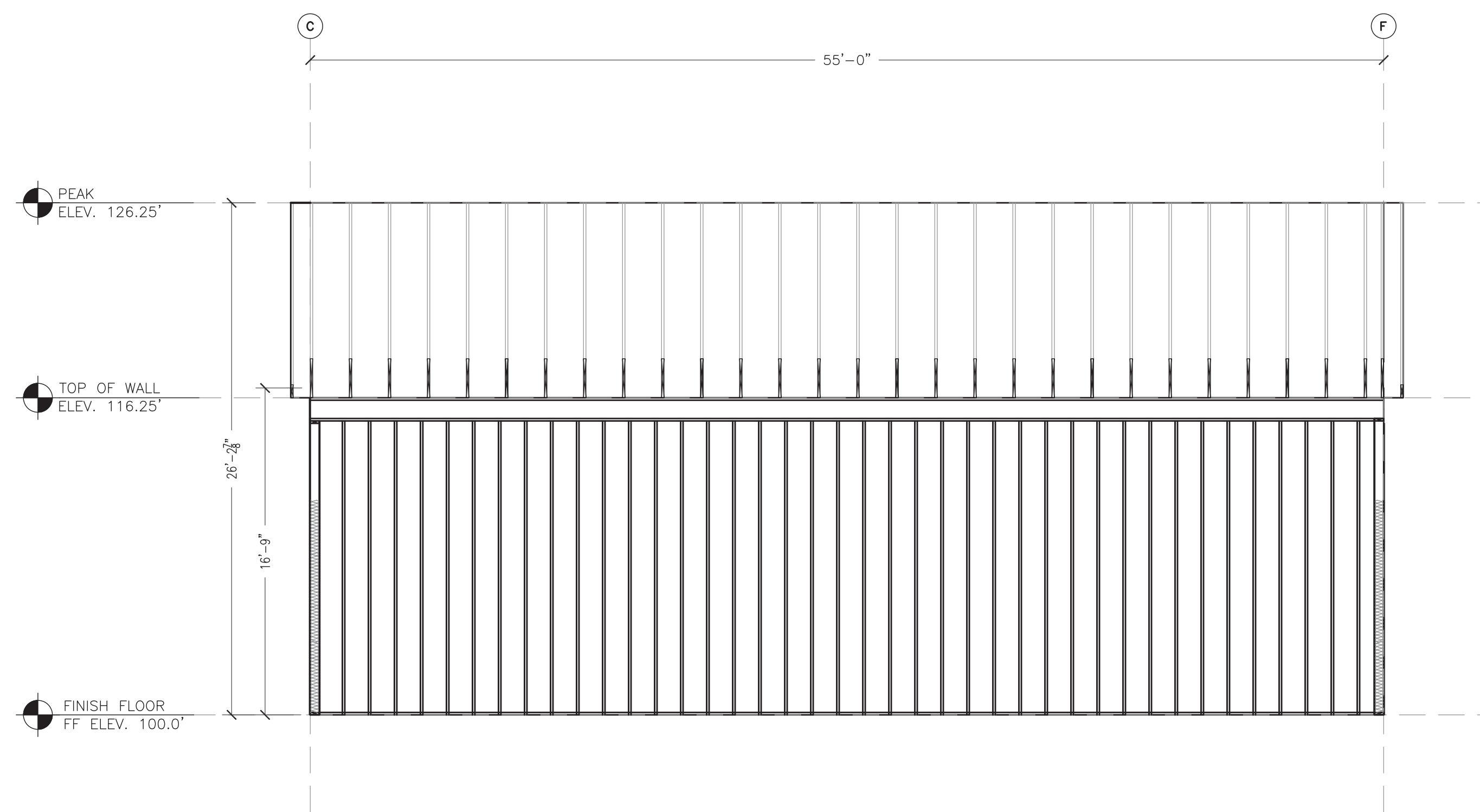
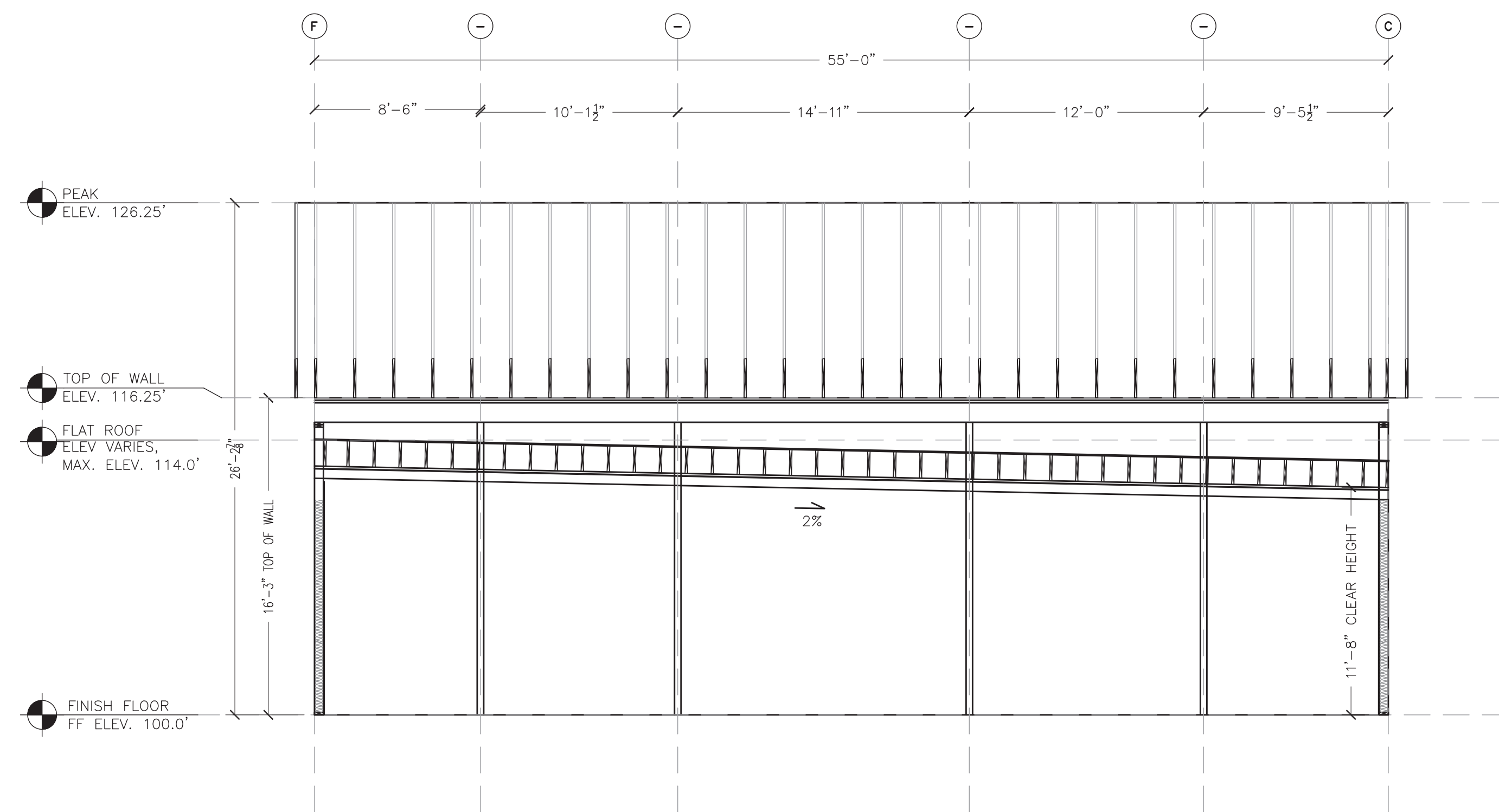
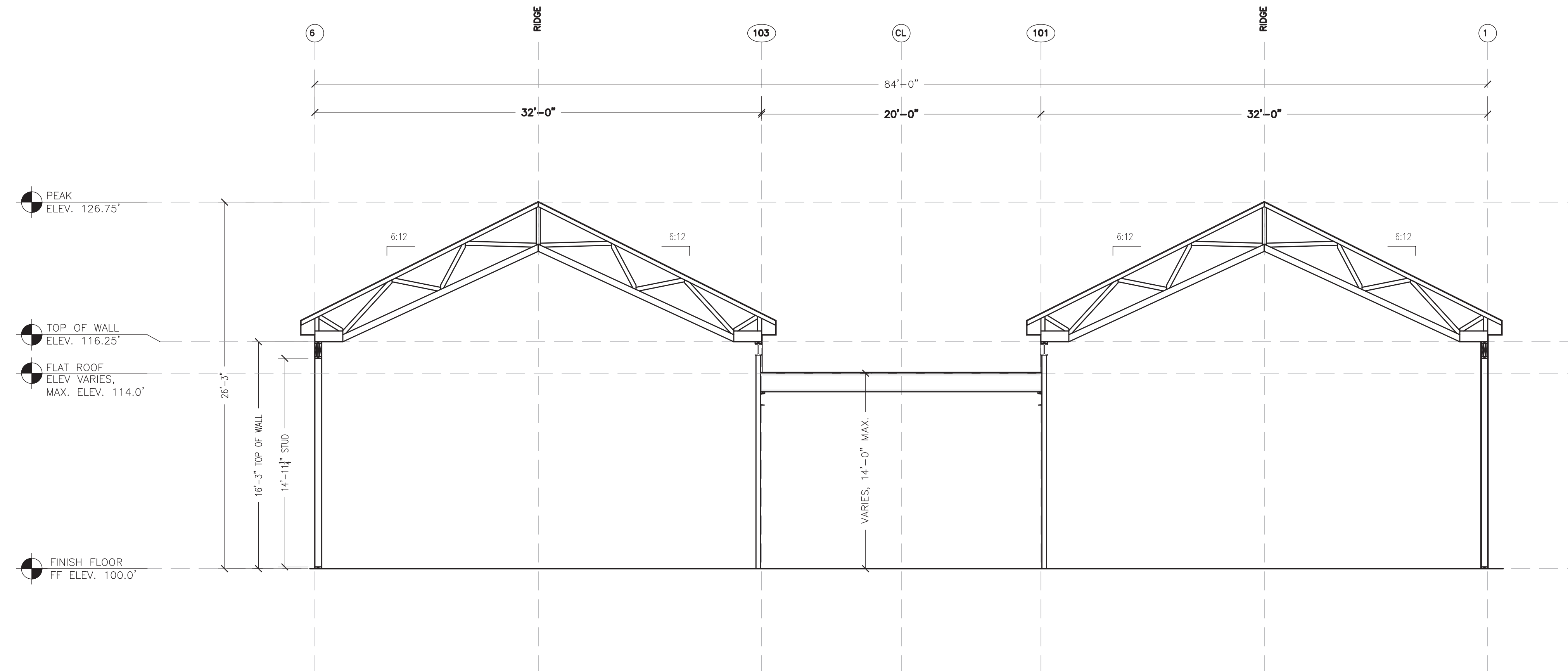
DATE:
10-11-24

SCALE:
3/16" = 1'-0"

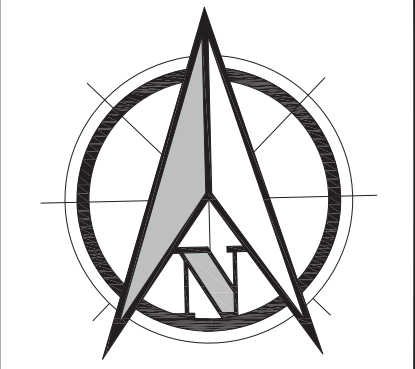
SHEET:

A2.2

A2.2 PROPOSED BUILDING ELEVATIONS



A3.1 BUILDING CROSS-SECTION

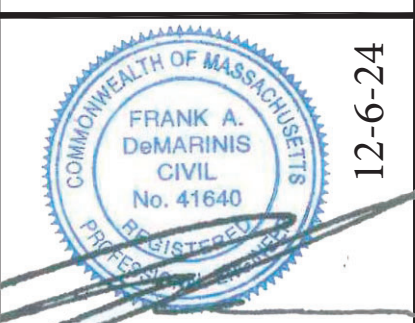


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION
1	
2	
3	
4	
5	
6	

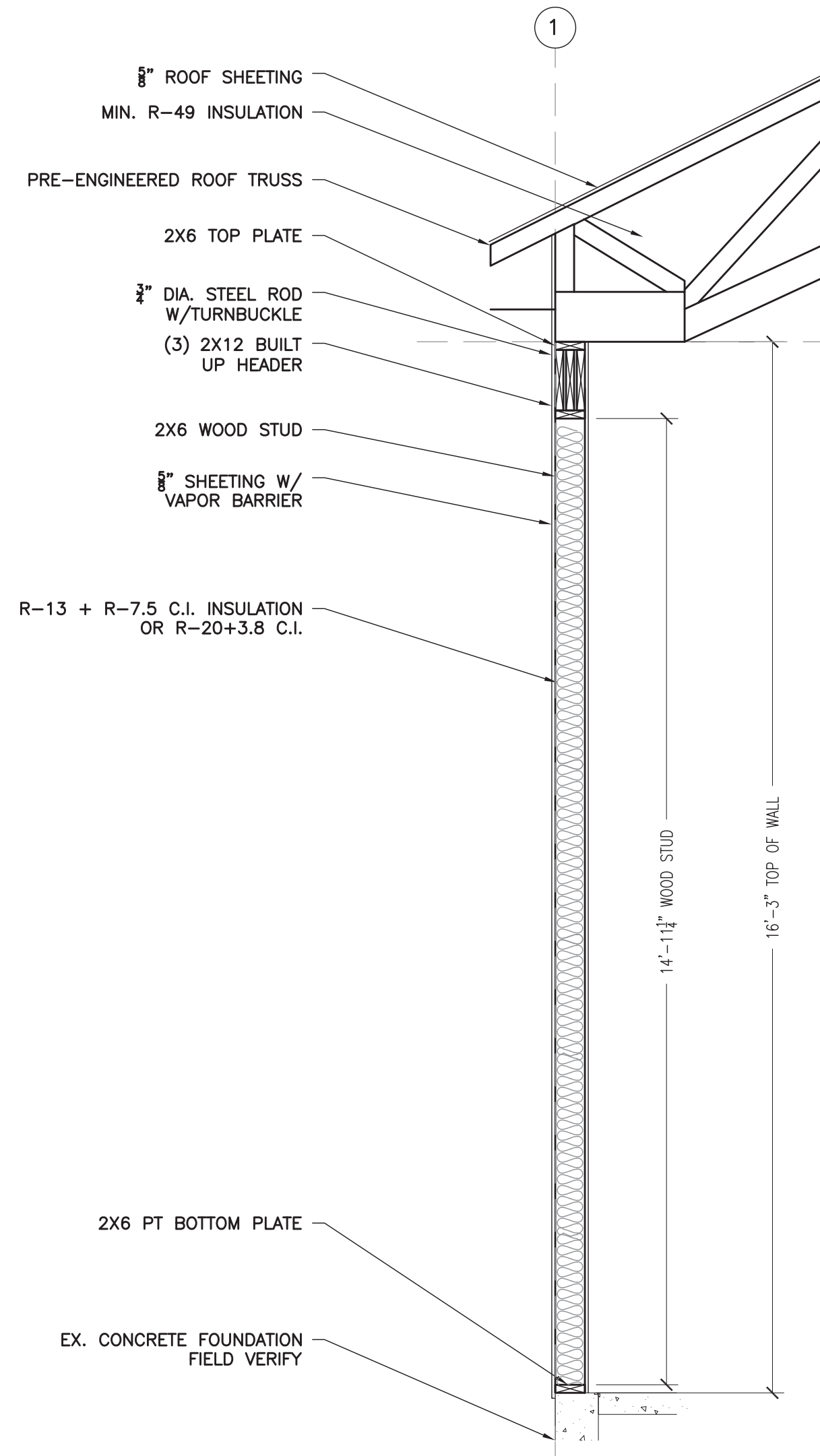
PROJECT #
1237-10-24

DRAWN BY:
HJM

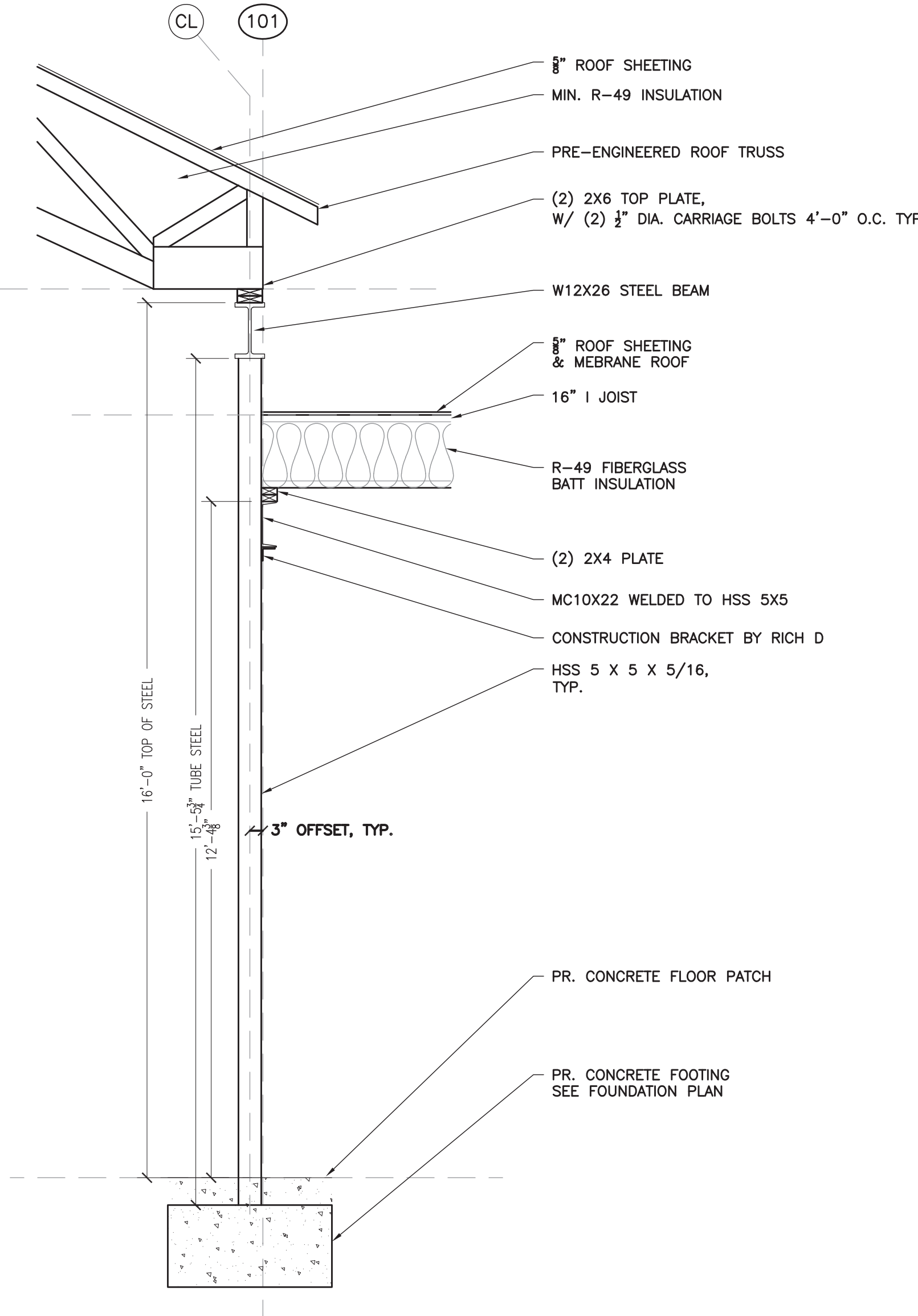
DATE:
10-11-24

SCALE:
3/16" = 1'-0"

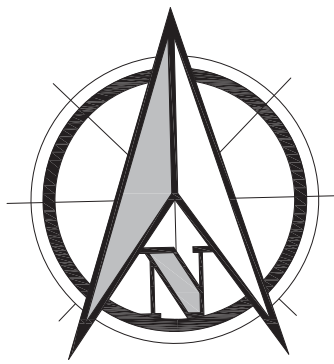
SHEET:
A3.1



1 WALL SECTION
SCALE: 1/2" = 1'-0"



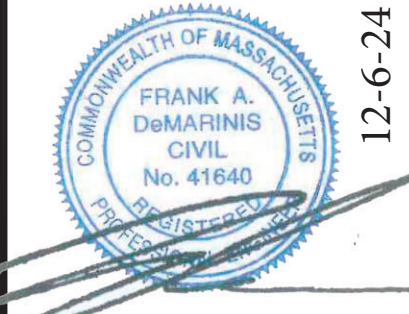
2 WALL SECTION
SCALE: 1/2" = 1'-0"



PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow Engineering
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



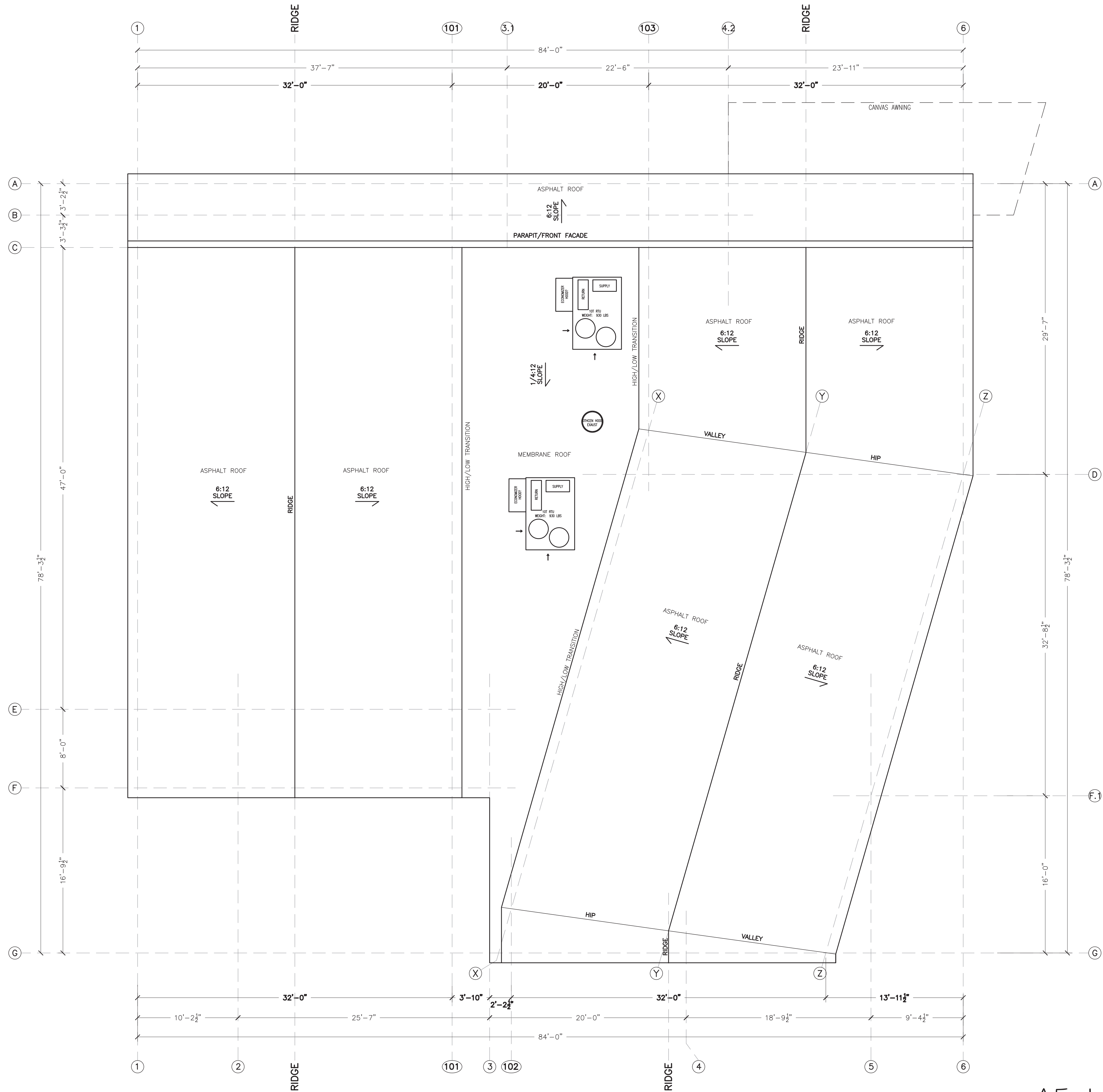
ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION	DATE	BY:
1			
2			
3			
4			
5			
6			

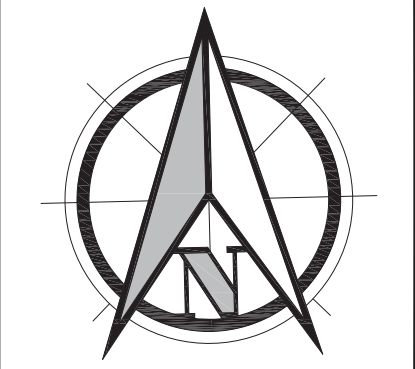
PROJECT # **1237-10-24**
DRAWN BY: **HJM**
DATE: **10-11-24**
SCALE: **3/16" = 1'-0"**
SHEET:

A4.1

A4.1 WALL SECTIONS



A5.1 ROOF PLAN

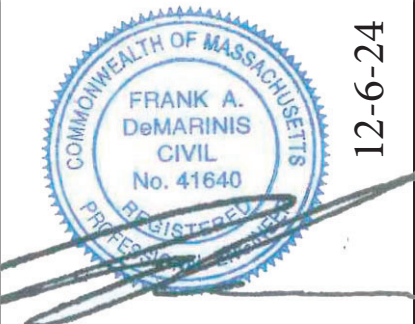


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

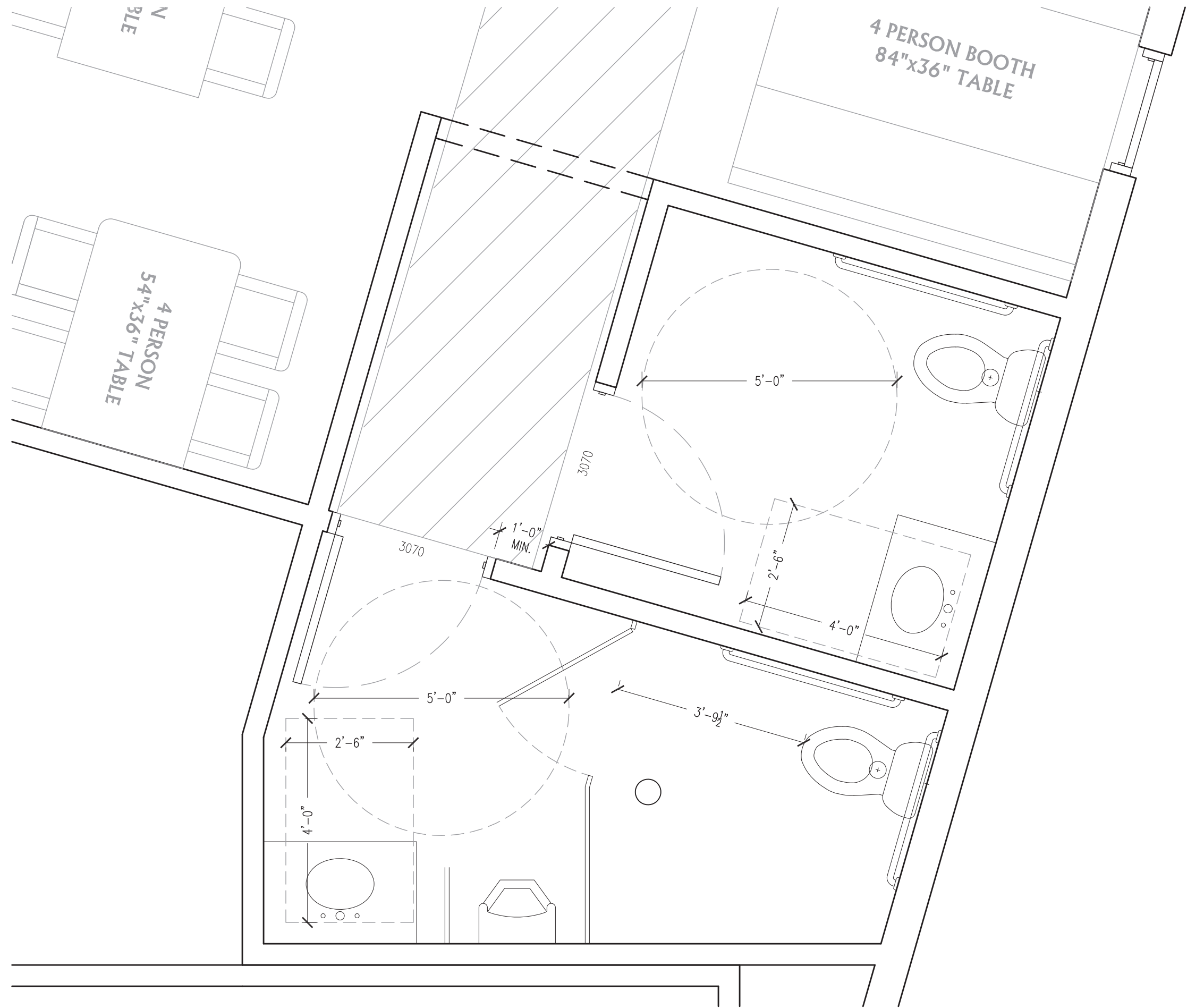
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



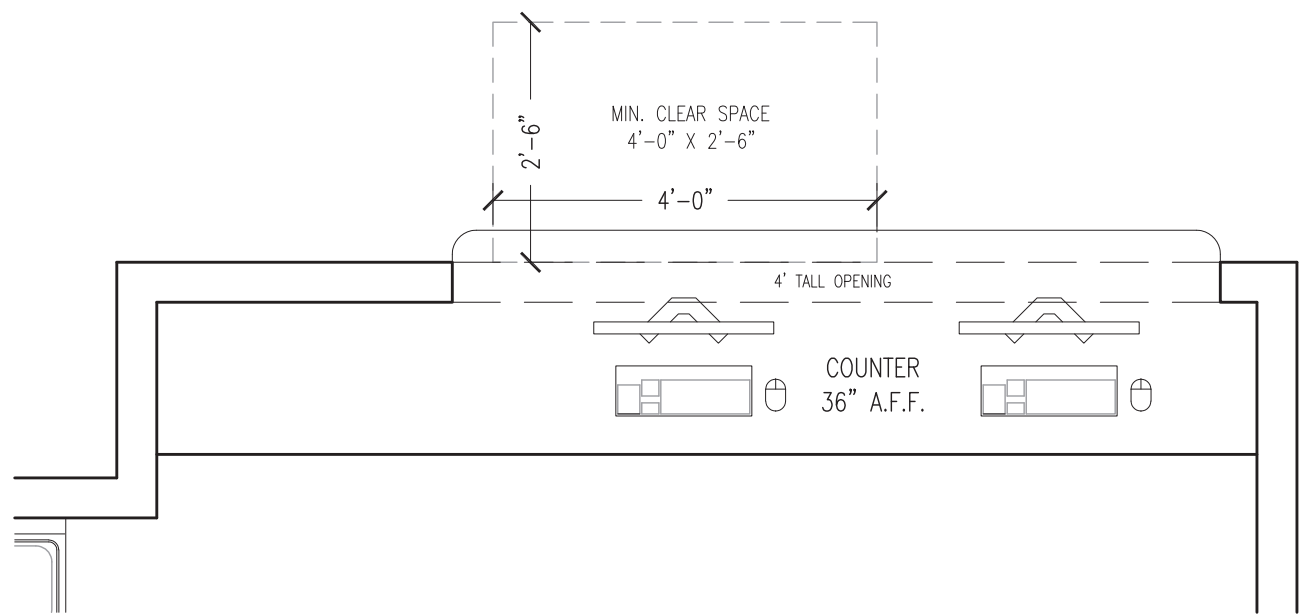
ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION	DATE	BY:
1			
2			
3			
4			
5			
6			

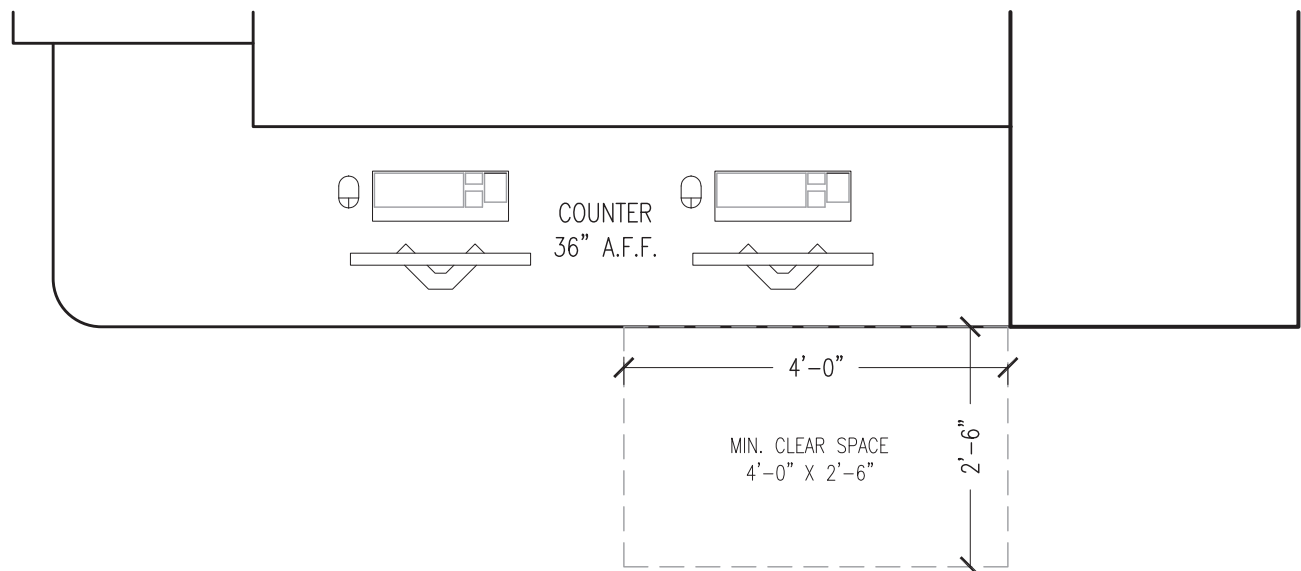
PROJECT # 1237-10-24
DRAWN BY: HJM
DATE: 10-11-24
SCALE: 3/16" = 1'-0"
SHEET: A5.1



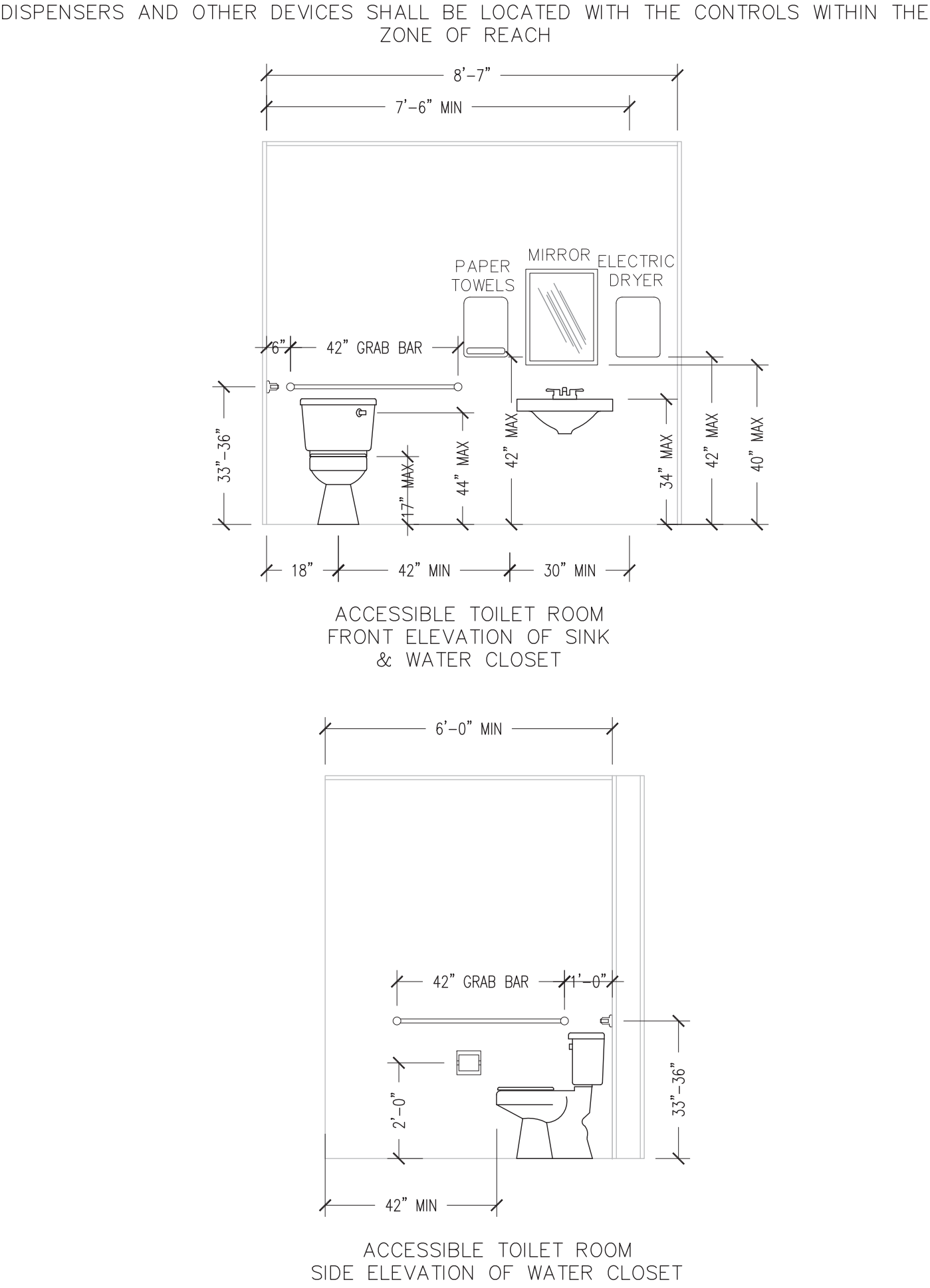
1 BATHROOM ENLARGED PLAN
SCALE: 1/2" = 1'-0"



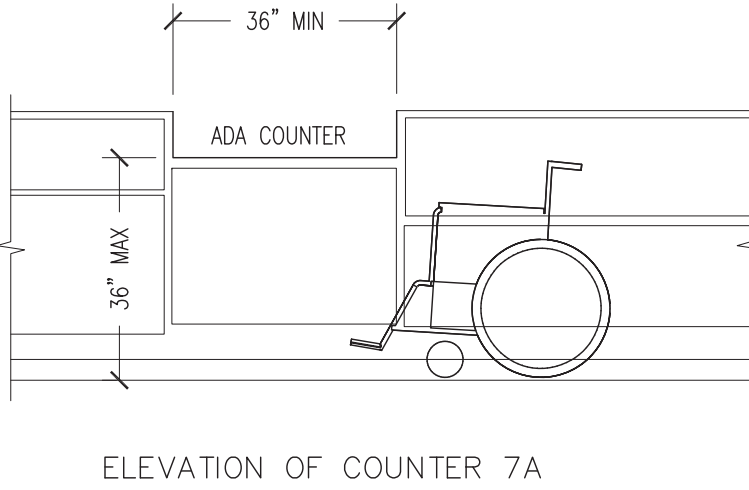
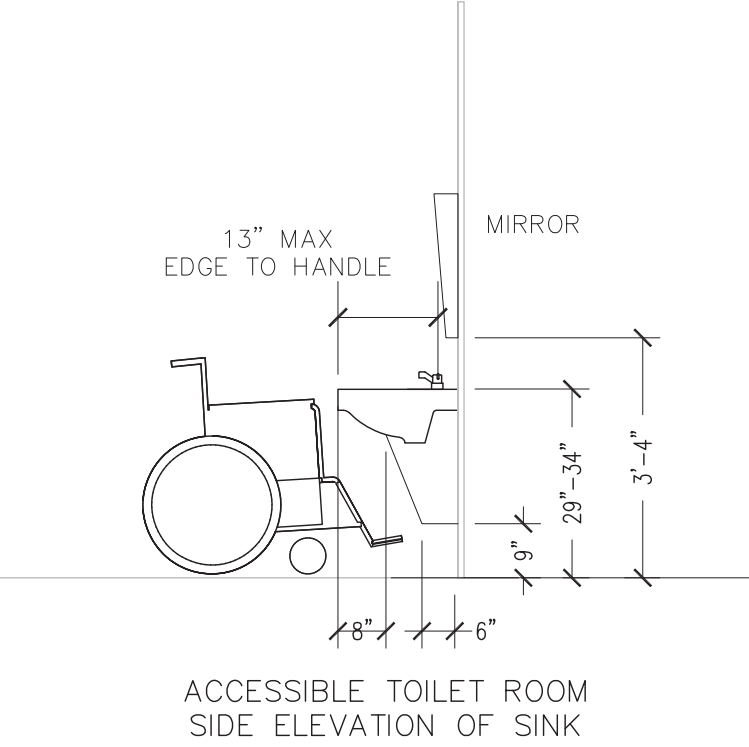
2 RESTAURANT COUNTER ENLARGED PLAN
SCALE: 1/2" = 1'-0"



3 RETAIL COUNTER ENLARGED PLAN
SCALE: 1/2" = 1'-0"



4 ADA BATHROOM DETAILS
SCALE: 3/8" = 1'-0"

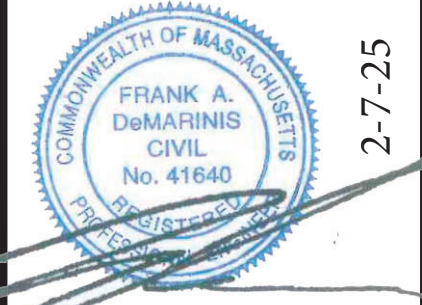


5 ADA COUNTER DETAILS
SCALE: 3/8" = 1'-0"

A7.5 ENLARGED BATHROOM & ADA PLAN

PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040
APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884

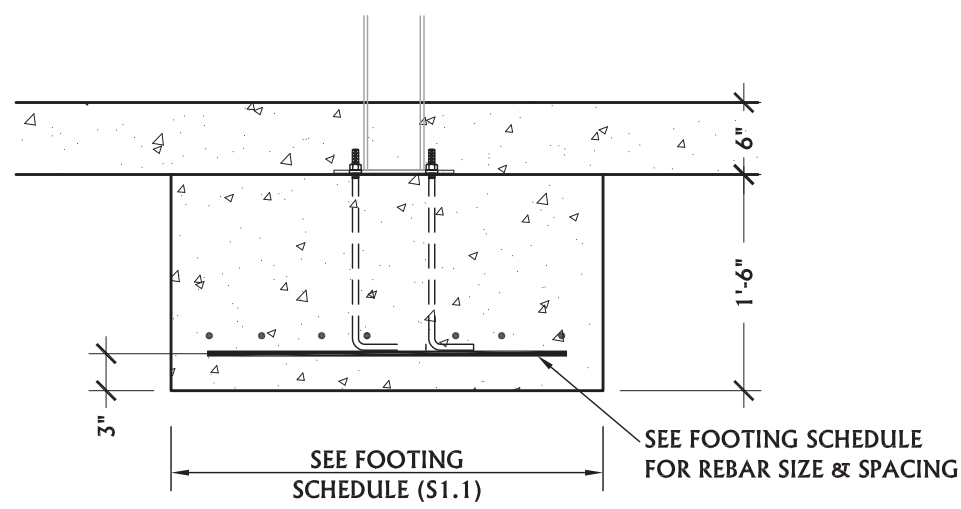


ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION DESCRIPTION	
BY:	
DATE:	
1	
2	
3	
4	
5	
6	

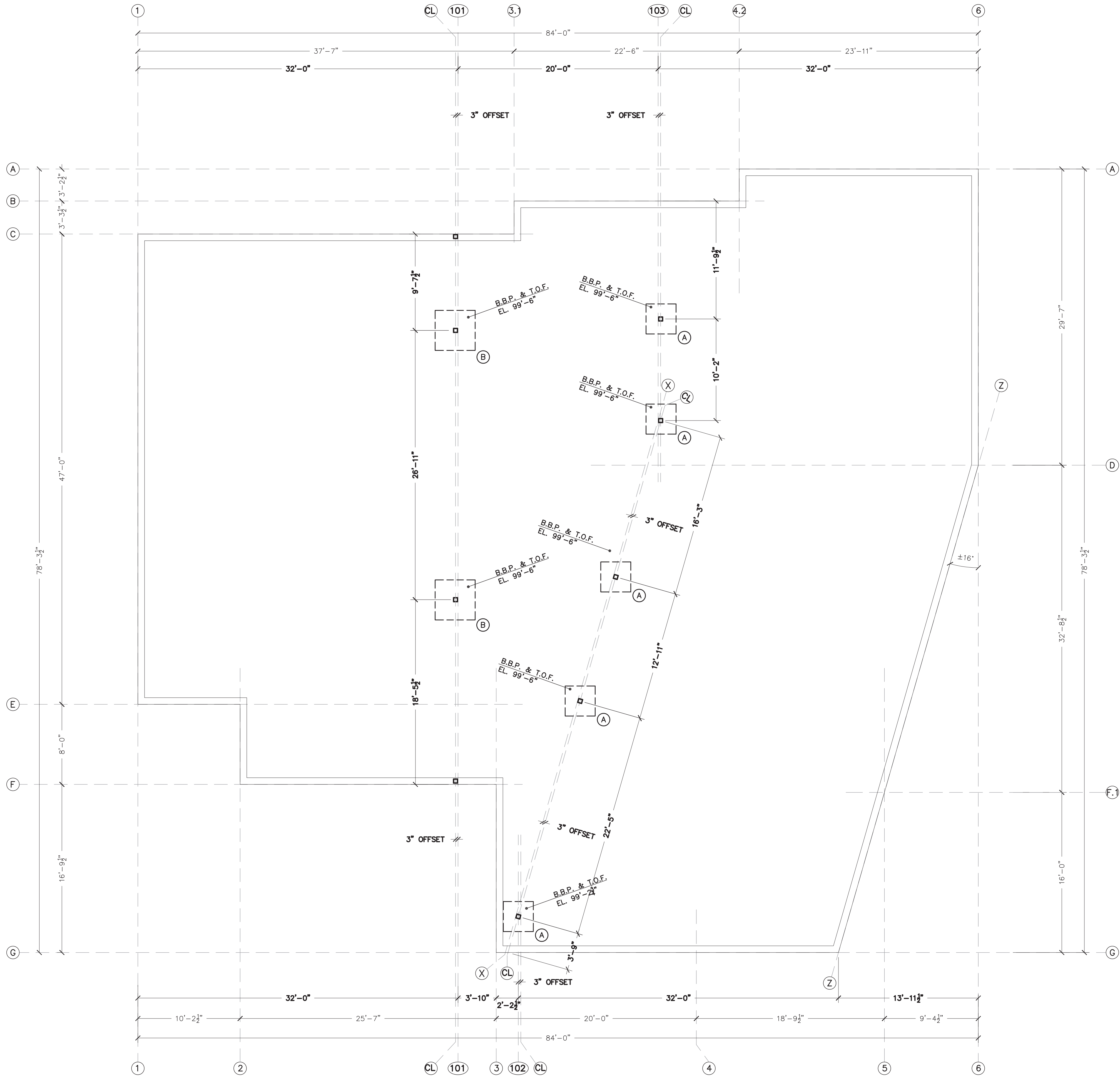
PROJECT #:
1237-10-24
DRAWN BY:
EDN
DATE:
10-11-24
SCALE:
3/8"=1'-0"
SHEET:

A7.5

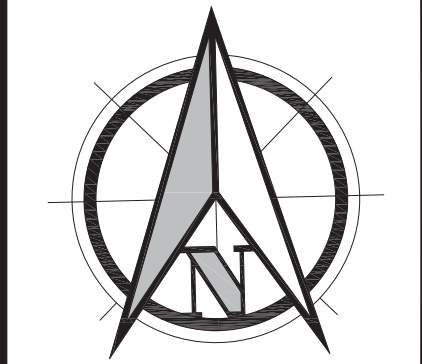


1 TYP. FOUNDATION DETAIL
SCALE: 3/4" = 1'-0"

FOOTING SCHEDULE		
MARK	SIZE	DESCRIPTION
(A)	3'-0" X 3'-0" X 15"	#4 BAR @ 8" O.C. BOTH WAYS
(B)	4'-0" X 4'-0" X 15"	#4 BAR @ 8" O.C. BOTH WAYS



S1.1 FOUNDATION PLAN

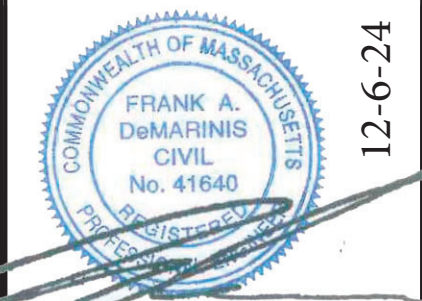


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION DESCRIPTION	
BY:	DATE:
1	2
3	4
5	6

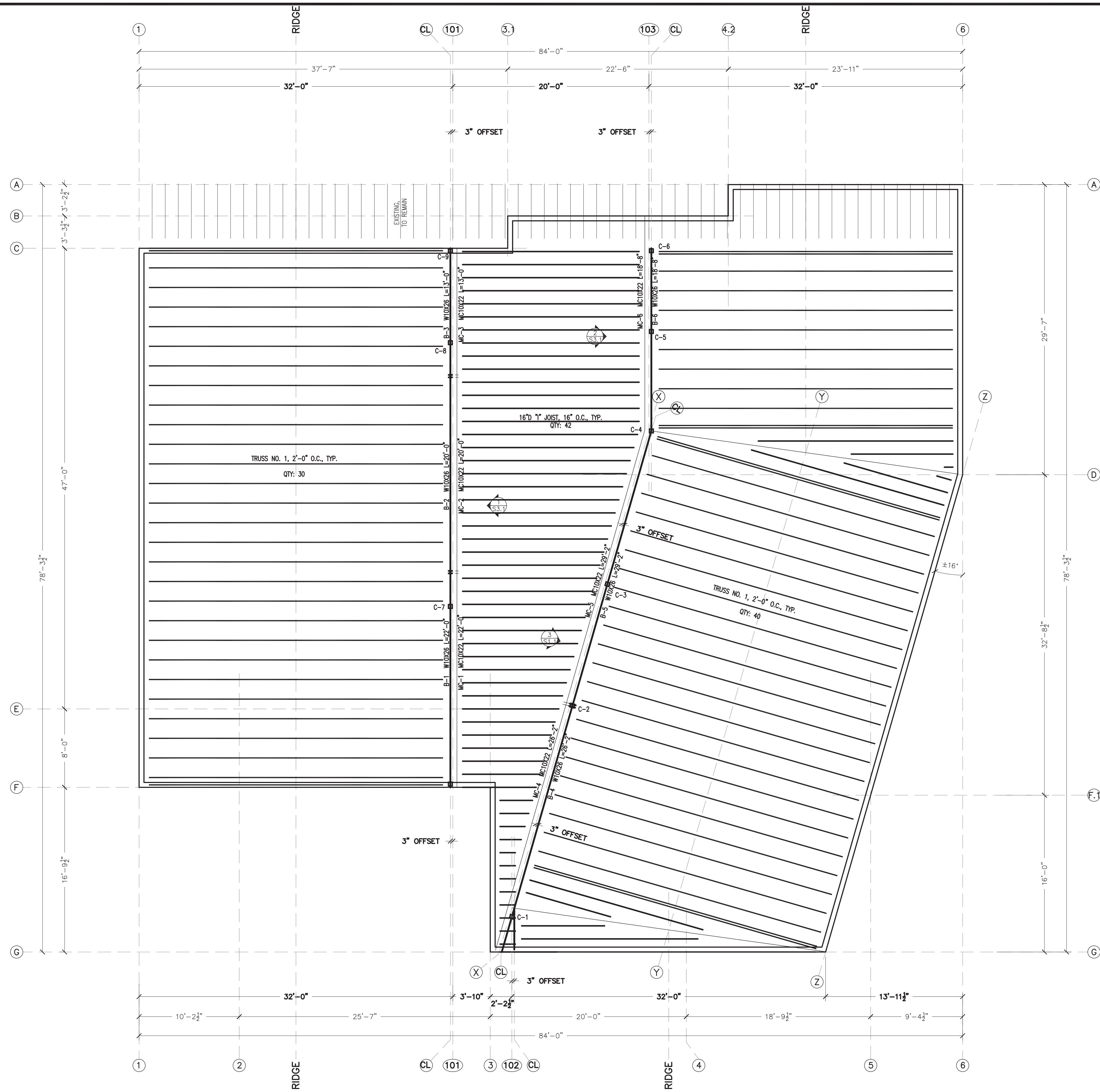
PROJECT #:
1237-10-24

DRAWN BY:
HJM

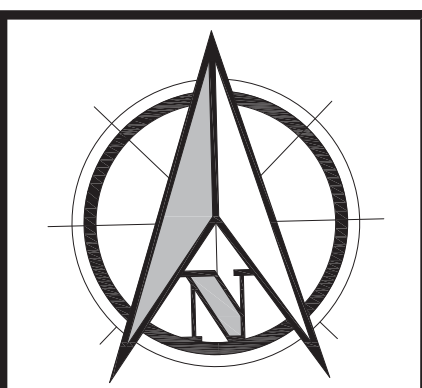
DATE:
10-11-24

SCALE:
3/16" = 1'-0"

SHEET:
S1.1



S2.1 ROOF FRAMING PLAN

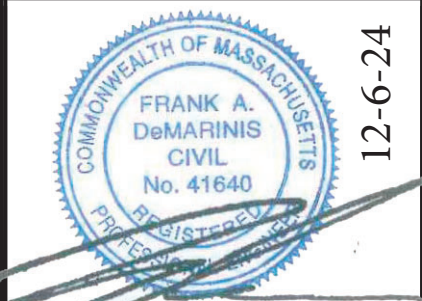


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884

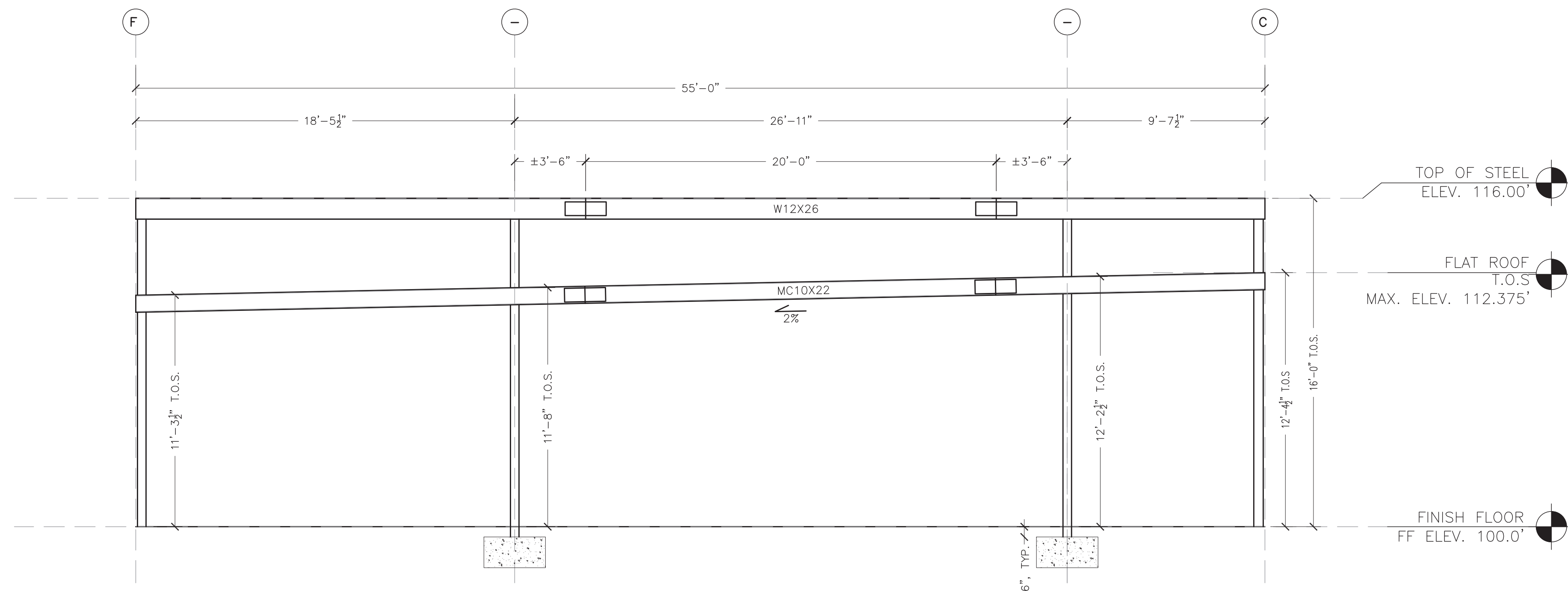


ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

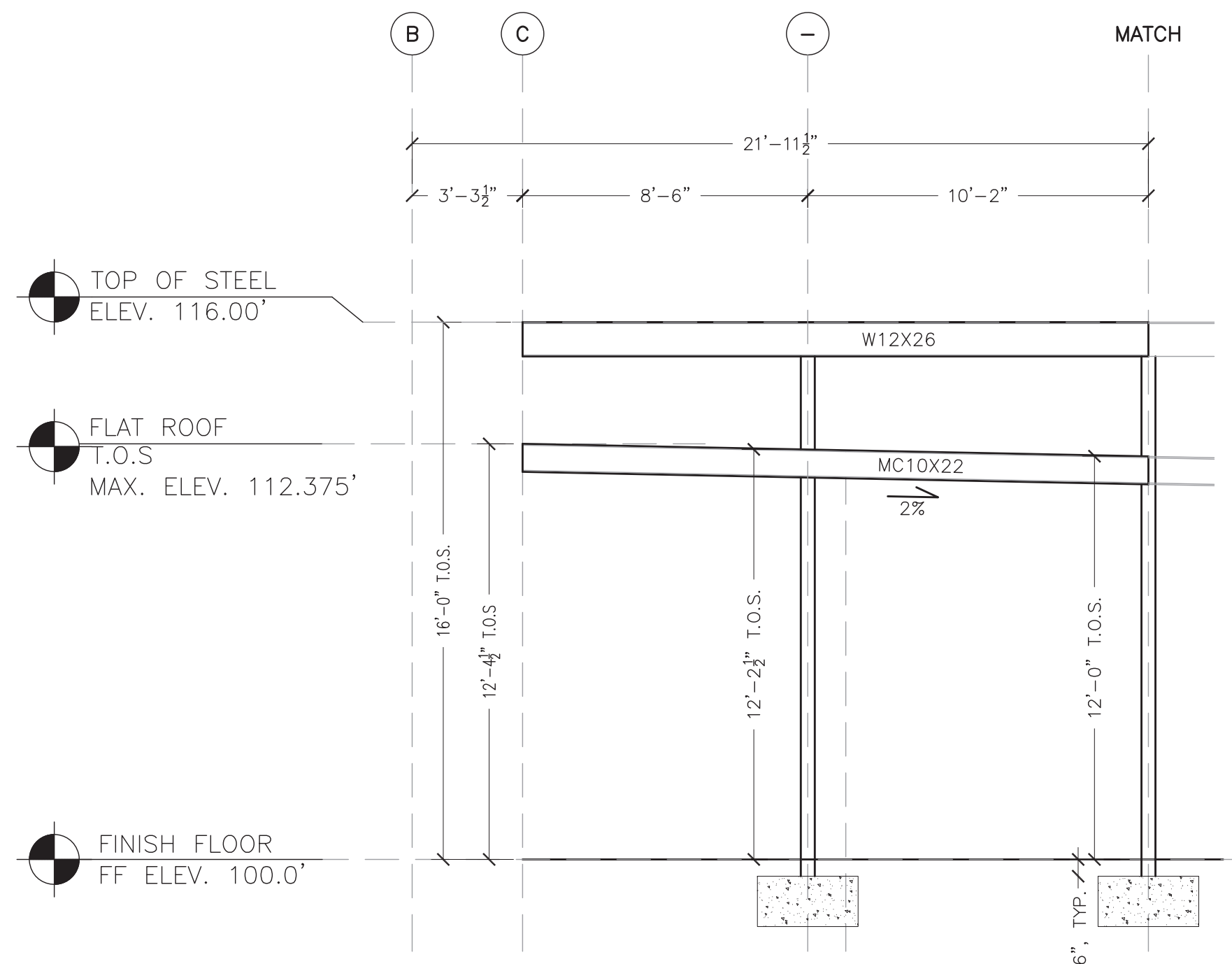
REVISION	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			

PROJECT # 1237-10-24
DRAWN BY: HJM
DATE: 10-11-24
SCALE: 3/16" = 1'-0"
SHEET:

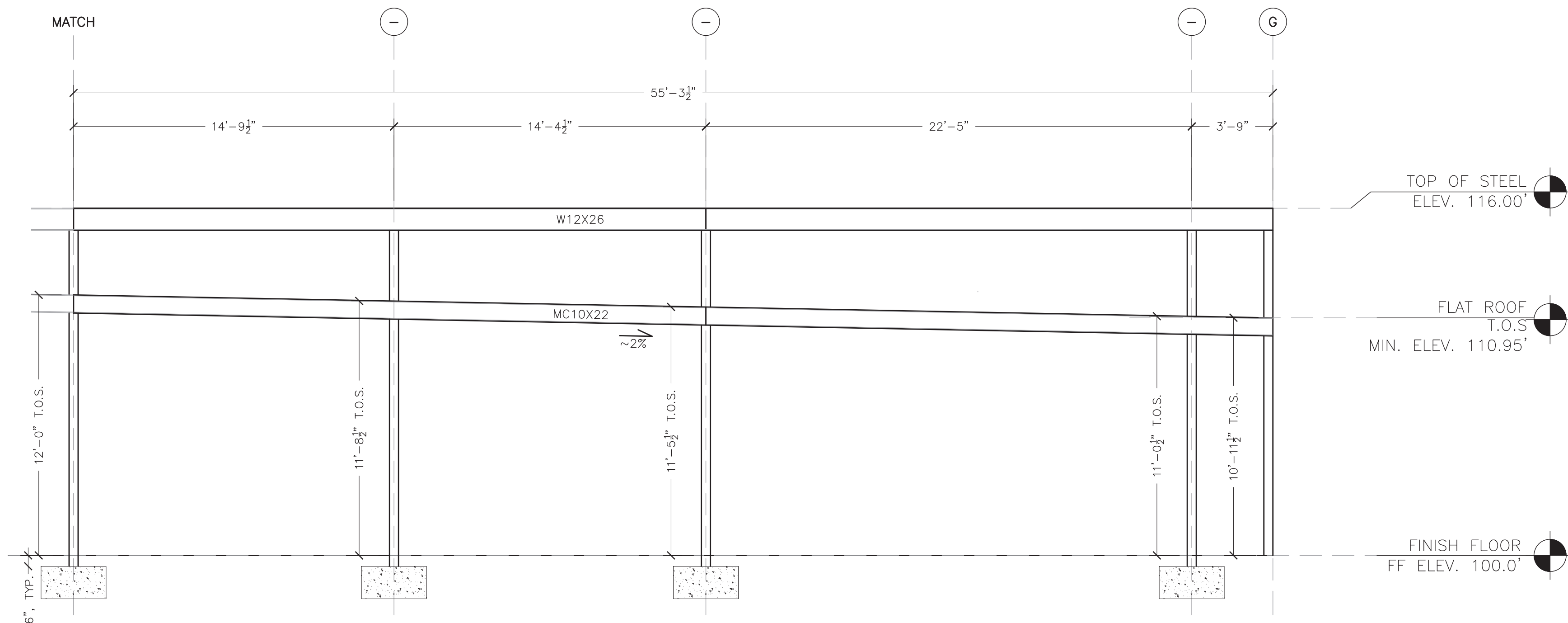
S2.1



1 GRIDLINE "I O I" STEEL ELEVATION
SCALE: 1/4" = 1'-0"

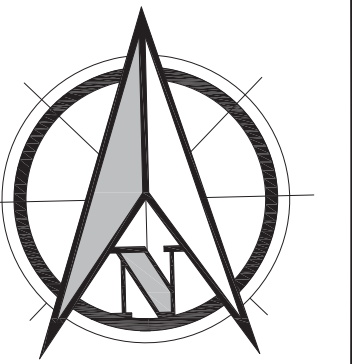


2 GRIDLINE "I O 3" STEEL ELEVATION
SCALE: 1/4" = 1'-0"



3 GRIDLINE "X" STEEL ELEVATION
SCALE: 1/4" = 1'-0"

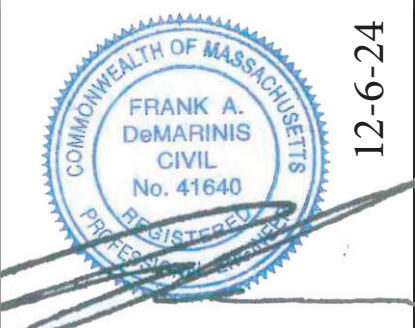
S3.1 STEEL ELEVATIONS



PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			

PROJECT #:
1237-10-24
DRAWN BY:
HJM
DATE:
10-11-24
SCALE:
3/16" = 1'-0"
SHEET:

S3.1

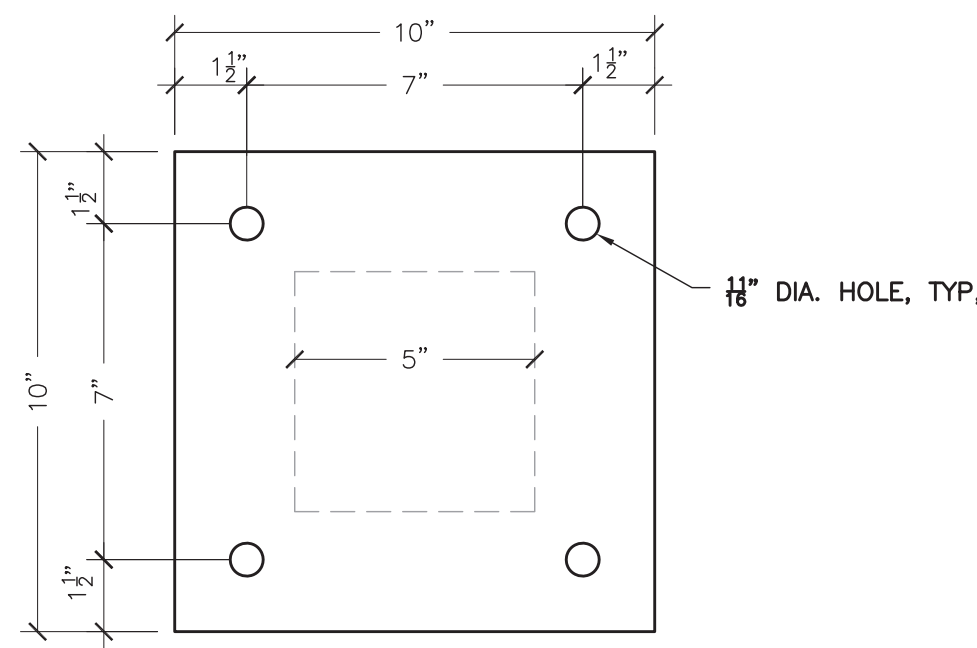


PLATE THICKNESS: $\frac{3}{8}$ "
QTY: 12

1 BASE PLATE
SCALE: 3" = 1'-0"

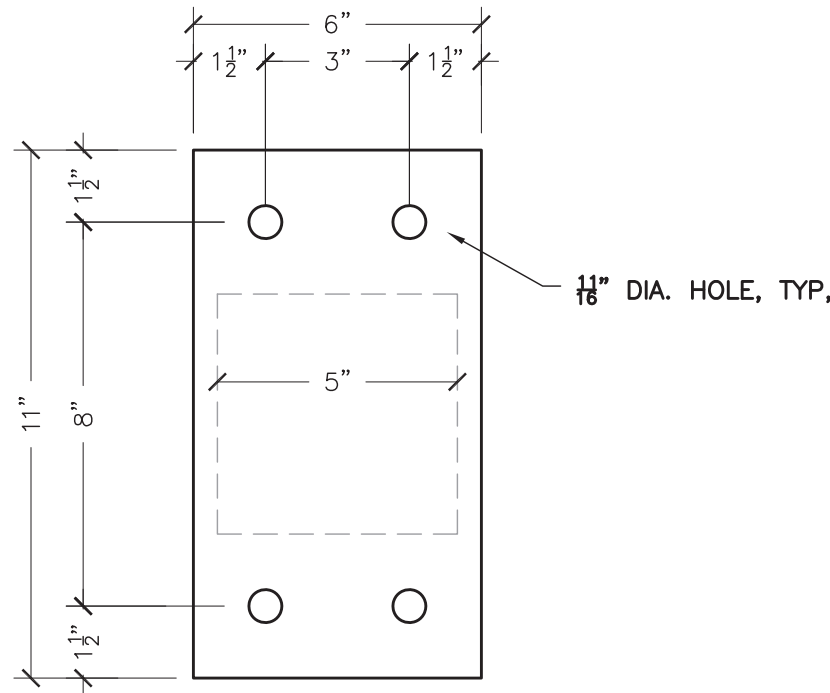


PLATE THICKNESS: $\frac{3}{8}$ "
QTY: 12

2 TOP PLATE
SCALE: 3" = 1'-0"

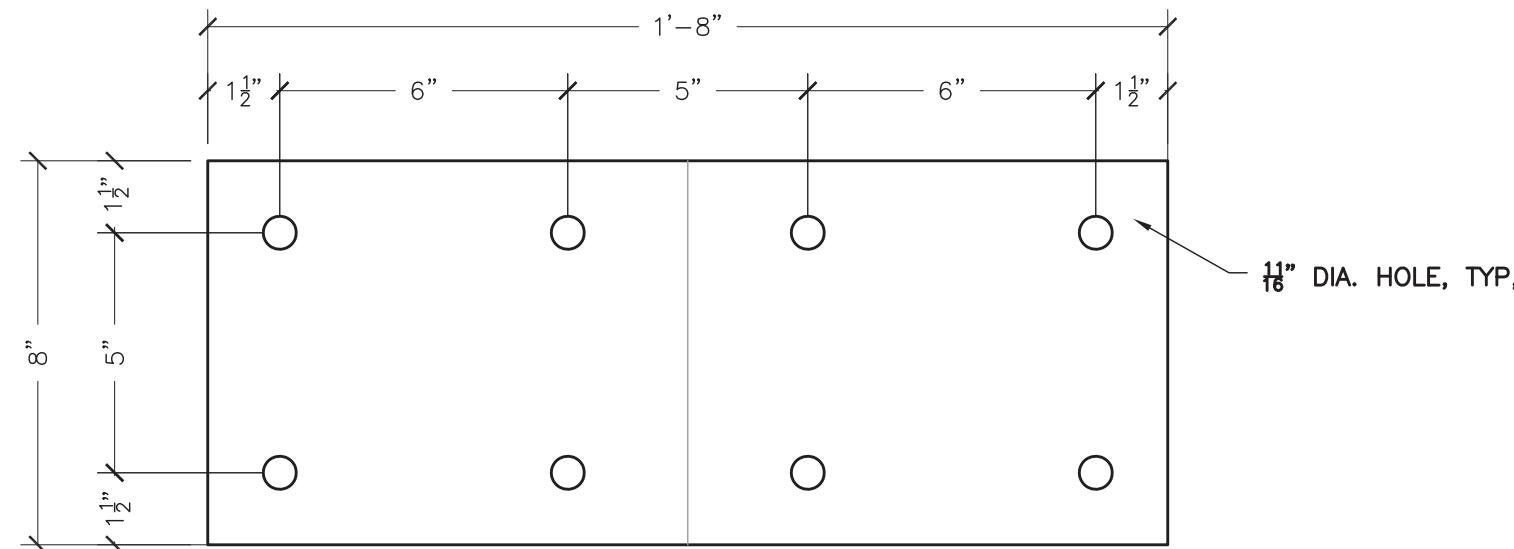
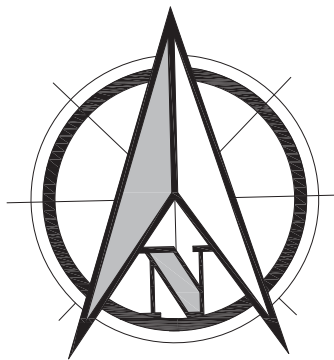


PLATE THICKNESS: $\frac{3}{8}$ "
QTY: 8

3 SPLICE PLATE
SCALE: 3" = 1'-0"

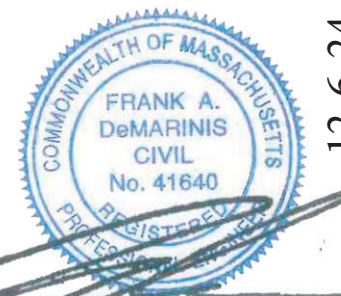


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



12-6-24

ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION	DATE	BY:
1		--	--
2		--	--
3		--	--
4		--	--
5		--	--
6		--	--

PROJECT #
1237-10-24

DRAWN BY:
HJM

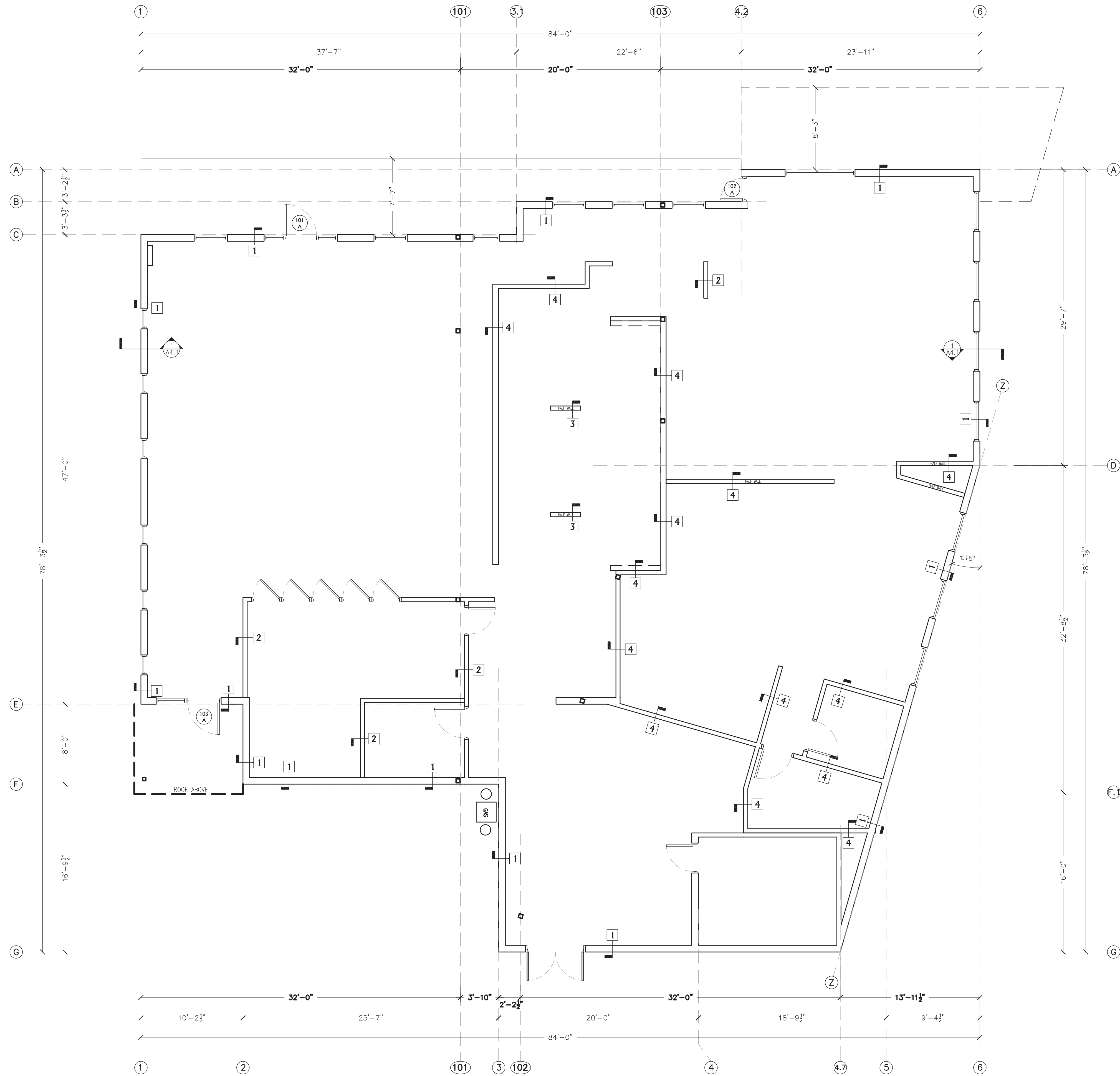
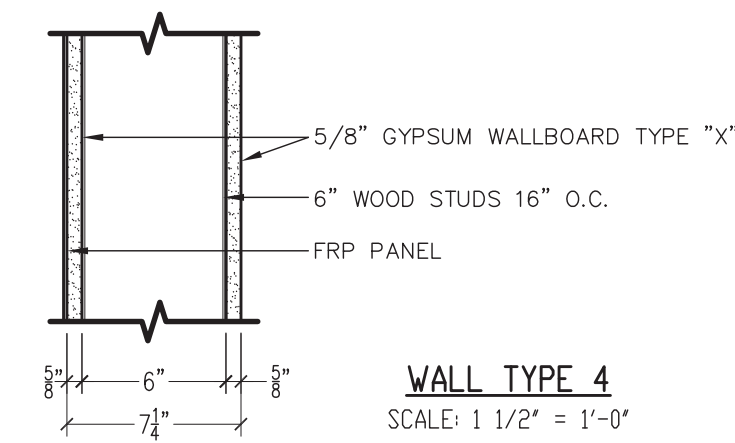
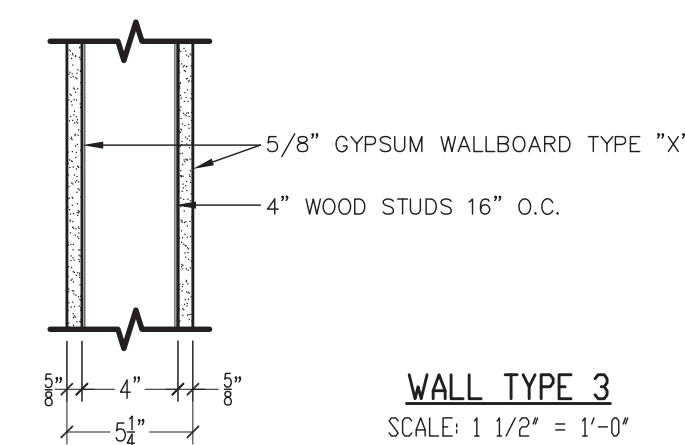
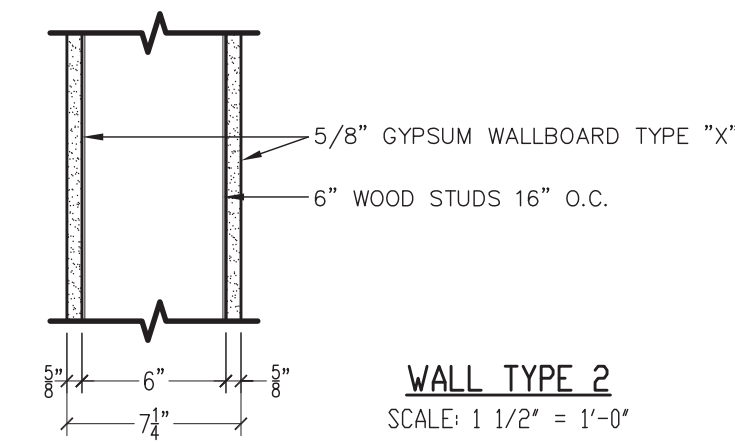
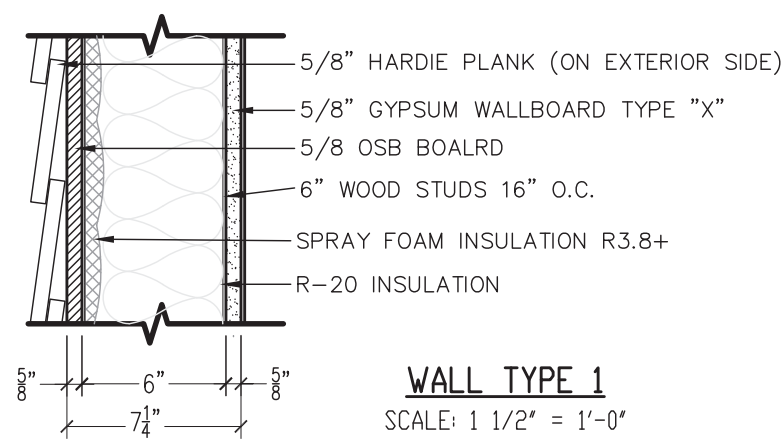
DATE:
10-11-24

SCALE:
3/16" = 1'-0"

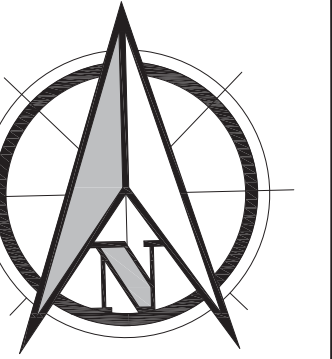
SHEET:

S3.1

S3.2 STEEL DETAILS



S2.2 WALL FRAMING PLAN

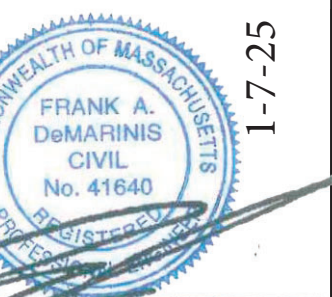


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION	DESCRIPTION
1	
2	
3	
4	
5	
6	

PROJECT #:
1237-10-24

DRAWN BY:
EDN

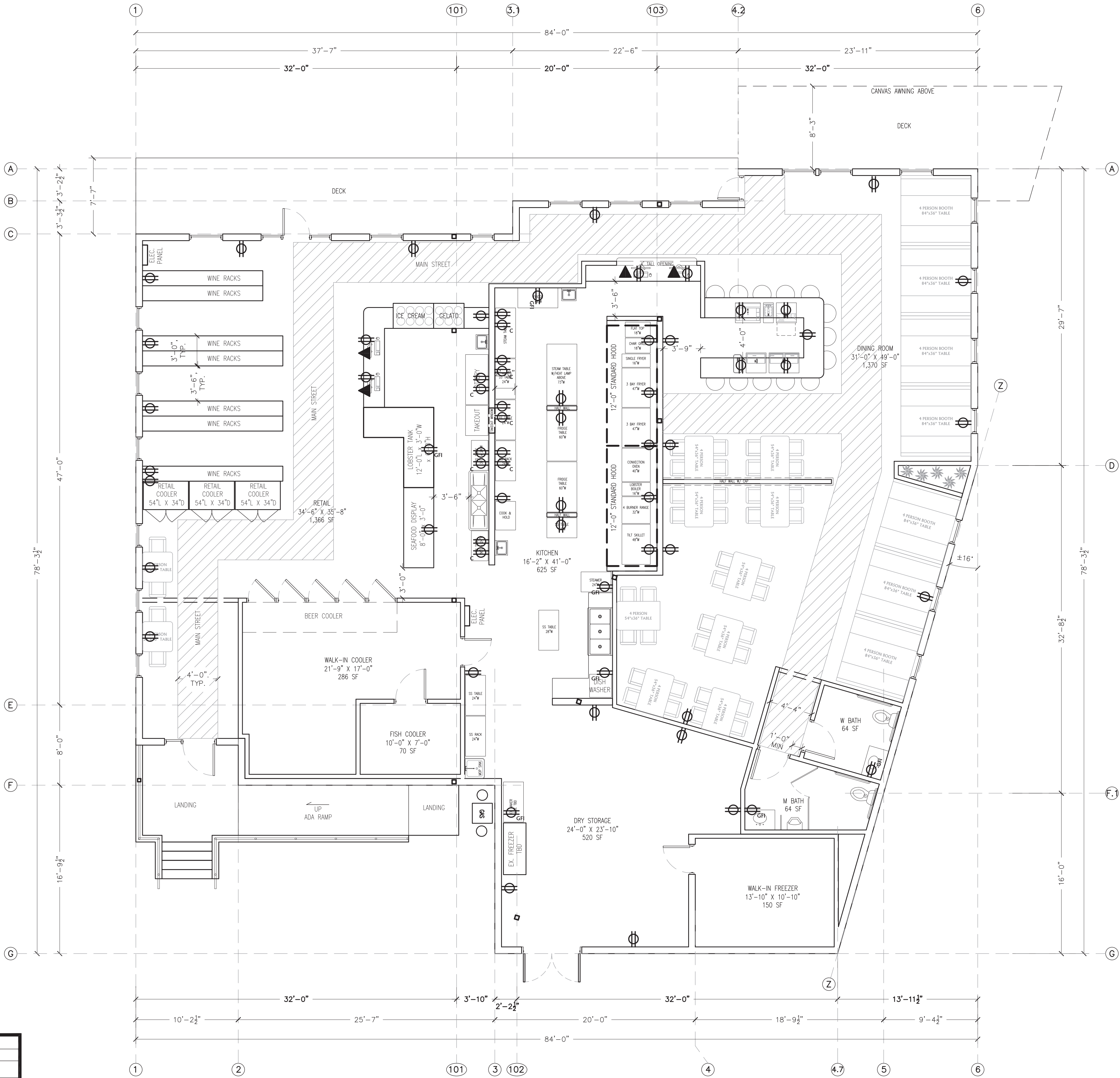
DATE:
10-11-24

SCALE:
3/16" = 1'-0"

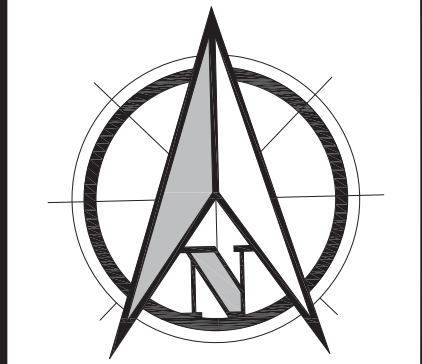
SHEET:

S2.2

ELECTRICAL LEGEND					
SYMBOL	QTY	STYLE	SYMBOL	QTY	STYLE
	0	DUPLEX OUTLET 18" AFF.		0	DATA CABLE DROP 18" AFF.
	0	DUPLEX OUTLET 44" AFF.		0	REMOTE EMERGENCY LIGHT
	0	GROUND FAULT INTERRUPT OUTLET		0	EMERGENCY EXIT SIGN W/ REMOTE EMERGENCY HEADS
	0	VOICE DATA CABLE DROP			



E1.1 ELECTRICAL POWER PLAN

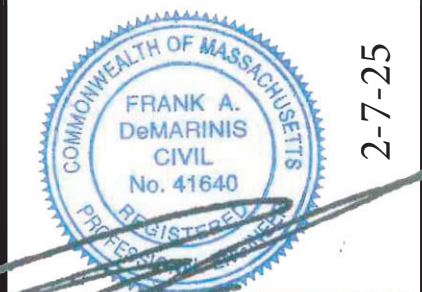


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION DESCRIPTION		DATE	BY:
1			
2			
3			
4			
5			
6			

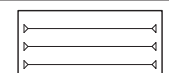
PROJECT #:
1237-10-24

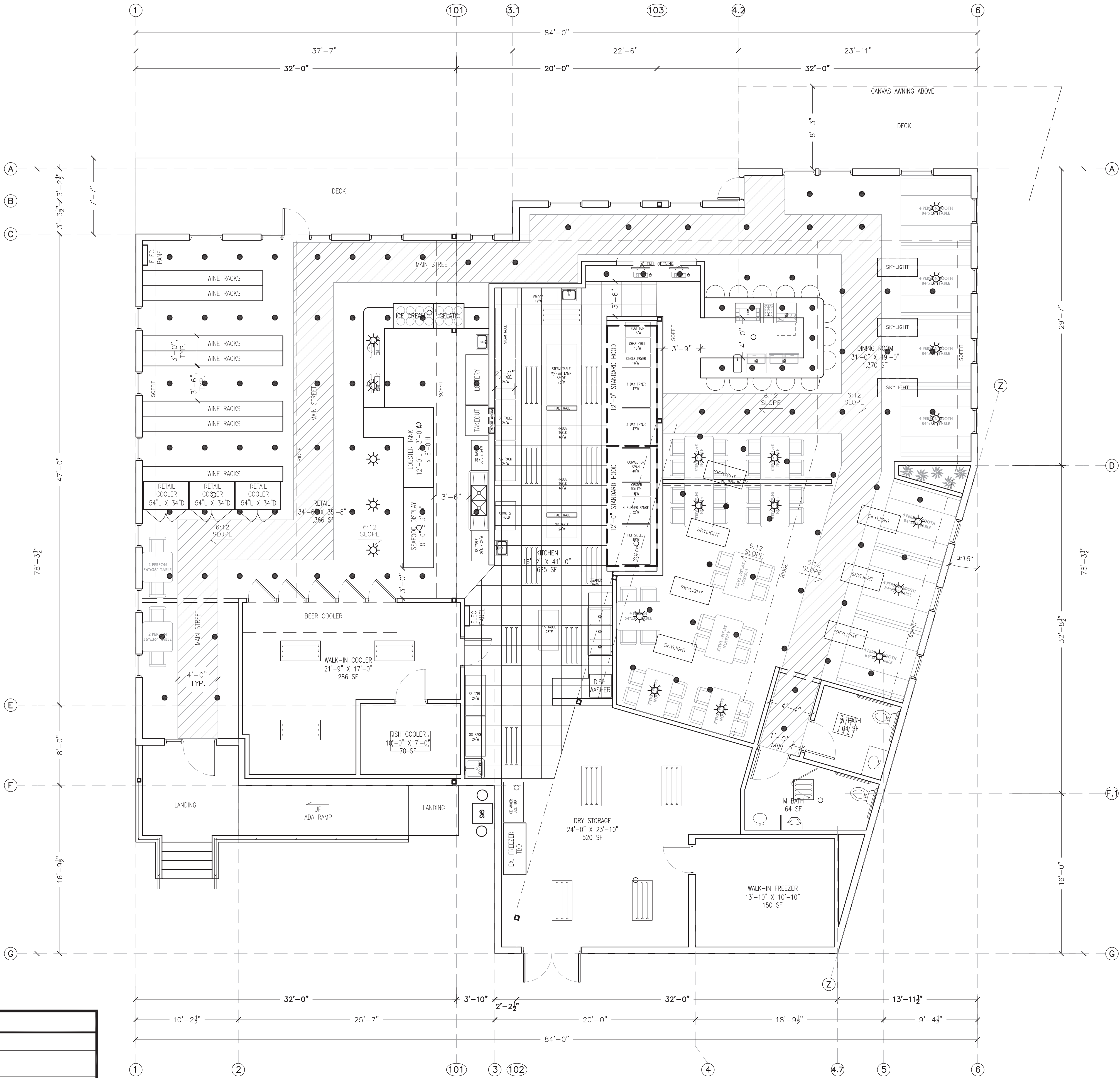
DRAWN BY:
EDN

DATE:
10-11-24

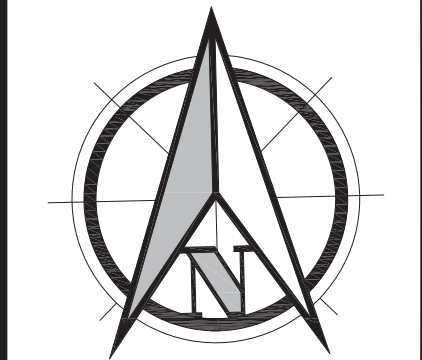
SCALE:
3/16" = 1'-0"

SHEET:
E1.1

LIGHTING FIXTURE LEGEND		
SYMBOL	QUANTITY	TYPE
	19	2 X 4 LED DIRECT/INDIRECT TROFFER (40 WATT)
	9	PENDANT LIGHT (30 WATT)
	107	FLAT LED CANS LIGHT (18 WATT)



E1.2 LIGHTING PLAN

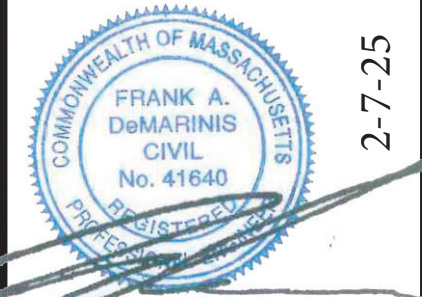


PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering

199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION DESCRIPTION	
DATE	BY

PROJECT #:
237-10-24

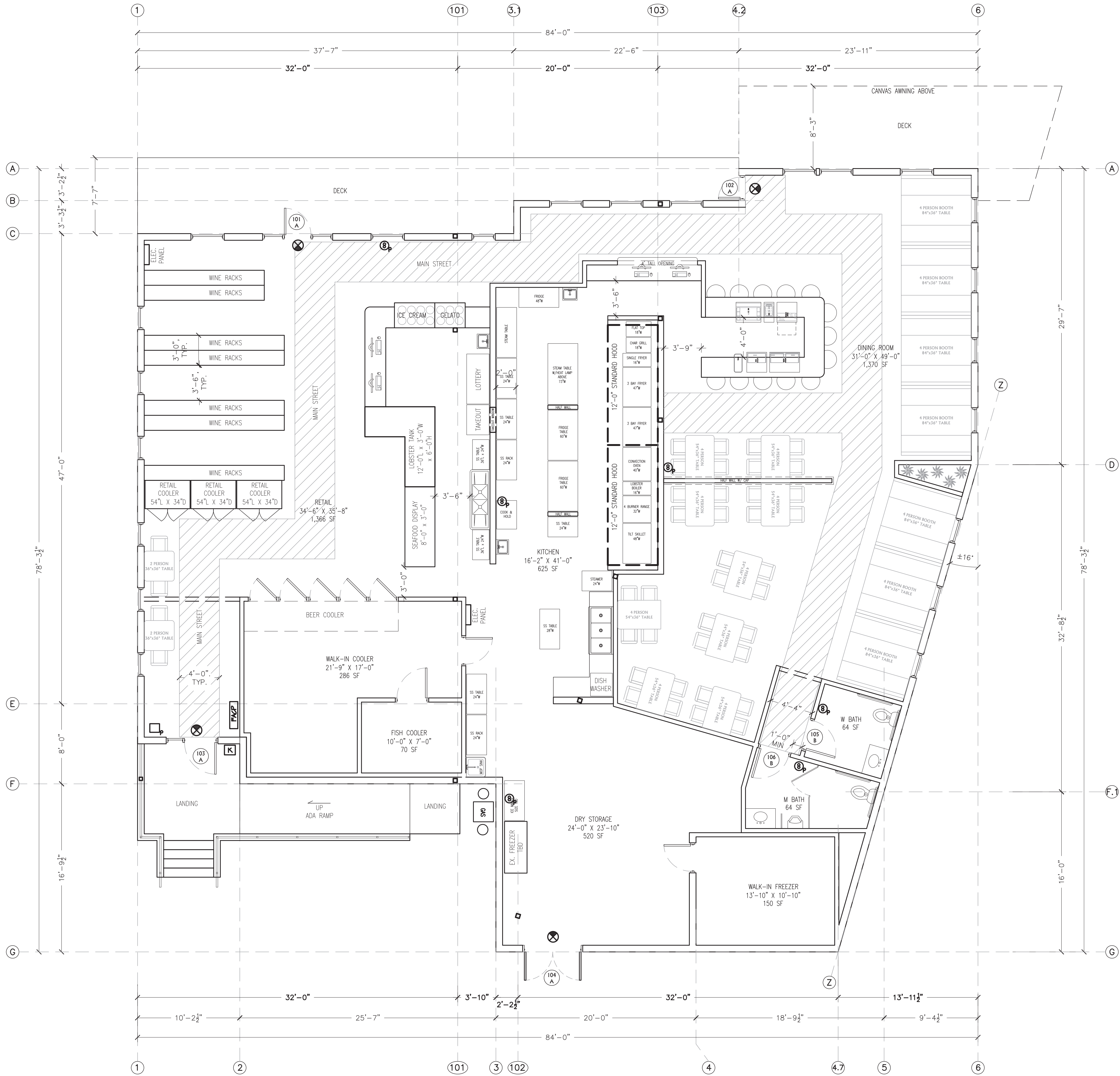
DRAWN BY:
EDN

DATE:
10-11-24

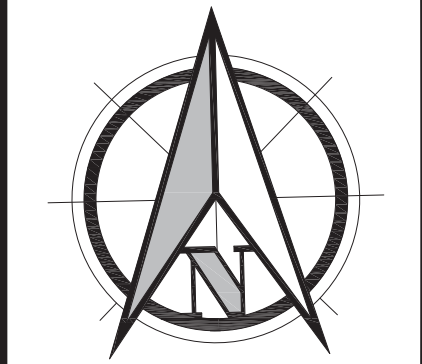
SCALE:
3/16" = 1'-0"

SHEET:
E1.2

FIRE ALARM DEVICE LEGEND	
SYMBOL	QTY STYLE
	x FIRE ALARM CONTROL PANEL
	x HORN STROBE LIGHT
	x SIGNAL STROBE LIGHT
	x MANUAL PULL STATION
	x SMOKE DETECTOR
	x FLOW SWITCH
	x KEY BOX

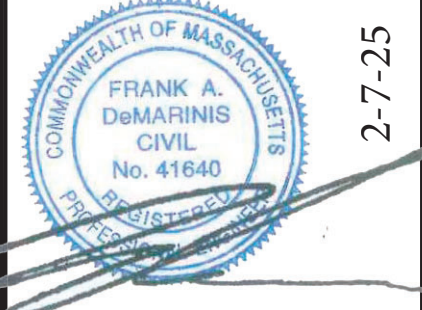


E2.1 FIRE ALARM PLAN



PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040
APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

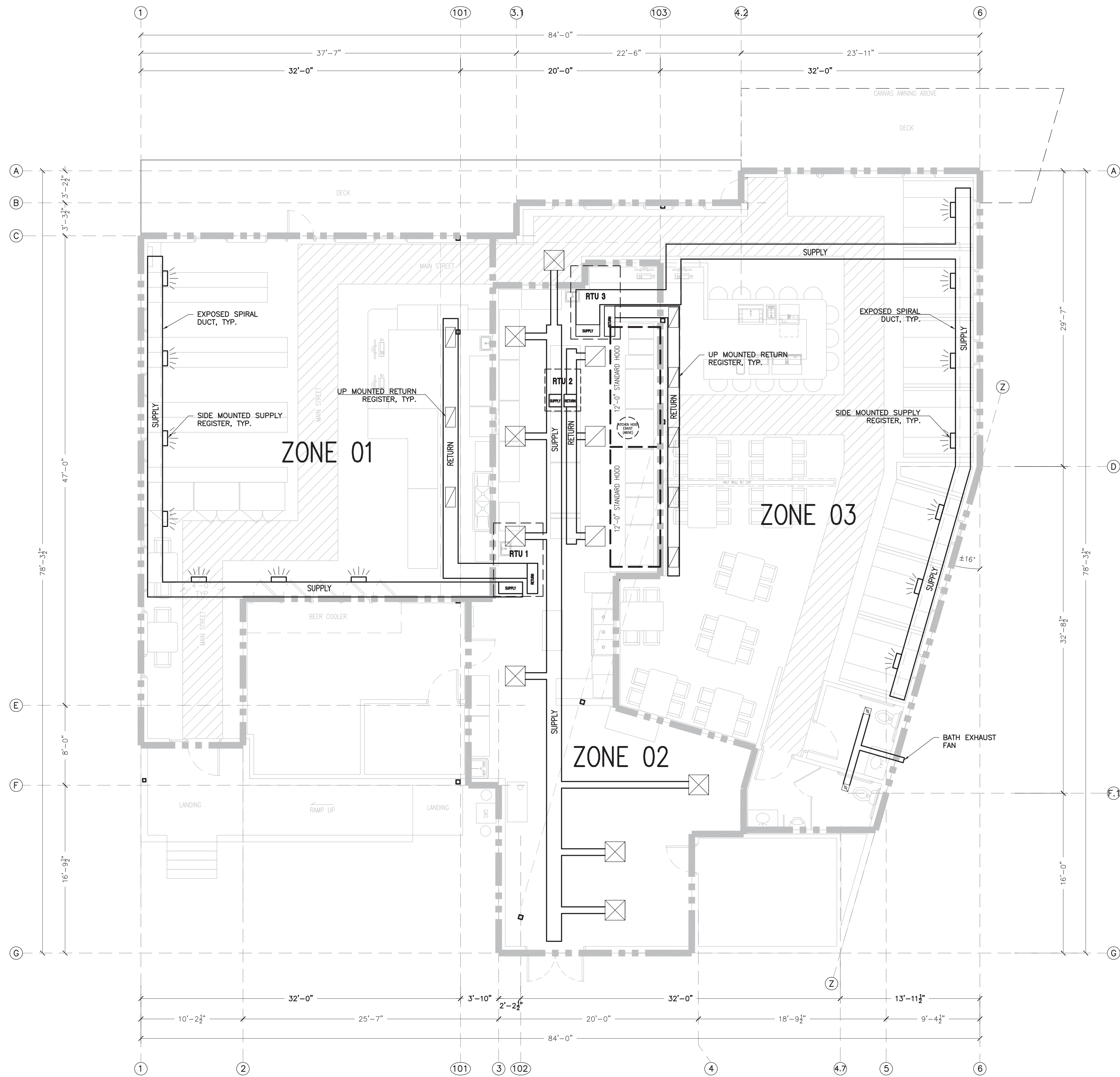
Furrow
Engineering
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

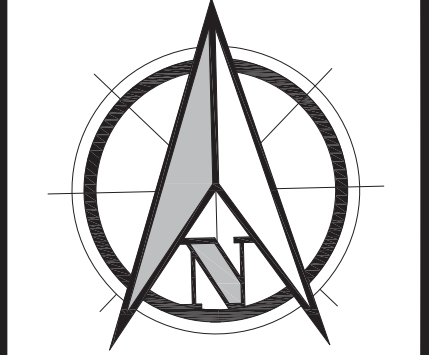
REVISION DESCRIPTION	
DATE	BY
1	2
3	4
5	6

PROJECT # 1237-10-24
DRAWN BY: EDN
DATE: 10-11-24
SCALE: 3/16" = 1'-0"
SHEET: E2.1



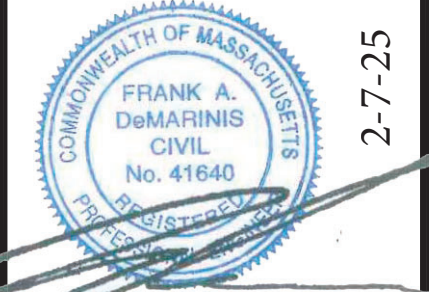
HVAC EQUIPMENT SCHEDULE									
LABEL	DESCRIPTION	MODEL#	ZONE SERVICING	PRESSURE AT UNIT	BTU	POWER	ELECTRIC HEATER	AMP BREAKER	NOTES
RTU 01	10 TON INTERNATIONAL COMFORT PRODUCTS	RS110HFC000AAA	ZONE 1	11-14" WATER COLUMN / 0.4-0.5 PSI	120,000	208 / 3 / 60	NO	80	FURNISHED BY OWNER
RTU 02	5 TON TRANE OR EQUIVALENT	TBD	ZONE 2	11-14" WATER COLUMN / 0.4-0.5 PSI	60,000	208 / 3 / 60	NO	TBD	
RTU 03	10 TON TRANE OR EQUIVALENT	TBD	ZONE 3	11-14" WATER COLUMN / 0.4-0.5 PSI	120,000	208 / 3 / 60	NO	TBD	

M.I.I HVAC PLAN



PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040
APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



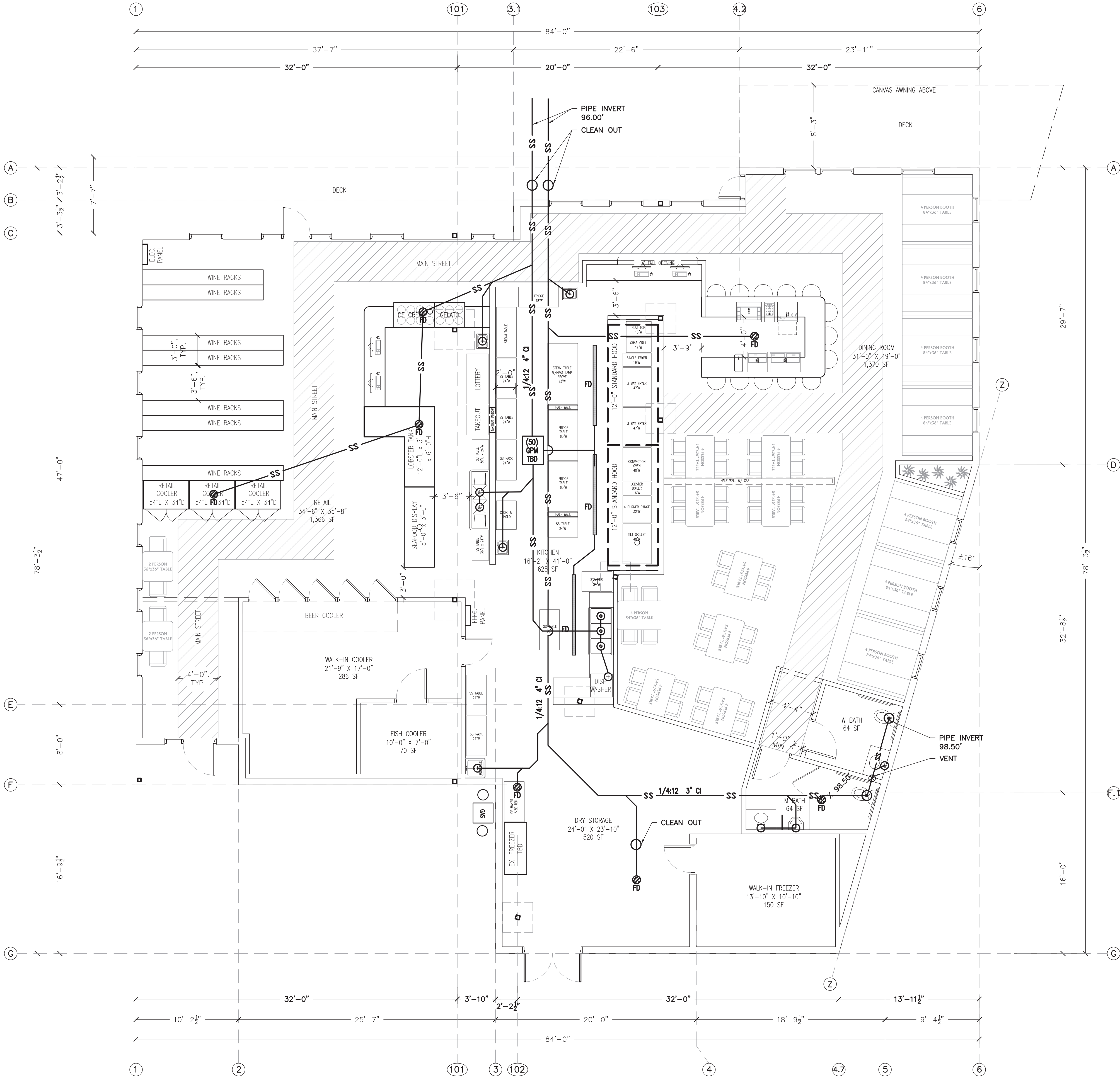
ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION DESCRIPTION		DATE	BY
1			
2			
3			
4			
5			
6			

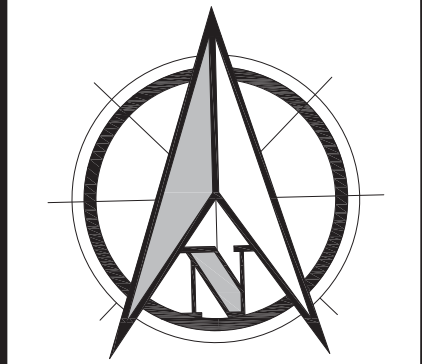
PROJECT #:
1237-10-24
DRAWN BY:
HJM
DATE:
10-11-24
SCALE:
3/16" = 1'-0"
SHEET:
M.I.I

GENERAL NOTES:

1. ALL DIMENSIONS ARE FROM FACE OF FOUNDATION, CENTER OF WALL, OR CENTER OF FIXTURE.
2. THE SUB-CONTRACTOR AND INSTALLER MAY ADJUST CONCEPTUAL DESIGN TO MEET BUILDING CODE, LIFE SAFETY REQUIREMENTS AND DESIGN INTENT.
3. SUB-CONTRACTOR IS RESPONSIBLE FOR PIPE SIZING, VENTING, PIPE SLOPES, INSPECTIONS, ETC.
4. SUB-CONTRACTOR INSTALLATION AND COMPONENTS SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS STATE BUILDINGS CODES.
5. DRAWINGS ARE DIAGRAMMATIC AND DO NOT SHOW EVERY OFFSET, FITTING OR COMPONENT. THE DRAWINGS INDICATE A SYSTEM CONCEPT WITH APPROXIMATE GEOMETRICAL RELATIONSHIPS. THE CONTRACTOR SHALL PROVIDE ALL OTHER COMPONENTS AND MATERIALS NECESSARY TO MAKE THE SYSTEMS FULL COMPLETE, OPERATIONAL, AND COMPLIANT WITH THE CODE.
8. THE CERTIFICATION ON THESE PLANS IS FOR THE CONCEPTUAL LAYOUT AND LOCATION OF DEVICES, OUTLETS, DATA, SUPPLY AND RETURN VENTS, LIGHTING FIXTURES, AND FIRE ALARM DEVICES. THE CERTIFICATION DOES NOT GUARANTEE CONFORMANCE WITH THE STATE BUILDING CODES. THE CONTRACTOR AND INSTALLER ARE RESPONSIBLE TO SUBMIT SHOP DRAWINGS, AS-BUILT PLANS, ENGINEERING CALCULATIONS, AND PROFESSIONAL ENGINEERING CERTIFICATIONS OF PLANS WHERE REQUIRED TO FURROW ENGINEERING FOR APPROVAL. THE CONTRACTOR, MECHANICAL OR ELECTRICAL ENGINEER, AND INSTALLER MAY ADJUST CONCEPTUAL DESIGN TO MEET STATE BUILDING CODE, LIFE SAFETY REQUIREMENTS, AND DESIGN INTENT.
9. SERVICE HOT WATER HEATER SHALL MEET EFFICIENCY REQUIREMENTS OF IECC 2021 TABLE C404.2



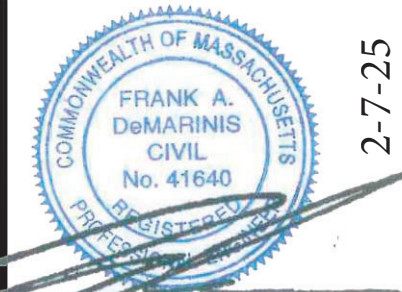
P I . I PLUMBING PLAN



PROJECT DESCRIPTION:
SCHERMERHORN'S SEAFOOD REMODEL
224 WESTFIELD RD
HOLYOKE, MA 01040

APPLICANT:
FRANK A. DEMARINIS
199 SERVISTAR INDUSTRIAL WAY
WESTFIELD, MA 01085

Furrow
Engineering
199 Servistar Industrial Way - Suite 2
Westfield, MA 01085
Phone: (413) 562-4884



ORIGINAL SEAL IS IN BLUE
INK COPIES ARE NOT VALID

REVISION DESCRIPTION	
DATE	BY
1	2
3	4
5	6

PROJECT #:
237-10-24
DRAWN BY:
EDN
DATE:
10-11-24
SCALE:
3/16" = 1'-0"
SHEET:

P I . I

AN OVERVIEW OF THE CULTURAL HUMILITY WORKSHOP

1. Container Setting

- We establish shared understandings and ground rules for interacting during the time together.
- We encourage open and honest communication, allowing for everyone to show up as their full selves.
- We introduce a learning concept called the Growth Model to help individuals understand the ideal conditions for learning.

2. Defining Culture

- We introduce a variety of ways to look at and define culture.
- We look at social movements and their influence on culture.
- We conduct exercises to help participants explore their individual cultures.

3. Defining Cultural Humility

- We introduce the tenets of cultural humility through a video of the originators of the cultural humility concept, Drs. Tervalon and Murry-Garcia.
- We discuss the differences between humility and competency.

4. Tenet 1: Critical Self-Reflection and Lifelong Learning

- We define race and talk about the intersectionality of race and other cultural characteristics that are often marginalized.
- We offer action steps for life-long learning of self and others.

5. Tenet 2: Redressing the power imbalances in relationships

- Power and privilege are defined.
- Participants look at areas where they have power and privilege and where they don't.
- We define types of biases and how they influence our decision making.
- We discuss biases on a system level, defining systemic racism and how both influence the allocation of resources.
- We define and discuss equality vs. equity and what they look like.

6. Tenet 3: Developing mutually beneficial partnerships

- We focus on a specific behavior called Microaggressions.
- We define 3 types of microaggressions with examples.
- We provide steps for calling in and calling out, and when each is appropriate.
- We provide steps for apologizing when you have micro aggressed.
- Participants engage in role play to practice each behavior.
- We discuss what it means to be an ally,

7. Tenet 4: Advancing and maintaining institutional accountability

- We provide an overview of how each of the three other tenets can be applied to the institutions and organizations we work in and with.
- Participants reflect on their own institutions with regard to the history, the mission, its policies and practices.

REGULAR MEETING OF THE CITY COUNCIL

February 4, 2025

The meeting was called to order by President Murphy-Romboletti at 7:04 p.m.

The Clerk called the roll. Absent Members: 0 Present Members in person 13 (Anderson-Burgos, Bartley, Devine, Givner, Greaney, Jourdain, Magrath-Smith, Murphy-Romboletti, Ocasio, I. Rivera, J. Rivera, Sullivan, Vacon).

The Pledge of Allegiance was recited.

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

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

PUBLIC COMMENT

Beth Strycharz, 25 Woodland Street, stated that she was following up on an email she and neighbors sent to councilors the previous week in which they voiced concerns about the proposed sports complex and the lack of information. She then stated that this would impact their densely populated neighborhood in Ward 3. She further stated that she spoke to the Planning Board and was not able to get much information. She also stated that she was unable to get much information from Andrew Melendez with USA International other than a plan for the parcels of land they were planning to take. She then explained that the developers paid \$70,000 for 1.85 acres of land abutting Woodland Street. She added that they also had 2 parcels of land under contract on Whiting Farms Road, indicating there was intent to build. She then questioned if there was a feasibility study. She also questioned if there were site plans available. She then expressed concern about where the funding would come from, specifically if it would come from city incentives or private investors. She added that she believed it would be done in phases, adding up to \$50-\$100 million, and questioned what would happen if they ran out of money. She also asked if they would be cutting trees. She also expressed concern about impact on already existing drainage issues on Woodland Street.

Councilor Greaney raised a point of order, making a motion to allow Ms. Strycharz to speak for an additional minute. Councilor I. Rivera seconded the motion. Motion adopted.

B. Strycharz stated that in reference to drainage issues, they had petitioned for a catch basin and had not gotten it. She emphasized that the DPW had been aware of the issue for a long time. She then asked that the Council investigate what was happening and do their due diligence.

Jordana O'Connell, 56 Woodland Street, expressed opposition to the sports complex, expressing concern that the proposal was backed by politically connected figures. She also expressed frustration that there had been no communication from Cesar Ruiz to the surrounding neighborhood, calling into question if the process was being handled in good faith. She also emphasized that there were already multiple sports

complexes in the area and would make this proposed complex redundant. She then expressed further concerns about it being a densely residential area, that it would cause traffic and parking issues, increase noise pollution, decrease property values, and alter the character of the neighborhood.

Libby Hernandez, 245 Walnut Street, thanked Councilor Devine for introducing an order regarding backyard hens. She then stated that it would allow for more sustainability, as well as providing fresh eggs to residents at a time when prices were high. She noted a previous proposal was voted down in 2021, and expressed hope that new leadership would help make it happen. She added that it would create an educational component for children to learn about how food got to their table. She noted that other surrounding towns were already successfully doing this.

Jose Gonzalez, 139 Hillside Avenue, expressed support for allowing chickens as a matter of providing food sustainability. He noted that complaints he had heard included disparaging Puerto Ricans and their dirty chickens making a mess. He then stated that if there were issues, the Board of Health could deal with it. He added that those kinds of complaints were uninformed bias, adding that he believed people should mind their own business. He then stated that he and his kids would love to have chickens. He then expressed concern about the recent special election being held randomly without better information put out to voters. He added that he would have preferred to have mail in ballots and more input for public elections. He also expressed frustration with parking bans not being enforced and some areas not being plowed, leading to people like his wife slipping and ending up in the ER, missing work, and entire lives being impacted.

Mega Hernandez, 245 Walnut Street, expressed support for the backyard hen proposal. She then stated that it would be a simple and affordable way to help families deal with high food prices, food insecurity, and sustainability. She added that many families in the city struggled with food insecurity, and hens would provide a regular source of eggs. She also emphasized that hens ate food scraps, reducing waste, and they also did not require the population caused by mass production and transportation of eggs. She added that raising hens helped teach kids about responsibility, hard work, and where food comes from. She also stated that hens were less noisy than dogs and did not smell if properly cared for.

President Murphy-Romboletti asked for a moment of silence in honor of Ron Dietrich from the Auxiliary Police, a great man who gave a lot of time and service to the city. She also asked for a moment of silence in honor of David Gadaire, President and CEO of MassHire Holyoke. She noted she had been a board member of MassHire and the loss of Mr. Gadaire would be a big void in the community.

A moment of silence was observed for Mr. Dietrich and Mr. Gadaire.

LAID ON THE TABLE

(19:05)

The Committee on Ordinance to whom was referred an order that the Police Department be allowed to hire a Crime Analyst past the Grade 10 mid-range (which is \$70,407) to \$78,000.

Recommended that the order be adopted.

---> Laid on the table.

Motion was made and seconded to remove item 2 from the table.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, FORTY-EIGHT THOUSAND EIGHT HUNDRED TWENTY-SIX AND 15/100 Dollars (\$48,826.15) as follows:

			FROM	TO
11211	51276	MAYOR'S CONTRACT NEGOTIATIONS	21,631.74	
11211	51104	MAYOR'S PAY-CAFO	716.19	
15431	51103	VETERAN'S PAY - INVESTIGATOR	6,002.88	
15431	51101	VETERAN'S PAY - COMMISSIONER	2,240.00	
15431	51500	VETERAN'S VACATION BUYBACK	2,000.00	
15431	51510	VETERAN'S SICK LEAVE BUYBACK	5,000.00	
11521	51102	PAY - PERSONNEL ASSISTANT	11,235.34	
12401	51102	ASST BUILDING COMMISSIONER		3,132.93
12401	51103	CHIEF INSPECTOR OF WIRES		2,828.00
12401	51107	ZONING OFFICIAL		2,222.00
11751	51108	ASSISTANT DIRECTOR OF PLANNING		4,560.00
11751	51102	ASST DIR OF ECONOMIC DEV		4,560.00
11751	51105	SENIOR PROJECT MANAGER		2,222.00
11751	51106	PLANNER 1		1,090.00
12441	51101	SEALER OF WEIGHTS AND MEASURES		2,525.00
11711	51101	CONSRVTN & SUSTNBLTY DIRECTOR		3,030.00
14211	51108	SAFETY OFFICER		2,020.00
15411	51103	ASSISTANT DIRECTOR - COA		2,222.00
15411	51101	DIRECTOR COUNCIL ON AGING		3,030.00
15431	51105	NATIONAL SERVICE OFFICER		1,560.99
16301	51101	DIRECTOR PARKS/REC FORESTRY		2,899.14
15101	51101	DIRECTOR BOARD OF HEALTH		1,632.00
15101	51202	ANIMAL CONTROL OFFICER		2,020.08
16911	51101	DIRECTOR WISTARIAHURST		2,828.00
16911	51103	CITY HISTORIAN		2,222.00
16301	51103	ASST DIRECTOR OF PARKS & REC		2,222.00
			48,826.15	48,826.15

Recommended that the order be denied.

Councilor Devine asked that item 2 be returned to the Auditor.
 ---> Report of Committee received and returned to the Auditor.

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

The Committee on Finance to whom was referred an order Settlement agreement by and between the City of Holyoke and Holyoke Professional Supervisors Association
 Recommended that the order be denied.
 ---> Report of Committee received.

The Committee on Finance to whom was referred an order Redlined Settlement agreement by and between the City of Holyoke and Holyoke Professional Supervisors Association
 Recommended that the order be denied.

UNDER DISCUSSION:

Councilor Devine made a motion to reject the committee report and approve the contract. Councilor Givner seconded the motion.

Councilor Jourdain stated that these were just documents sent to the Council, emphasizing that the operative item was the transfer order. He then suggested that the contracts just be received.

President Murphy-Romboletti stated that was what usually happened with contracts.

Councilor Devine stated that it would be fine with item 4.

Councilor Jourdain stated that both were essentially the same thing, with item 4 just being the full contract.

Councilor Devine reiterated that her motion was to approve the contract.

Councilor Jourdain reiterated that the Council does not adopt contracts.

President Murphy-Romboletti agreed that the Council usually just receives them.

Councilor Devine

---> Report of Committee received.

COMMUNICATIONS

(22:35)

From Mayor Garcia, letter appointing Mr. David P. Owen of 12 Mason Rd. to serve as a member of the Historical Commission. Mr. David Owen will serve a three year term expiring January 2028.

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

From Mayor Garcia, letter appointing Ms. Beverlyn Blanchard of 46 St. Kolbe Dr. to serve as a member of the Library Board of Directors. Ms. Blanchard will serve a three year term expiring February 2028.

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

From Mayor Garcia, letter reappointing Brenna Levitin of 48 Vernon St. to serve as a member of the Library Board of Directors. Ms. Levitin will serve a three year term, expiring February 28, 2028.

---> Received and appointment confirmed.

Motion was made and seconded to suspend the necessary rules to take up items 8 and 35 as a package.

From Mayor Garcia and Superintendent Soto, a Joint statement affirming the rights of immigrants

---> Received and referred to the Joint Committee of the City Council and School Committee.

Councilor Jourdain- The Superintendent of Schools discuss his recent memo on affirming the rights of immigrants with the Joint Committee on City Council and School Committee.

---> Received and referred to the Joint Committee of the City Council and School Committee.

From City Clerk Brenna Murphy Leary and Admin. Assistant Jeffery Anderson-Burgos, meeting minutes from January 21, 2025

---> Received and Adopted.

From City Solicitor Lisa Ball, legal opinion on votes and transfer request

---> Received.

From Executive Director of the Holyoke Retirement Anthony Dulude, Notice of Retirement meeting to Elect to Grant Retiree COLA (no action needed by the City Council)

Councilor Jourdain expressed his understanding that once approved by the Retirement Board, the mayor would then approve it, and then it would come to the City Council.

Councilor Devine noted that the item stated there was no action needed by the City Council.

Councilor Jourdain expressed his understanding that there were dollar implications. He added that he believed this came in before, and the Council approved it before the mayor, so this may be from a prior fiscal year. He reiterated that he believed it needed to go the mayor before coming to Council.

---> Received. Copy to the Mayor.

From Alicia Zoeller, CDBG Allocation Spreadsheet

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

Motion was made and seconded to suspend the necessary rules to take up items 13 and 60 through 64 as a package.

From Sean Sheedy, Maintenance Admin for Holyoke Public Schools, 2-4-2025 SOI ARP PROJECTS HPS

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

Devine- That the City of Holyoke appropriates the amount of One Hundred Thousand (\$100,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Kelly Elementary School located at 216 West Street Holyoke MA 01040 for a potential roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote

shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

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

Devine- That the City of Holyoke appropriates the amount of One Hundred Thousand(\$100,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Lt Elmer J McMahon Elementary School located at 75 Kane Road Holyoke MA 01040 for a potential roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

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

Devine- That the City of Holyoke appropriates the amount of Seventy-Five Thousand(\$75,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Lt Clayre Sullivan Elementary School located at 400 Jarvis Avenue Holyoke MA 01040 for a potential partial roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority("MSBA"), said amount to be expended under the direction of mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes. Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

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

Devine- That the City of Holyoke appropriates the amount of One Hundred and Fifty Thousand (\$150,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Holyoke High School located at 500 Beech Street Holyoke MA 01040 for a potential roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order,

and to provide such information and execute such documents as may be required for such purposes.
Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

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

Devine- That the City of Holyoke appropriates the amount of Seventy-Five Thousand(\$75,000) Dollars for the purpose of paying costs of conducting a Schematic Design Study at Maurice A Donahue Elementary School located at 210 Whiting Farms Road Holyoke MA 01040 for a potential partial roof replacement, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Holyoke has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Mayor Joshua Garcia. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, Chapter 70B, or any other enabling authority. The City of Holyoke acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City of Holyoke incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Holyoke; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Holyoke and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application to qualify under Chapter 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.
Further Ordered: That there shall be no change in the purpose of this bond authorization without prior vote of approval by the Holyoke City Council.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

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

From Sean Mangano, School Committee Finance Subcommittee 12.12.24

Councilor Magrath-Smith asked if this was an earlier chart the Council received.

Councilor Jourdain stated that he was planning to have a discussion about the chart in the Joint Committee relative to the physical condition of all of the school buildings.
---> Received and referred to the Joint City Council and School Committee.

Motion was made and seconded to suspend the necessary rules to take up items 15 and 39 as a package.

From the Office of the Governor, Public Settlements Policy - Jan. 2025
---> Received and referred to the Ordinance Committee.

Jourdain- Ordered, that the City Council create an ordinance that creates a settlement policy and further prohibits the use of non-disclosure agreements in the City of Holyoke consistent with what Governor Healey has done at the state level. Please see attached policy.
---> Received and referred to the Ordinance Committee.

Motion was made and seconded to suspend the necessary rules to take up items 16 and 17 as a package.

From Harry Montalvo, President of Board of Directors Greater Chamber of Commerce, EM 1-29-25 announcement
---> Received.

From Harry Montalvo, President of Board of Directors Greater Chamber of Commerce, Chamber letter
---> Received.

From Mary Monahan, Chair of Board of Public Works, letter to council TSS & BOD

Councilor Jourdain asked if Ms. Monahan planned to discuss these or if it was informational.

Councilor Devine stated that she believed I was just informational.
---> Received.

From Mary Monahan, Chair of Board of Public Works, follow up to funding request for levee repairs
---> Received.

From Board of Fire Commission, meeting minutes from December 16, 2024.
---> Received.

From Holyoke Redevelopment Authority, minutes from November 13 and 20th
---> Received.

PRESIDENT'S REPORT

(31:20)

President Murphy-Romboletti stated that there would be a flag raising event for Black History Month on Wednesday, February 12th, at 4:30 p.m., to be followed by a storytelling program at the Holyoke Library.

She then stated that the Irish flag raising would be on Sunday, February 23rd, at 2:15 p.m. at the JFK Memorial located at Appleton and Sycamore.

She also stated that the city would be hosting the first of two public meetings to discuss a plan for wayfinding and signage on Wednesday, February 26th at the Holyoke Community College Culinary Institute located at 164 Race Street. She noted the public was invited to attend.

Councilor Bartley stated that he delivered a proclamation in honor of veteran Harry Chandler, adding that the veterans and Mr. Chandler's granddaughters were appreciative.

REPORTS OF COMMITTEES

(32:55)

The Committee on Ordinance to whom was referred an order that the City create the position of a municipal hearings officer to hear appeals by offenders of the State Building Code made pursuant to MGL c. 148A, Section 2 and that a stipend be determined for said position

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

UNDER DISCUSSION:

Councilor I. Rivera stated that the committee recommended it 2-1, approving the providing language which included a stipend of \$2,500. He then explained that they discussed different ways to fund the position that didn't necessarily require adding it to the budget. He noted that the Fire Department already had someone doing the same role and there was a possibility of wedding the two positions together. He also stated that this would allow the city to provide a middle person to hear appeals rather than always needing to go to court, making it easier and more cost effective.

Councilor Vacon stated that while she was initially opposed to this as adding a new position, she was now in favor of it after being able to hear different information, including the benefit of providing citizens with a more rapid way for their concerns to be heard.

Councilor Greaney asked if this was temporary or permanent.

Councilor I. Rivera stated that it was part time in that it would happen as needed, but not permanent such as other positions that would be paid an annual salary or receiving benefits.

Councilor Bartley noted that the language did not specify a term. He then asked if there was an end or if someone appointed would hold the position forever. He also questioned the rationale of the language that specifically laid out that the mayor would appoint without confirmation of the City Council. He then noted

that he didn't necessarily have an issue with the mayor appointing. He then made a motion to amend the language to specify a 3 year term. Councilor Vacon seconded the motion.

Councilor Greaney agreed that there should be a start and finish to the term.

Councilor I. Rivera stated that he was not necessarily against that, but believed that leaving it open ended would allow the person in the position to pick up as they go and keep moving. He then suggested mirroring what they were doing with the Fire Department position.

Councilor Magrath-Smith stated that some of the research showed that some communities in the area were working together to contract for the position. She added that it did not necessarily need to be one person but could be a contracted service with multiple people. She also noted that in some other communities, people were paid on a case by case basis rather than receiving a set amount.

Councilor Jourdain expressed his support for this, particularly because \$2,500 would not be a big hit, adding that it was what was allowed under the statute. He then expressed his understanding that this would one person filling one position and not multiple people each getting \$2,500. He then noted that in reference to terms, someone lacking a need for City Council confirmation was basically serving at the pleasure of the mayor. He questioned if adding in language that specified a term meant that the mayor was stuck with someone even if they wanted someone else.

Councilor Vacon explained that the main impetus for this was being informed that the Council had adopted a law many years earlier that required having this role filled. She added that the goal was to remedy that problem. She then suggested that pursuing other avenues such as sharing with another community may mean the city was out of compliance with the requirement to have a local option for people. She also stated that she could go either way with respect to a term. She also noted that the committee had sought numbers on the number of cases that was not able to be provided, adding that she expected they may be able to get some information after a year of this being in place.

Councilor Bartley explained that his motion was to specify that the municipal hearing officer shall serve for a term of no more than three years. He added that would not impact the mayor's ability to hire or fire but would allow the Council and the public to know how long the person could serve. He also noted that item 47 on this agenda was a proposal he filed to specify how the position would be paid for.

Councilor Greaney called to move the question.

President Murphy-Romboletti explained that the current motion was to amend the language to add in a term of three years.

Motion to amend adopted on a call of the roll of the yeas and nays-- Yeas 11--Nays 1 (Devine, Murphy-Romboletti)--Absent 0.

---> 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 item 47 out of order.

Bartley- The City of Holyoke (esp the Mayor) consider permanently funding the Municipal Hearing Officer position by way of the Vacant Building reservation fund. Refer to Ordinance, the Mayor, and Law Dept.

Councilor Bartley asked if this was an Ordinance or a Finance matter.

President Murphy-Romboletti suggested it may need to start in Ordinance.

Councilor Jourdain stated that he did not believe the Council could do this, noting that only the mayor could decide how the funding was handled, whether it be put in the budget or paid for by transfer. He then suggested sending the order to the mayor.

Councilor Bartley suggested sending the order to the Ordinance Committee and then seek a legal opinion.

President Murphy-Romboletti noted that Mass General Law stated that the fines levied by the code enforcement officer were supposed to pay for the stipend.

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

The Committee on Ordinance to whom was referred an order That the Vacant Building fee be adjusted to take into account the size (SF) of the building. Currently, a flat fee is assessed which is not reflective of the burden to the city and it's taxpayers.

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

UNDER DISCUSSION:

Councilor I. Rivera stated that Board of Health Director, Tim Rivers, provided figures after doing research of other communities which would make sure that vacant building owners would pay the fees based on the size of their building. He then explained that the goal was to motivate building owners to take responsibility for their properties. He emphasized that it was only for 4 or more family buildings. He added that the rates would be adjusted nominally. He then read from the proposed fee schedule:

4 or more residential units or commercial properties that were vacant less than 1 year would have no fee, residential and commercial properties vacant 1 to 2 years would have a \$1,500 annual assessment, residential and commercial properties of less than 3,000 square feet and vacant more than 2 years without an accepted rehabilitation plan would have a \$3,000 annual assessment, those up to 8,000

square feet would have a \$6,000 annual assessment, those up to 14,000 square feet would have an \$8,000 annual assessment, those up to 49,999 square feet would have a \$10,000 annual assessment, and those at 50,000 or more square feet would have a \$15,000 annual assessment.

Councilor Givner asked whether this would apply moving forward or be retroactive.

Councilor Sullivan suggested that common sense would only say this would only be going forward.

Councilor Givner stated that she wanted to ensure that, noting recent issues with a lot of people getting building fines.

Councilor Jourdain stated that section 3 of the language stated it would only be going forward.

---> Report of Committee received and the Ordinance passed its first reading.

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

The Committee has considered the same and find that it is truly and properly enrolled.

Report of Enrollment received.

The Ordinance was passed to be Ordained and Adopted on a call of the roll of the yeas and nays--

Yeas 13--Nays 0--Absent 0.

Approved by the Mayor.

The Committee on Ordinance to whom was referred an order that no group homes, profit or non-profit, be allowed within the city limits of Holyoke, Ma without the approval of the Holyoke City Council.

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

UNDER DISCUSSION:

Councilor I. Rivera stated this would allow for the Council and the public to be notified when these facilities come into neighborhoods, emphasizing that the Council could not bar them, but this would at least be a mechanism for being informed.

Councilor Greaney explained that one of the motivations was that many of the facilities lead to the loss of taxpaying properties, leading to others having to bear the burden of paying those taxes.

Councilor Vacon noted that this would also provide for notice if someone was looking for an occupancy permit because there were density rules relative to group homes even though they were allowed as of right. She added that this would ensure the Council was notified that these facilities were in compliance with state licensure requirements.

---> 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.

Councilor Vacon asked if the mayor would be informed of this change so that he could make the department heads aware.

President Murphy-Romboletti stated that the mayor would have to sign off on this. She then asked if department heads would get a copy of this now that it was passed.

City Clerk Leary stated that they would.

The Committee on Ordinance to whom was referred an order that when the use a building is changing requiring permits from city departments but not City Council approval, a communication be sent to the City Council informing of the change. This can help councilors keep constituents informed so that concerns can be addressed.

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

Committee Members:

Israel Rivera
Linda L. Vacon
Meg Magrath-Smith
David K. Bartley
Jenny Rivera

UNDER DISCUSSION:

Councilor I. Rivera stated that this order was about helping the Council have a better understanding of things changing with regard to businesses and storefronts, adding that a communication would now be sent to the Council when changes happen. He noted that councilors had heard from constituents when things moved into their neighborhoods without people knowing about it.

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

(1:00:20)

Motion was made and seconded to suspend the necessary rules to take up late filed 66 through 70 out of order.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWENTY ONE THOUSAND SIX HUNDRED AND 22/100 Dollars (\$21,600.22) as follows:

	FROM	TO
11211 51276 MAYOR'S CONTRACT NEGOTIATIONS	21,600.22	

15411	51103	ASSISTANT DIRECTOR - COA	2,222.00	
15411	51101	DIRECTOR COUNCIL ON AGING	3,030.00	
11711	51101	CONSRVTN & SUSTNBLTY DIRECTOR	3,030.00	
12441	51101	SEALER OF WEIGHTS AND MEASURES	2,525.00	
16301	51101	DIRECTOR PARKS/REC FORESTRY	2,899.14	
16301	51103	ASST DIRECTOR OF PARKS & REC	2,222.00	
14211	51108	SAFETY OFFICER	2,020.00	
15101	51101	DIRECTOR BOARD OF HEALTH	1,632.00	
15101	51202	ANIMAL CONTROL OFFICER	2,020.08	
			21,600.22	21,600.22

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor
 ---> Laid on the table.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, EIGHT THOUSAND ONE HUNDRED EIGHTY TWO AND 93/100 Dollars (\$8,182.93) as follows:

			FROM	TO
12401	51101	LOCAL INSPECTOR	8,182.93	
12401	51102	ASST BUILDING COMMISSIONER		3,132.93
12401	51103	CHIEF INSPECTOR OF WIRES		2,828.00
12401	51107	ZONING OFFICIAL		2,222.00
			8,182.93	8,182.93

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor
 ---> Laid on the table.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, ELEVEN THOUSAND THREE HUNDRED FORTY TWO AND 00/100 Dollars (\$11,342.00) as follows:

			FROM	TO
11751	51106	PLANNER I	11,342.00	
11751	51108	ASSISTANT DIRECTOR OF PLANNING		4,560.00
11751	51102	ASST DIR OF ECONOMIC DEV		4,560.00
11751	51105	SENIOR PROJECT MANAGER		2,222.00
			11,342.00	11,342.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor
---> Laid on the table.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FIVE THOUSAND FIFTY AND 00/100 Dollars (\$5,050.00) as follows:

	FROM	TO
16911 51104 ENTERPRISE COORDINATOR	5,050.00	
16911 51101 DIRECTOR WISTARIAHURST		2,828.00
16911 51103 CITY HISTORIAN		2,222.00
	5,050.00	5,050.00

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

Councilor Devine made a motion to suspend the necessary rules to take final action on late files 66 through 70.

---> Laid on the table.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, ONE THOUSAND FIVE HUNDRED SIXTY AND 99/100 Dollars (\$1,560.99) as follows:

	FROM	TO
15431 51104 INVESTIGATOR	1,560.99	
15431 51105 NATIONAL SERVICE OFFICER		1,560.99
	1,560.99	1,560.99

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Motion was made and seconded to suspend the necessary rules to take final action on late files 66 through 70.

Councilor Vacon stated that as these were late files, they were not published for the public. She then questioned suspending the rules to table them so they would never on a regular agenda.

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

Atty Bissonnette asked if the question was if it would be allowed to take up the late files and move them to the table.

Councilor Devine stated that it was.

Atty Bissonnette stated that it would take a majority vote, not two-thirds. He then explained that rule 7.A.xii stated that deviation from the agenda can be done by a majority vote. He added that acting on the items would require two-thirds.

Councilor Vacon clarified that the late files were not listed on the agenda.

Councilor Bartley stated that they were on his.

Councilor Jourdain stated that they were not on the agenda published 48 hours in advance.

President Murphy-Romboletti stated that this was done every meeting when there were late files.

Councilor Vacon stated that the rule was that they be posted on the next agenda.

Councilor Bartley stated that they would be if they were tabled.

Councilor Vacon stated that they would usually be sent to committee.

Councilor Bartley reiterated that they would not be this time and would be posted to the next agenda.

Councilor Greaney took issue with voting on something he hadn't seen.

President Murphy-Romboletti clarified that they would not be voted on that evening.

Councilor Greaney stated that he was not aware of what they were.

Councilor Jourdain expressed his understanding that if they were not taken up, they would go on the next agenda. He then stated that tabling them or putting them on the next agenda was a distinction without a difference, and that he preferred to have them just go on the next agenda.

Councilor Bartley emphasized the matter was not debatable.

Motion adopted on a show of hands vote.

---> Laid on the table.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, ONE HUNDRED FORTY FIVE AND 00/100 Dollars (\$145.00) as follows:
FROM

15102-57300 DUES & SUBSCRIPTIONS – BOARD OF HEALTH \$ 75.00

15102-54220 SUPPLIES OTHER – BOARD OF HEALTH	70.00
TOTAL \$145.00	
TO:	
11752-57300 DUES & SUBSCRIPTIONS-PLANNING	\$145.00
TOTAL \$145.00	

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that this was paying for a Zoom account that was shared with the Board of Health and the mayor's office.

---> 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.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, THREE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$350,000) as follows:

FROM	
12101-51107 PATROLMEN	\$250,000
12101-51105 SERGEANTS	50,000
12101-51117 DISPATCH	50,000
TOTAL \$350,000	
TO:	
12101-51300 OVERTIME	\$350,000
TOTAL \$350,000	

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that this overtime was expected to cover the Police Department through June 30th. She then explained that it was needed to fill vacancies due to officers being injured on duty of serving in the military. She added that Chief Keenan believed they were moving in the right direction on tightening controls. She also stated they would be working with a staffing company to better track

overtime.

---> 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.

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 "FY24 MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY-EMERGENCY MANAGEMENT PROGRAM GRANT, \$9,500, 50% IN KIND 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.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that the grant for the Emergency Management department would invest in needs for them emergency response team, including shelter, equipment, updating fire technology, running hybrid operations, and close gaps in other departments.

---> 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.

Motion was made and seconded to suspend the necessary rules to take up items 29 and 58 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 2025, TWO HUNDRED NINETY THREE THOUSAND FOUR HUNDRED THIRTY NINE AND 63/100 Dollars (\$293,439.63) as follows:

FROM

8810-10400 GENERAL STABILIZATION	\$186,557.87
8811-10400 CAPITAL STABILIZATION	106,881.76
TOTAL \$293,439.63	

TO:

14253-58002 HIGHWAY- CAPITAL OUTLAY MV	\$293,439.63
TOTAL \$293,439.63	

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

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

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWO HUNDRED NINETY THREE THOUSAND FOUR HUNDRED THIRTY NINE AND 63/100 Dollars (\$293,439.63) as follows:

FROM

8811-10400 CAPITAL STABILIZATION \$293,439.63

TOTAL \$293,439.63

TO:

14253-58002 HIGHWAY- CAPITAL OUTLAY MV \$293,439.63

TOTAL \$293,439.63

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

Councilor Devine stated that this was to replace 3 plow trucks that were in bad shape. She then explained that item 58 was a new order submitted to change the funding mechanism.

Councilor Jourdain stated that the trucks were needed, and the hope was they would be ready by the next winter season. He then explained that the open question was where the funding would come from, with the request going to the mayor that it all come out of capital stabilization.

Councilor Sullivan stated that beyond the issue of snow removal, the trucks were unsafe for the employees and residents, noting that one truck was from 1986. He added that the older trucks add to the maintenance budget.

Councilor Bartley stated that employees were also happy with newer vehicles, noting that everything in the trucks actually work, such as radios, heaters, and air conditioning.

Councilor Greaney asked, in jest, if the new trucks would have automatic shutoff when they arrived at his driveway.

Councilor Magrath-Smith asked how much would be left in capital stabilization with \$108,000 coming out of it, noting that continuing to take funds out of it wasn't going to leave much left.

Councilor Jourdain stated that it was at around \$352,000 before this transfer.

Councilor Sullivan clarified that it wouldn't just be the \$106,000 coming out.

Councilor Magrath-Smith noted that \$186,000 was coming out of general stabilization.

Councilor Sullivan stated that the full amount would be coming out of capital stabilization.

Councilor Vacon asked for clarification of what was being voted on.

President Murphy-Romboletti stated that item 29 would be separate.

Councilor Jourdain stated that item 29 should be returned to the Auditor.

Councilor Magrath-Smith stated that if item 58 was voted on, it would leave \$58,000 in capital stabilization.

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

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, TWENTY FOUR THOUSAND SEVEN HUNDRED EIGHTY AND 00/100 Dollars (\$24,780) as follows:

FROM

0075-10400 VACANT BUILDING REVOLVING FUND	\$24,780
---	----------

TOTAL \$24,780

TO:

12401-51201 PROPERTY MAINT/DEMO SUPERVISOR	\$24,780
--	----------

TOTAL \$24,780

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan
Kevin A. Jourdain
Carmen Ocasio

UNDER DISCUSSION:

Councilor Devine stated that the Building Commissioner explained that the amount of funds from demolition fees would be enormous. She then stated that they would be posting for the position and expected that it would take 3-4 weeks to get someone hired. She also stated that the expected annual

salary would be \$65,000-\$70,000.

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

Councilor Devine asked that the Auditor provide amounts of what remained in the stabilization and revolving funds.

(1:24:20)

Councilor Vacon stated that item 31 remained in committee.

Councilor Magrath-Smith stated that she did not believe it was in committee. She then explained that she previously believed that a committee member who was not present could sign the committee jacket, but had since learned that was not what always occurred.

President Murphy-Romboletti stated that she watched the meeting afterwards.

Councilor Jourdain expressed his understanding that a committee member could not sign the committee report if they did not vote on the item in the committee meeting. He noted that only one member who voted on the item had signed the committee report.

President Murphy-Romboletti asked the Law Department to weigh in on the question.

Atty Bissonnette stated that there was no signature requirement, as it was more of practice rather than a hard rule. He then explained that under open meeting law, the requirement would be that votes to be taken for review so that members could participate in future meetings on the same topic. He reiterated that there was no legal bearing for requiring a signature.

Councilor Devine expressed her understanding that the guidance was that someone who could not attend a meeting could not sign a report. She then asked if someone needed to acknowledge publicly that they could not vote if they could not attend the committee meeting.

Atty Bissonnette clarified that all councilors can vote on any matter that comes before the full Council, absent a reason for recusing. He then explained that if someone could not attend and vote at a committee meeting, they would still be eligible to vote at the full Council meeting. He then reiterated that there was no signature requirement.

Councilor Vacon explained that the issue was on the matter being moved out of committee. She further explained that following the meeting, she gained information that caused her to change her vote to move it forward to a no, and therefore did not sign the committee jacket. She added that she communicated that to the chair but did not discuss it further in order to avoid violating the open meeting law. She added that the chair informed her that it would then kick it back to the committee.

President Murphy-Romboletti stated that she was seeking clarification on if it being voted out of committee favorably stood if a committee member later decided not to sign the committee report. She also questioned where the rules discussed this topic.

Atty Bissonnette stated that the committee report would stand, and the member who changed their mind could now choose to vote against the committee report. He added that the Council could also choose to refer it back to the committee.

Motion was made and seconded to refer item 31 back to the Charter and Rules Committee.

The Committee on Charter and Rules to whom was referred an order that the City Council consider a rule addition to RULE 6C (DECORUM/SPEAKING) adding the following words as a second paragraph:
"No Councilor shall speak more than 4 minutes during debate. The President/and or the City Council Administrative Assistant shall keep track of the minutes. A (1) one minute reminder shall be given at the 3 minute mark during debate."

have considered the same and Recommended that the order be adopted, amending "4 minutes during debate" to "3 minutes at a time during debate."

Committee Members:

Meg Magrath-Smith
Linda L. Vacon
Tessa Murphy-Romboletti

---> Report of Committee received and referred to the Charter and Rules Committee.

The Committee on Charter and Rules to whom was referred an order that Rule 9J be edited to remove the first two sentences, so that it reads, "If legal form is not provided 48 hours prior to the meeting, upon objection of any member of the City Council, the matter will be tabled until the next meeting."

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

Committee Members:

Meg Magrath-Smith
Linda L. Vacon
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Magrath-Smith stated that the change was in response to having revised a different rule that led to this provision now existing elsewhere in the rules.

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

The Committee on Charter and Rules to whom was referred an order that rule 9P be amended to remove the reference to items being tabled if they are not taken up in 45 days.

have considered the same and Recommended that the order be given a leave to withdraw.

Committee Members:

Meg Magrath-Smith
Linda L. Vacon
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Magrath-Smith stated that the discussion was about the pros and cons of having items listed on agendas as tabled to avoid having items hidden in a committee jacket without ever being brought to light. She then explained that this was a mechanism for someone to bring something up without a chair putting an item on the agenda for discussion.

Councilor Vacon asked for clarification if a matter that was administratively tabled in committee could be taken up if a chair did not list the item for discussion.

Atty Bissonnette stated that the entire notice to the public of an agenda should list matters so that they could be aware of a discussion. He added that an agenda listing 90+ items could cause things to be lost, but there was no other certain way to allow someone to take something up. He then suggested that was likely the reason to create the 45 day rule, but added there could be another way to make that happen.
---> Report of Committee received and recommendation Adopted.

The Committee on Charter and Rules to whom was referred an order that the City Council reconsider our vote to appoint the City Treasurer rather than have it be an elected position and further take the necessary steps to combine the Treasurer and Tax Collector positions into one office.

have considered the same and Recommended that the order be given a leave to withdraw.

Committee Members:

Meg Magrath-Smith
Linda L. Vacon
Tessa Murphy-Romboletti

UNDER DISCUSSION:

Councilor Magrath-Smith stated that this was considered an alternate pathway when it was filed, but the process was able to move forward with the state legislators.

Councilor Jourdain asked what the next steps would be now that the treasurer change was passed.

President Murphy-Romboletti stated that she had been discussing this with Personnel, the Treasurer, and the Tax Collector, and would be working with the Ordinance chair to start getting items on future agendas to figure out the plan going forward. She added that another order was in the Charter and Rules jacket to discuss combining the Treasurer and Tax Collector.

Councilor Devine noted this was her order but it was filed before it was clear there was going to be a special election.

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

ORDERS AND TRANSFERS

(1:41:35)

Jourdain, Vacon - Ordered, that the City Clerk meet with the City Council to discuss the potential streamlining of poll locations in Wards 1, 2 and 5 as we have already done in Wards 3, 4, 6 and 7. All of these other Wards seem to function fine with one polling location and it would be a potential cost savings and less administrative burden to use the one location per ward method.

Councilor Jourdain stated that he was filing this in concert with discussion he had with the City Clerk. He also noted that Councilor Vacon was to be added to the order. He then explained that the thinking was that four of the wards already had just one location. He also suggested that other locations could be considered.

Councilor Devine recalled there had been a committee put together years earlier to consider different locations. She then suggested that the City Clerk could get people together from those wards to discuss this.

City Clerk Leary stated that she believed it would be easier to discuss it in a subcommittee.

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

Jourdain, Vacon- Ordered, that the City Council adopt the following Special Act and then place the question on the November 2025 ballot.

Councilor Vacon clarified that the question related to adopting a recall provision that the Council had voted on in the past.

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

Jourdain, Vacon- The Superintendent of Schools please update the Joint Committee on City Council and School Committee on any updated plans for the School Dept headquarters in light of their decision not to go forward with proposed High Street location.

Joudain stated that the Joint Committee would be meeting on the 12th.

---> Received and referred to the Joint Committee of the City Council and School Committee.

Rivera, J, Devine, Anderson-Burgos.-Order that Davin Pasek (Zoning Official), a representative from the Law Department, Nicole Maisonet from Vcare, and Tammie Kozuch from Holyoke Health Center to attend a city council meeting to discuss Ordinance 6.4.6#6 and explore potential changes to the ordinance.

Councilor Devine asked to be added to the order.

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

Councilor Vacon asked what ordinance this was.

Councilor I. Rivera stated that it was the signs ordinance.
---> Received and referred to the Ordinance Committee.

Vacon- ORDER: That installation of a crosswalk near #64 County Rd be evaluated for improved safety.
Refer to DPW, City Engineer & Public Safety
---> Received and referred to the Public Safety Committee. Copy to DPW, Engineer.

Vacon- ORDER: that the portion of Westfield Road from Doyle Drive to the traffic light at Apremont Highway be evaluated with recommendations made for safety improvements, due to a number of recent accidents in the area. Refer to DPW, city engineer and Sgt. Zurheide & the Traffic Enforcement Grant Committee
---> Received and Adopted. Copy to DPW, Engineer, Sgt. Zurheide & the Traffic Enforcement Grant Committee

Bartley- The Holyoke City Council continue its now 11-year tradition by issuing proclamations to the President, its award winners and the colleens of the St. Patrick's Parade Committee and the award winners of the Ancient Order of Hibernians (Woman & Man of the Year; Christian Charity awardee). Both the Parade Committee and AOH have deep roots in Holyoke. The council President set aside the start of the city council regular meeting of March 18, 2025 to issue the proclamations and the city council suspend its rules and allow the Presidents of both organizations to address the City Council that night. Receive and Adopt. Refer to our administrative assistant to coordinate the event, copy Parade Committee and AOH, and Councilor Councilor Devine to produce the proclamations.
---> Received and Adopted.

Bartley, Sullivan- The DGR committee invite the Valley (Holyoke) Blue Sox owner/president (Matt Drury) and its new manager (Endy Morales) to a future meeting to preview the Summer 2025 season. Matt's in his 3d season as owner and this will be Endy's first season as the Blue Sox' head coach. Endy wore #40 when playing for the Blue Sox and that number is retired. Receive and refer to DGR and to our Admin. Asst. to coordinate the meeting. Copy to Park Commission.
---> Received and referred to the Development and Governmental Relations Committee. Copy to Parks Commission, Admin Asst.

Bartley- The City of Holyoke and the Holyoke City Council continue its tradition (first instituted in 2019) by renewing and/or celebrating that the month of March is "Irish American Heritage Month" and promote the same for 2025 and in future years. Receive and Adopt.
---> Received and Adopted.

Bartley- The Parks Commission forward the proposed lease between the City and the Blue Sox to city council for its review and approval asap (ie preferably prior to the start of the 2025 baseball season). Receive and Refer to DGR. Copy to the Parks Commission. Copy to City Forester and DPW. Copy to the Law Dept.
---> Received and referred to the Development and Governmental Relations Committee. Copy to Parks Commission, DPW, Law Department.

Bartley- The Law Dept. in its next ex. Session, provide to city council an update on the pending sexual harassment lawsuit in US District Court. The parties to the suit are three female students (Plaintiffs) and staff & students (Defendants) at Holyoke High School. I was unaware of any such lawsuit prior to reading a newspaper article dated 1/24/25.
---> Received and Adopted. Copy to Law Department.

Bartley- The City Treasurer and/or Auditor send a communication to City council on the financial status of the Community Preservation Fund by the first meeting in March. The motion is to receive and adopt.
---> Received and Adopted.

Bartley- The city ordinances shall be amended to order the city Treasurer and/or Auditor to send an annual communication to City Council on the financial status of the Community Preservation Fund by the council's first meeting in March. Items to be included are: the most recent account balance; where the funds are deposited or invested; the dates and the amounts of any deposits either from the Commonwealth or the Municipality or any other source; the dates and the amounts of any withdrawals // payments in support the CPA's mission. Please also separately delineate any payroll or consultant information. Refer to Ordinance.
---> Received and referred to the Ordinance Committee.

Bartley- The Parks Commission send a communication to City council by first meeting in March on the fund balance of the Scott's Tower account. I also encourage the Commission to do this annually. Receive, Adopt and Refer to Parks Commission.
---> Received and Adopted. Copy to Parks Commission.

Bartley- The City Engineer review the feasibility of a mid-block crosswalk on Homestead Ave. proximate to the secondary entrance to HCC. (This entrance is N of the main gate). If it is feasible and if there is financing to install (you would need to make it ADA compliant) then please send a report to Ordinance. If not feasible, please send a communication to City Council by its first meeting in May 2025. Receive and Adopt. Refer to Engineer. Refer to Ordinance.

Councilor Bartley made a motion to amend the order to add crosswalk to the main gate at HCC.
---> Received and referred to the Ordinance Committee.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, NINE THOUSAND NINE HUNDRED EIGHTY ONE AND 52/100 Dollars (\$9,981.52) as follows:

FROM

12201-51103 CAPTAIN	\$3,663.90
12201-51104 LIEUTENANTS	6,317.62
TOTAL	\$9,981.52

TO:

12201-51180 INJURED ON DUTY (PP #15)	\$9,981.52
TOTAL	\$9,981.52

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

UNDER DISCUSSION:

President Murphy-Romboletti stated that the transfer was for 3 firefighters.

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

Motion was made and seconded to suspend the necessary rules to take up items 54 through 57 and 59 as a package.

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, ONE HUNDRED THOUSAND AND 00/100 Dollars (\$100,000) as follows:

FROM

12101-51107 PATROLMEN	\$ 50,000
-----------------------	-----------

12101-51117 DISPATCH	50,000
----------------------	--------

TOTAL \$100,000

TO:

12102-53010 MAP/DATA MAINTENANCE	\$100,000
----------------------------------	-----------

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

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

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, EIGHTY THOUSAND AND 00/100 Dollars (\$80,000) as follows:

FROM

12101-51105 SERGEANTS	\$40,000
-----------------------	----------

12101-51107 PATROLMEN	40,000
-----------------------	--------

TOTAL \$80,000

TO:

12102-53010 MAP/DATA MAINTENANCE	\$80,000
----------------------------------	----------

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

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

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, EIGHTY THREE THOUSAND SIX HUNDRED FIFTY SIX AND 00/100 Dollars (\$83,656) as follows:

FROM

11511-51201 PT ASSISTANT SOLICITOR	\$83,656
------------------------------------	----------

TOTAL \$83,656

TO:

11511-51202 PT ASSOCIATE SOLICITOR	\$83,656
------------------------------------	----------

TOTAL \$83,656

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

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

DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, THIRTY THREE THOUSAND AND 00/100 Dollars (\$33,000) as follows:

FROM

14101-51105 SR CIVIL ENGINEER	\$ 17,000	
14251-51102 HOISTING EQUIPMENT OPERATOR		16,000
TOTAL \$33,000		

TO:

14102-53010 PROF ENGINEERING SERVICES	\$33,000	
TOTAL \$33,000		

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

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 "FY2025 FIREFIGHTER SAFETY EQUIPMENT GRANT PROGRAM, \$24,081, 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.

Sec 2-509 - Grant Reporting

Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

To the City Council:

I hereby recommend the passage of the above order at the meeting of your Council to be held Tuesday, February 4, 2025.

Joshua A Garcia, Mayor

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

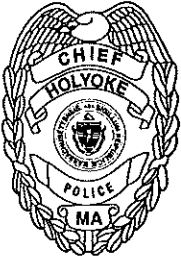
LATE FILED ORDERS AND COMMUNICATIONS

(1:54:50)

From Assistant Solicitor Jane Mantolesky, letter regarding St. Vincent Lots
---> Laid on the table.

Adjourned at 8:59 p.m.

Brenna Murphy Leary



HOLYOKE POLICE DEPARTMENT CORRESPONDENCE

TO: Mayor Joshua Garcia

FROM: Chief Keenan

DATE: 1/29/2025

Mayor Garcia,

The Holyoke Police Department has been awarded \$84,458.79 (No Match) from the Office of Grants and Research (OGR) to support the Byrne State Crisis Intervention Program. This Grant is intended to improve and support our department's reduction in firearm related offenses, which we will be partnering with ROCA inc. to create new pathways for troubled youth.

We are requesting your acceptance as well as the city council's acceptance of this grant. We are also requesting that a new fund be established to efficiently and effectively manage the grant for the year of the grant period and continue with a transparent grant management process.

As always, I thank you for your cooperation and consideration on this matter.

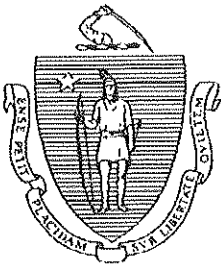
Respectfully,

A handwritten signature in black ink, appearing to read "Chief B. Keenan", written over a horizontal line.

Brian Keenan
Chief of Police

A handwritten signature in black ink, appearing to read "Joshua Garcia", written over a horizontal line.

Joshua Garcia
Mayor, City of Holyoke



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

January 30, 2025

Joshua Garcia
Mayor
138 Appleton Street
Holyoke Police Department
Holyoke, Massachusetts 01040

Dear Mayor Garcia,

Congratulations! We are pleased to notify you that **Holyoke Police Department** has been awarded **\$84,458.79** in federal grant funding from the **Byrne State Crisis Intervention Program** from the Executive Office of Public Safety and Security's Office of Grants and Research (OGR).

Additional correspondence, including all the documents necessary to make this award official will be forthcoming from OGR. In the meantime, if you have any questions, please feel free to contact Jim Houghton at 781-535-0081 or at James.Houghton@mass.gov.

Once again, congratulations on this award and thank you for your commitment to public safety.

Sincerely,

A handwritten signature in black ink, appearing to read "M. T. Healey", with a long, sweeping underline.

GOVERNOR MAURA T. HEALEY

A handwritten signature in black ink, appearing to read "Kim Driscoll", with a stylized, cursive script.

LT. GOVERNOR KIMBERLEY DRISCOLL

the Contractor certifies that it does not discriminate in employment, compensation, or the terms, conditions and privileges of employment on account of religious or political belief, and certifies that it promotes religious tolerance within the work place, and the eradication of any manifestations of religious and other illegal discrimination; and the Contractor is not engaged in the manufacture, distribution or sale of firearms, munitions, including rubber or plastic bullets, tear gas, armored vehicles or military aircraft for use or deployment in any activity in Northern Ireland.

Pandemic, Disaster or Emergency Performance. In the event of a serious emergency, pandemic or disaster outside the control of the Department, the Department may negotiate emergency performance from the Contractor to address the immediate needs of the Commonwealth even if not contemplated under the original Contract or procurement. Payments are subject to appropriation and other payment terms.

Attorneys. Attorneys or firms providing legal services or representing Commonwealth Departments may be subject to M.G.L. c. 30, § 65, and if providing litigation services must be approved by the Office of the Attorney General to appear on behalf of a Department, and shall have a continuing obligation to notify the Commonwealth of any conflicts of interest arising under the Contract.

Subcontractor Performance. The Contractor certifies full responsibility for Contract performance, including subcontractors, and that comparable Contract terms will be included in subcontracts, and that the Department will not be required to directly or indirectly manage subcontractors or have any payment obligations to subcontractors.

Initials: JG

For covered Executive Departments, the Contractor certifies compliance with applicable Massachusetts Executive Orders including, but not limited to, the specific orders listed below. A breach during the period of a Contract may be considered a material breach and subject Contractor to appropriate monetary or Contract sanctions.

Executive Order 481. Prohibiting the Use of Undocumented Workers on State Contracts. For all state agencies in the Executive Branch, including all executive offices, boards, commissions, agencies, Departments, divisions, councils, bureaus, and offices, now existing and hereafter established, by signing this Contract the Contractor certifies under the pains and penalties of perjury that they shall not knowingly use undocumented workers in connection with the performance of this Contract; that, pursuant to federal requirements, they shall verify the immigration status of workers assigned to a Contract without engaging in unlawful discrimination; and shall not knowingly or recklessly alter, falsify, or accept altered or falsified documents from any such worker.

Executive Order 130. Anti-Boycott. The Contractor warrants, represents and agrees that during the time this Contract is in effect, neither it nor any affiliated company, as hereafter defined, participates in or cooperates with an international boycott (See IRC § 999(b)(3)-(4), and IRS Audit Guidelines Boycotts) or engages in conduct declared to be unlawful by M.G.L. c. 151B, § 2. If there is a breach in the warranty, representation, and agreement contained in this paragraph, without limiting such other rights as it may have, the Commonwealth may rescind this Contract. As used herein, an affiliated company shall be a business entity of which at least 51% of the ownership interests are directly or indirectly owned by the Contractor or by a person or persons or business entity or entities directly or indirectly owning at least 51% of the ownership interests of the Contractor, or which directly or indirectly owns at least 51% of the ownership interests of the Contractor.

Executive Order 346. Hiring of State Employees By State Contractors. Contractor certifies compliance with both the conflict of interest law, including M.G.L. c. 268A, § 5(f) and this Order, which includes limitations regarding the hiring of state employees by private companies contracting with the Commonwealth. A privatization contract shall be deemed to include a specific prohibition against the hiring at any time during the term of Contract, and for any position in the Contractor's company, of a state management employee who is, was, or will be involved in the preparation of the RFP, the negotiations leading to the awarding of the Contract, the decision to award the Contract, and/or the supervision or oversight of performance under the Contract.

Executive Order 444. Disclosure of Family Relationships With Other State Employees. Each person applying for employment (including Contract work) within the Executive Branch under the Governor must disclose in writing the names of all immediate family as well as persons related to immediate family by marriage who serve as employees or elected officials of the Commonwealth. All disclosures made by applicants hired by the Executive Branch under the Governor shall be made available for public inspection to the extent permissible by law by the official with whom such disclosure has been filed.

Executive Orders 523, 526 and 565. Executive Order 523 (Establishing the Massachusetts Small Business Purchasing Program). **Executive Order 526 (Order Regarding Non-Discrimination, Diversity, Equal Opportunity and Affirmative Action which supersedes Executive Order 478).** **Executive Order 565 (Reaffirming and Expanding the Massachusetts Supplier Diversity Program).** All programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background. The Contractor and any subcontractors may not engage in discriminatory employment practices. The Contractor certifies compliance with applicable federal and state laws, rules, and regulations governing fair labor and employment practices. The Contractor also commits to purchase supplies and services from certified minority, women, veteran, service-disabled veteran, LGBT or disability-owned businesses, small businesses, or businesses owned by socially or economically disadvantaged persons; and Contractor commits to comply with any Applicable Department contractual requirements pertaining to the employment of persons with disabilities pursuant to M.G.L. c. 7 § 61(s). These provisions shall be enforced through the contracting Department, OSD, and/or the Massachusetts Commission Against Discrimination. Any breach shall be regarded as a material breach of the contract that may subject the contractor to appropriate sanctions.

Initials: JS

(d) *Management requirements.* Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place will, as a minimum, meet the following requirements:

(1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

(2) A physical inventory of the property must be taken, and the results reconciled with the property records at least once every two years.

(3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.

(4) Adequate maintenance procedures must be developed to keep the property in good condition.

(5) If the non-Federal entity is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

(e) *Disposition.* When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions, the non-Federal entity must request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:

(1) Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold, or otherwise disposed of with no further responsibility to the Federal awarding agency.

(2) Except as provided in §200.312(b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair market value in excess of \$5,000 may be retained by the non-Federal entity or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit the non-Federal entity to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.

(3) The non-Federal entity may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the non-Federal entity must be entitled to compensation for its attributable percentage of the current fair market value of the property.

(4) In cases where a non-Federal entity fails to take appropriate disposition actions, the Federal awarding agency may direct the non-Federal entity to take disposition actions.

Initials: JB

funding) and in some instances pre-approval from the federal funding agency as instructed by the OGR grant manager.

Initials: JK

COMMONWEALTH OF MASSACHUSETTS | STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller, the Executive Office for Administration and Finance, and the Operational Services Division as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions and Contractor Certifications, the Commonwealth Terms and Conditions, the Commonwealth Terms and Conditions for Human and Social Services or the Commonwealth IT Terms and Conditions which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access forms at macomptroller.org/forms or mass.gov/lists/osd-forms.

CONTRACTOR INFORMATION			COMMONWEALTH INFORMATION		
Contractor Legal Name CITY OF HOLYOKE - HOLYOKE POLICE DEPARTMENT d/b/a			Department Executive Office of Public Safety and Security		MMARS Code EPS
Legal Address As entered on Form W-9 or Form W-4 536 DWIGHT ST, HOLYOKE, MA 01040-5019			Contract Manager Name Steven Domings		Business Mailing Address 35 Braintree Hill Office Park, Suite 302, Braintree, MA, 02184
Contract Manager Name Joshua Garcia, Mayor			Billing Address If Different		
Phone (413) 322-5510	Email garciaj@holyokeyd.org	Fax	Phone (781) 535-0071	Email steve.m.domings@mass.gov	Fax (617) 725-0260
Vendor Code VC 6000192102			MMARS Doc ID(s) SCEPSFY25SCIP23HOLYO		
Vendor Code Address ID AD 001 e.g. "AD001". Note: The Address ID must be set up for Electronic Funds Transfer (EFT) payments.			RFR/Procurement or Other ID Number BD-24-1044-EPS11-1044O-104655		
NEW CONTRACT			CONTRACT AMENDMENT		
Procurement or Exception Type (Check one option only) ☐ Statewide Contract (OSD or an OSD-designated department.) ☐ Collective Purchase (Attach OSD approval, scope, and budget.) ☒ Department Procurement - Includes all Grants 815 CMR 2.00. (Attach Solicitation Notice or RFR, and Response or other procurement supporting documentation.) ☐ Emergency Contract (Attach justification for emergency, scope, and budget.) ☐ Contract Employee (Attach Employee Status Form, scope, and budget.) ☐ Interim Contract with new Contractor (Attach justification for Interim Contract and updated scope/budget.) ☐ Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope, and budget.)			Current Contract End Date PRIOR to Amendment Amendment Amount Or Enter "No Change" Amendment Type (Check one option only. Attach details of amendment changes.) ☐ Amendment to Date, Scope, or Budget (Attach updated scope and budget.) ☐ Interim Contract with Current Contractor (Attach justification for Interim Contract and updated scope/budget.) ☐ Contract Employee (Attach any updates to scope or budget.) ☐ Other Procurement Exception (Attach authorizing language/justification and updated scope/budget.)		
TERMS AND CONDITIONS					
The Standard Contract Form Instructions and Contractor Certifications and the following document are incorporated by reference into this Contract and are legally binding (Check ONE option): ☒ Commonwealth Terms and Conditions ☐ Commonwealth Terms and Conditions for Human and Social Services ☐ Commonwealth IT Terms and Conditions					
COMPENSATION (Check ONE option.)					
The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. ☐ Rate Contract (No Maximum Obligation). (Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) ☒ Maximum Obligation Contract. Total maximum obligation for total duration of this contract (or new total if contract is being amended): \$84,458.79					
PROMPT PAYMENT DISCOUNTS (PPD)					
Commonwealth payments are issued through Electronic Funds Transfer (EFT) 45 days from invoice receipt. See Prompt Pay Discounts Policy. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within: 10 days % PPD. 15 days % PPD. 20 days % PPD. 30 days % PPD. If PPD percentages are left blank, identify reason: ☐ Statutory/legal ☐ Ready Payments (M.G.L. c. 29, § 23A) ☒ Agree to standard 45-day cycle ☐ Only initial payment					
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT					
Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications. Byrne State Crisis Intervention Program (SCIP); FSCIP23LEP; 8100-4669; 15PBJA23GG00014BSCI; CFDA# 16.738; \$84,458.79					
SUPPLIER DIVERSITY PROGRAM (SDP) PLAN					
Does the Supplier Diversity Program apply? ☒ YES If YES, the Contractor's annual SDP commitment for this Contract is ☐ NO If NO, and the department is an Executive Department, enter the appropriate exemption: GRANTS					
ANTICIPATED START DATE (Complete ONE option only.)					
The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ☒ 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. ☐ 2. may be incurred as of 20, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. ☐ 3. were incurred as of, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.					
CONTRACT END DATE					
Contract performance shall terminate as of 3/31/2028, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.					
CERTIFICATIONS					
Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form, the Standard Contract Form Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response (excluding any language stricken by a Department as unacceptable, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.					
AUTHORIZING SIGNATURE FOR THE CONTRACTOR Signature and date must be captured at time of signature.			AUTHORIZING SIGNATURE FOR THE COMMONWEALTH Signature and date must be captured at time of signature.		
Signature		Date 2/12/2025	Signature		Date
Print Name John A. Garcia		Print Title Mayor	Print Name Kevin Stanton		Print Title Executive Director

**OVERTIME POLICY
FOR SUBRECIPIENTS RECEIVING FEDERAL FUNDS**

This policy applies to all subrecipients and contractors that receive a Federal grant award from the Executive Office of Public Safety and Security's Office of Grants and Research (OGR) and are requesting to use grant funds for overtime costs.

Overtime hours being charged against a federal grant award provided by OGR may only seek reimbursement for **actual hours worked** regardless of department policy or union contract rules. For example, an officer working one hour of overtime on a federally funded project awarded by OGR is **prohibited** from **charging the grant award for 4 hours of overtime** due to a union contract. A department that must allow for this, will need to cover the remaining 3 hours of overtime from their own state or local budget. **Departments found violating this policy will be subject to immediate termination of a grant award and must return all misspent funds back to OGR.**

Definitions

For this policy, the definitions for the key terms referenced within are listed below:

- *Overtime-* Expenses limited to the additional costs that result from state and local first responders such as sworn law enforcement personnel working over and above their weekly full-time/part-time schedule as a direct result of their performance of approved activities related to the project receiving federal funding.
- *Backfill related Overtime-* Expenses limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to an approved grant activity outside of their core responsibilities.
- *Subrecipient-* An entity receiving a grant award from OGR.
- *First Responder-* State or local law enforcement, fire services, emergency medical services, emergency management, health care, hazardous materials, public safety communications, public health, public works, and government administrative type employees. *Note, each federal award has different criteria as to the type of individual allowed to be reimbursed for overtime costs. Please reference your specific grant application or OGR point of contact to determine qualifying personnel for overtime.*

State and local first responders that are eligible through their department for backfill and/or overtime (and preapproved by OGR) may be reimbursed for backfill and/or overtime **related to grant-funded activities ONLY.**

By signing below, I am acknowledging that I have read and understand the federal rules associated with the use of grant funding for Overtime Costs.

Signature of Authorized Signatory

Joshua Garcia

Printed Name

02/11/2025

Date

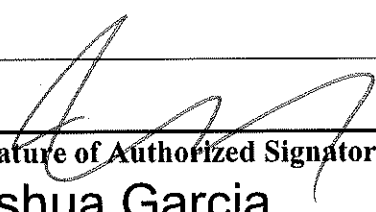
Mayor

Title

Addendum 1: Additional OGR Conditions for Law Enforcement Agencies

Law enforcement agencies are subject to mandatory reporting requirements of various information, including but not limited to the reporting requirements listed below. EOPSS and OGR may withhold reimbursements, cancel a contract, or withhold execution of any future grants for law enforcement agencies that do not comply with reporting requirements.

- **Crime Data Reporting.** Law enforcement organizations must submit timely and satisfactory monthly Uniform Crime Reporting (UCR) or National Incident Based Reporting System (NIBRS) reports to the Commonwealth's Crime Reporting Unit at the Commonwealth Fusion Center. If your organization has hardware and software that support the creation of NIBRS data, crime data must be submitted to the Crime Reporting Unit in that format.
- **Motor Vehicle Accident Reporting.** Police departments are required to report to the Registry of Motor Vehicles, within 15 days, accidents in which death, injury, or property damage in excess of \$1,000 occurs (M.G.L. c. 90, § 29). The crash reports can be delivered to the Registry of Motor Vehicles (RMV) main office through post office mail or through electronic submission. You may contact the RMV headquarters for any additional information.
- **Juvenile Lockup Data.** Law enforcement agencies that maintain a juvenile lockup must submit monthly juvenile lockup data to the Department of Criminal Justice Information Services via CJIS/LEAPS. Contact OGR's Juvenile Justice Program Coordinator for additional information.
- **Fingerprint Cards.** Law enforcement agencies must regularly submit fingerprint cards for all felony arrests to the Identification Section at the Massachusetts State Police Crime Lab as required by state law (M.G.L. c. 263, § 1A; G.L. c. 94C, § 45).
- **Toxicology Kits.** All toxicology kits associated with either reported or unreported sexual assault evidence collection kits (SAECK) must be submitted to the State Police Crime Lab.
- **Reporting of a firearm, rifle or shotgun, large capacity weapon, machine gun or assault weapon used to carry out a criminal act.** Law enforcement must comply with M.G.L. chapter 140 Section 131Q and ensure a firearm, rifle or shotgun, large capacity weapon, machine gun or assault weapon used to carry out a criminal act is traced by the licensing authority for the city or town in which the crime took place. The licensing authority then must report readily available statistical data to the commonwealth fusion center. The data shall include, but not be limited to: (i) the make, model, serial number and caliber of the weapon used; (ii) the type of crime committed; (iii) whether an arrest or conviction was made; (iv) whether fingerprint evidence was found on the firearm; (v) whether ballistic evidence was retrieved from the crime scene; (vi) whether the criminal use of the firearm was related to known gang activity; (vii) whether the weapon was obtained illegally; (viii) whether the weapon was lost or stolen; and (ix) whether the person using the weapon was otherwise a prohibited person.
- [] N/A

 _____ Signature of Authorized Signatory Joshua Garcia _____ Printed Name	02/11/2025 _____ Date Mayor _____ Title
--	--

Addendum 2: For Research Grants Only

Human Subjects Protection

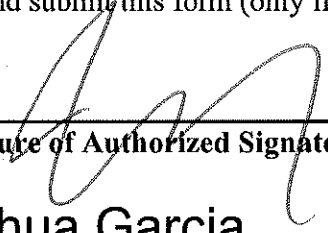
Research subrecipients must check one of the statements below.

- ☐ a. The research activities covered under this Contract/ISA *do not* involve human subjects.
- ☐ b. The research activities covered under this Contract/ISA *do* involve human subjects.
- ☐ c. N/A

If the research activities involve human subjects (option b), then the subrecipient agrees to certify compliance with 28 C.F.R. Part 46 regulations by completing, "Protection of Human Subjects, IRB Certification, Declaration of Exemption (Common Rule)." This form is available at the National Institute of Justice webpage at <https://nij.ojp.gov/funding/human-subjects-protection>.

The regulation for The Protection of Human Subjects 28 C.F.R Part 46 section 46.101(b) (1-6) defines categories of research involving human subjects that are exempt from its provisions. Details on exemptions can be found at the same National Institute of Justice webpage listed above.

Sign and submit this form (only if your award is funding research).



Signature of Authorized Signatory

Joshua Garcia

Printed Name

02/11/2025

Date

Mayor

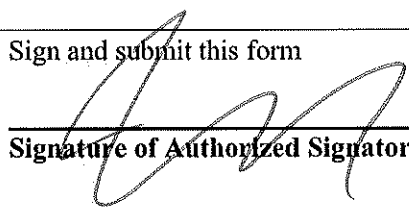
Title

ACKNOWLEDGMENT

- 1) Please read and sign all pages where indicated
- 2) Please remember to read and initial all pages where indicated.

As a duly authorized representative of the subrecipient, I have reviewed all the Grant Conditions and agree to comply with all applicable state rules and federal regulations as indicated above.

Sign and submit this form


Signature of Authorized Signatory

Joshua Garcia

Printed Name

02/11/2025

Date

Mayor

Title

SECTION C: PROGRAM MANAGEMENT		
1. Is the organization new to managing federal grant funds or has the organization had recent staff turnover that significantly reduces its institutional capacity to effectively manage federal funds? If yes, please explain: (attach a separate sheet if necessary)		☐ Yes ☒ No
2. If the organization has recently (past 5 years) or currently receives federal grant funding, has the organization been out-of-compliance with reporting or other requirements? If yes, please explain: (attach a separate sheet if necessary)		☐ Yes ☒ No
SECTION D: APPLICANT CERTIFICATION		
I certify that the above information is complete and correct to the best of my knowledge.		
Agency Official Signature	Title Mayor	Date 02/11/2025
Type or Print Name of Agency Official Joshua Garcia		
Subrecipient Organization Name, Address, and Telephone Number City of Holyoke 536 Dwight Street Holyoke, MA 01040 413-322-5510		
SECTION E: FOR OGR INTERNAL USE ONLY		
<u>Subrecipients - Do not complete this section</u>		
1. Does the subrecipient receiving this award have an acceptable track record of managing funds provided by EOPSS? Briefly explain.		☐ Yes ☐ No
2. Is the proposed program very complex, is the award above \$1million, and/or is the proposed grant-funded activity such that additional risk can be presumed? If yes, please explain.		☐ Yes ☐ No
3. According to www.sam.gov , is the subrecipient organization or any of its principals presently debarred, suspended, or voluntarily excluded from covered transactions by any Federal, State or local department or agency for non-responsible behavior (i.e. fraud, embezzlement, tax evasion, violation of antitrust statutes)? If yes, please explain.		☐ Yes ☐ No

Federal Funding Accountability and Transparency Act (FFATA) Compliance Form

In order to comply with the Federal Funding Accountability and Transparency Act (FFATA) EOPSS must report award information for all recipients of federal awards as directed. Information provided will be made publicly available on USA Spending <http://www.usaspending.gov/> per the Transparency Act requirement.

Please complete Section 1 (Award information); Section 2 (Compensation); if applicable, Table 1 (Names/Salary) and Section 3 (Certification).

Section 1 Award Information

Agency Name	City of Holyoke Police Dept.
City	Holyoke
Zip + 4 (required)	01040-2709
*Is this address a confidential location?	☐ Yes ☒ No
UEI Number	G1H4KQZ18HD1
Program Source (federal award #)	

Section 2 Compensation

In certain instances FFATA requires information be collected pertaining to executive compensation. The names and salaries of the five highest paid executives must be provided if the answer is yes to each of these three criteria:

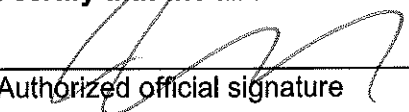
- More than 80% of organization annual gross revenues are federal funds.
Yes ☐ No ☒ If yes, proceed to question 2. If no, stop, proceed to Section 3.
- Federal fund revenue exceeds twenty five million dollars.
Yes ☐ No ☐ If yes, proceed to question 3. If no, stop, proceed to Section 3.
- Compensation information is not publicly available via federal tax filings, Securities and Exchange Commission (SEC) reporting, or any other source. (if other please indicate: _____)
Yes ☐ No ☐ If yes complete Table 1. If no, stop, proceed to Section 3.

Table 1. Names and salary of your organization's top five executives (by salary)

	First and Last Name	Title	Annual Salary
1			
2			
3			
4			
5			

Section 3 Certification

I certify that the above information is true and accurate.

 _____ Authorized official signature	02/11/2025 _____ Date
Joshua Garcia _____ Authorized official printed name	Mayor _____ Title

*If you are operating a confidential program with grant funds please ensure the address on file with the Commonwealth is a PO Box.



Commonwealth of Massachusetts
CONTRACTOR AUTHORIZED SIGNATORY LISTING

This form is jointly issued and published by the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default form for all Commonwealth Departments when another form is not prescribed by regulation or policy.

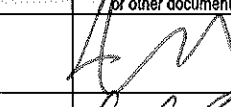
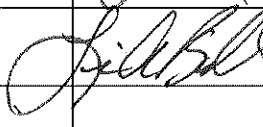
**Signature for Corporation (C or S), Partnership, Trust/Estate, Limited Liability Company
(must match Form W-9 tax classification)**

Contractor Legal Name City of Holyoke	Contractor Vendor/Customer Code (if available, not the Taxpayer Identification Number or Social Security Number) VC60000192102
---	--

INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

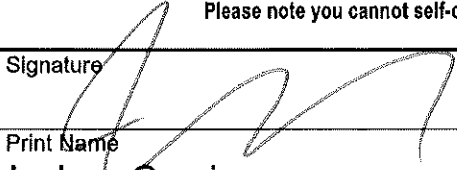
There are three types of electronic signatures that will be accepted on this form: 1) Traditional "wet signature" (Ink on paper); 2) Electronic signature that is either: a. hand drawn using a mouse or finger if working from a touch screen device; or b. An upload picture of the signatory's hand drawn signature; 3) Electronic signature affixed using a digital tool such as Adobe Sign or DocuSign. Typed text of a name not generated by a digital tool, computer generated cursive, or an electronic symbol are not acceptable forms of electronic signature.

Authorized Signatory Name	Signature (Signature as it will appear on contract or other documents)	Title	Phone Number	Email Address
Joshua Garcia		Mayor	413-322-5510	garciaj@holyoke.org
Lisa Ball		City Solicitor	413-322-5580	balll@holyoke.org

Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.

I certify that I am a responsible authorized officer of the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

Please note you cannot self-certify your own signature as a single signer listed above.

Signature 	Date 02/11/2025
Print Name Joshua Garcia	Phone Number 413-322-5510
Title Mayor	Email Address garciaj@holyoke.org

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

City of Holyoke
Request for Appropriation Transfer
Within a Classification

Fire
Dept. Name _____ Date 1/30/2025

I hereby respectfully request that the following amounts be transferred within one of the following indicated (X) appropriation classifications within my department and as further detailed below:

Personal Services X Expenses _____ Capital Outlay _____

<u>Account No.</u>		<u>Account Name</u>	<u>\$ Amount</u>	
<u>Organization</u>	<u>Object</u>		<u>From</u>	<u>To</u>
12201	51103	Captain	(3,663.90)	_____
-----	-----	_____	_____	_____
12201	51104	Lieutenants	(6,317.62)	_____
-----	-----	_____	_____	_____
12201	51180	IOD	(_____)	9,981.52
-----	-----	_____	_____	_____
-----	-----	_____	(_____)	_____
-----	-----	_____	(_____)	_____
-----	-----	_____	(_____)	_____
-----	-----	_____	(_____)	_____
-----	-----	_____	(_____)	_____
-----	-----	_____	(_____)	_____
-----	-----	_____	(_____)	_____

Reason for request: PP #16

Ledoux, R Ortiz, Cadieux

Head of Department

Mayor

Form TR-1 (6/92)

19.

Request for Appropriation Transfer Between Classifications

Mayor

2, 10, 2025

Personal Services _____ Expenses _____ Capital Outlay X

[illegible]

Installation of an electric handicap door opener for the entry door at HPD

Mayor

1333 X 1 2025

audition
diff

CAPITAL STABILIZATION FUND BALANCE

EFF DATE	AMOUNT	COMMENTS	BALANCE
		FY2025	
9/18/2024	-200,000.00	HOLYOKE WASTEWATER TREATMENT OPERATIONS	780,866.98
	437.13	2025 INTEREST JULY-SEPT 2024	781,304.11
10/15/2024	-192,500.00	CENTRAL FUELING STATION DESIGN WORK	588,804.11
10/15/2024	-150,000.00	HPS MCMAHON BOILER	438,804.11
12/3/2024	-49,915.00	HVAC R&M PUBLIC LIBRARY	388,889.11
12/17/2024	927,778.00	TR FROM GENERAL STABILIZATION - INTEREST	1,316,667.11
12/17/2024	-927,778.00	SEWER SUBSIDY	388,889.11
1/21/2025	-30,000.00	WAR MEMORIAL BLDG R&M	358,889.11
AGENDA	1/21/2025		252,007.35
AGENDA	2/18/2025		227,007.35



City of Holyoke,
Massachusetts

Birthplace of Volleyball

Tanya Wdowiak <wdowiakt@holyoke.org>

Re: HPD Handicapped Accessible Doors- Funding Update

Joshua Garcia <garciaj@holyoke.org>

Fri, Feb 7, 2025 at 1:50 PM

To: Matthew Peterson <petersonm@holyoke.org>, Tanya Wdowiak <wdowiakt@holyoke.org>, Kelly Curran <currank@holyoke.org>

Hey Tanya, can we get a transfer request of \$25,000 from capital stabilization to install an electronic handicap door opener for the entry door of the Holyoke police station? See thread below.

Matt, we'll want the quote to go with this transfer request.

Joshua A. Garcia, MPA
Mayor, City of Holyoke

Holyoke City Hall
536 Dwight Street, Rm #1
Holyoke, MA 01040
Office: 413-561-1600

www.holyoke.org
www.exploreholyoke.com

On Fri, Feb 7, 2025 at 1:43 PM Matthew Peterson <petersonm@holyoke.org> wrote:
I request that from Carl, correct?

Matthew (Matt) Peterson
413 322 5645 Extension 5136 (landline)
Buildings Supervisor, Holyoke Public Works
413 561 5673 (text or voice)
PetersonM@Holyoke.org

On Fri, Feb 7, 2025 at 1:33 PM Joshua Garcia <garciaj@holyoke.org> wrote:
Let's get a transfer request from capital stabilization ready for city council approval.

Joshua A. Garcia, MPA
Mayor, City of Holyoke

Holyoke City Hall
536 Dwight Street, Rm #1
Holyoke, MA 01040
Office: 413-561-1600

www.holyoke.org
www.exploreholyoke.com

On Fri, Feb 7, 2025 at 1:07 PM Matthew Peterson <petersonm@holyoke.org> wrote:

The estimates from the electrician and door company add up to more like \$22K. My humble opinion is that we should be prepared to spend \$25K because final costs are rarely less than the original estimate. In my experience

the estimate is the minimum the final bill will be.

Matthew (Matt) Peterson
413 322 5645 Extension 5136 (landline)
Buildings Supervisor, Holyoke Public Works
413 561 5673 (text or voice)
PetersonM@Holyoke.org

On Fri, Feb 7, 2025 at 12:50 PM Kelly Curran <currank@holyoke.org> wrote:
I think around \$25,000. Matt got new quotes. Copying Matt here to confirm.

On Fri, Feb 7, 2025 at 12:47 PM Joshua Garcia <garciaj@holyoke.org> wrote:
How much is it again?

Joshua A. Garcia, MPA
Mayor, City of Holyoke

Holyoke City Hall
536 Dwight Street, Rm #1
Holyoke, MA 01040
Office: 413-561-1600

www.holyoke.org

On Fri, Feb 7, 2025 at 12:34 PM Kelly Curran <currank@holyoke.org> wrote:
FYI in case commission for disabilities brings it up. It's been a year-long discussion.

----- Forwarded message -----

From: **Alicia Zoeller** <zoellera@holyoke.org>
Date: Fri, Feb 7, 2025 at 12:11 PM
Subject: HPD Handicapped Accessible Doors- Funding Update
To: Kelly Curran <currank@holyoke.org>, Matthew Peterson <petersonm@holyoke.org>, Carl Rossi <rossic@holyoke.org>, Jaime Morrow <morrowj@holyoke.org>, Ashley Sturges <sturgesa@holyoke.org>

Good afternoon-

Ashley and I reviewed the ARPA Municipal Buildings budget and all recent increases have been accounted for in the budget due to change orders. At this time, there is not sufficient funding to cover this project.

To fund the HPD doors handicapped accessible improvements, DPW will need to apply for ARPA funds in the next funding round. I anticipate that the RFP will be released next week.

The allocation process to fund activities will take approximately 60 days (if the project is selected for funding).

Thanks!

Alicia

--

Alicia M. Zoeller, JD
Administrator (She, her, hers)
City of Holyoke Office for Community Development
City Hall Annex Room 400
Holyoke MA 01040
413-322-5610
<https://www.holyoke.org/departments/community-development/>
<https://www.facebook.com/HolyokeOCD>

Practice kindness and be well.

--

Take care,
Kelly A. Curran
Personnel Director
City of Holyoke

City Hall Annex Building, Room 205
20 Korean Veterans Plaza
Holyoke, MA 01040
Office: 413-322-5555

Join Our Team!

Employees: For confidential Employee Assistance Program (EAP) access call CONCERN: 413-534-2625

--

Take care,
Kelly A. Curran
Personnel Director
City of Holyoke

City Hall Annex Building, Room 205
20 Korean Veterans Plaza
Holyoke, MA 01040
Office: 413-322-5555

Join Our Team!

Employees: For confidential Employee Assistance Program (EAP) access call CONCERN: 413-534-2625

City of Holyoke

Request for Appropriation Transfer Between Classifications

Dept. Name Solicitor

Date 2 / 13 / 25

Use as a basis for preparing a financial order to be placed in front of City Council. I hereby respectfully request that the following amounts be transferred **between two or more** of the following indicated (X) appropriation classifications and as further detailed below:

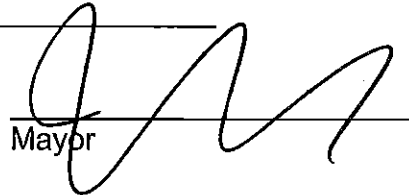
Personal Services _____ Expenses ☒ Capital Outlay _____

Account No.		Account Name	\$ Amount	
Organization	Object		From	To
8815	10400	CANNABIS Stabilization	108,695.56	
19412	52630	Solicitor-claims & Damages		108,695.56
-----	-----		()	
-----	-----		()	
-----	-----		()	
-----	-----		()	
-----	-----		()	
-----	-----		()	
-----	-----		()	
-----	-----		()	
-----	-----		()	
-----	-----		()	

Reason for request:

claim asserted by Cannabis Company


Head of Department


Mayor

Form TR-1 (6/92)