

AGENDA FOR THE CITY COUNCIL
FEBRUARY 6, 2024

PUBLIC HEARING

PUBLIC COMMENT

LAI D ON THE TABLE

COMMUNICATIONS

1. From Mayor Joshua Garcia, letter appointing Kayla Rodriguez of 14 Laurel St to service as a member of the Valley Opportunity Council. Ms. Rodriguez will replace Jackie Watson and will serve a three-year term expiring December 31, 2027.
2. From Mayor Joshua Garcia, letter reappointing Mr. George Mettey of 7 Hemlock Drive, Holyoke, to serve as a member of the Library Board of Directors. Mr. Mettey will serve a two-year term expiring in February 2024.
3. From City Clerk Brenna Murphy McGee and Admin. Assistant Jeffery Anderson-Burgos, minutes from the January 22, 2024 meeting.
4. From Mayor Joshua Garcia, letter reappointing Ms. Mary Moriarty of 429 Homestead Ave., Holyoke, to serve as a member of the Conservation Commission. Ms. Moriarty will serve a three-year term, expiring February 1, 2027.
5. From OPED Director Aaron Vega, communication regarding the Office of Planning and Economic Development
6. From, David Weinberg, communication regarding Victory Theater

PETITIONS

PRESIDENT'S REPORT

REPORTS OF COMMITTEES

7. The Committee on Ordinance to whom was referred an order that the City Council amend Ordinance 2-336(a) and (b) to reflect a streamlined process for disposition of tax title properties and other properties not needed by the City for municipal purposes and to add a new section for the creation of an Abutter Lots Sale Program. Recommended that the order be referred to the City Council without recommendation.
8. The Committee on Ordinance to whom was referred an order that the Zoning Ordinance, Section 6.4.2 Exemptions, be amended to add a letter,
(k) Banners or signs associated with a civic or municipal program may be allowed in all districts. Community or commercial sponsorship may be displayed on said banner or sign provided that the banner or sign itself is not be greater than six (6.0) square feet. These installations must be approved by the City and by the Department of Public

Works as applicable.

Recommended that the order be referred to the City Council without recommendation.

9. The Committee on Ordinance to whom was referred an order That a handicap sign be placed in front of 38 Beacon Ave. for Elijah Santos, Placard #PL5530997
Recommended that the order be adopted.
10. The Committee on Ordinance to whom was referred an order that a handicap sign be removed from 195 Beech St. for Wilfrin Puello.
Recommended that the order be adopted.
11. The Committee on Ordinance to whom was referred an order That the handicap parking at 527 South Bridge street please be removed. The original applicant has moved and will be reapplying for the new location.
Recommended that the order be adopted.
12. The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2024 EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, \$49,920, NO MATCH " grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.
Recommended that the order be adopted.
13. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, THREE HUNDRED THOUSAND AND 00/100 Dollars (\$300,000) as follows:
FROM:
12101-51105 SERGEANTS \$115,000
12101-51107 PATROLMEN 65,000
12101-51117 E911 DISPATCHERS 120,000
TOTAL: \$300,000
TO:
12101-51300 OVERTIME \$300,000
TOTAL: \$300,000
Recommended that the order be adopted.
14. The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "2023 COMMUNITY MITIGATION FUND TRANSPORTATION PLANNING GRANT, \$82,300, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant
Recommended that the order be adopted.
15. 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 "MASS EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION PLAN, 26,800, 10% IN KIND/VOLUNTEER MATCH " grant and authorizes the establishment

of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.
Recommended that the order be adopted.

16. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY THOUSAND AND 00/100 Dollars (\$20,000) as follows:

FROM:

8811-10400 CAPITAL STABILIZATION \$20,000

TOTAL: \$20,000

TO:

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

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

TOTAL: \$20,000

Recommended that the order be adopted.

17. The Committee on Finance to whom was referred an order that the City Council vote to approve the attached Memorandum of Understanding allowing the City of Holyoke to receive transportation reimbursement in accordance with the provisions of the Every Student Succeeds Act, and as allowed by the provisions of M.G.L. c. 44, s70.
Recommended that the order be adopted.

18. The Committee on Finance to whom was referred an order that the City of Holyoke establish a Health Insurance Trust Agreement pursuant to MGL c. 23B, Section 3A. MGL c. 32B, Section 3A permits a municipality to establish a health insurance trust to “organize, arrange, or provide for the delivery or payment of health care coverage or services”. The establishment of a trust by the City to administer health care payments will create a significant savings to the FY’25 proposed budget.
Recommended that the order be adopted.

19. The Committee on Finance to whom was referred an order that the ballot question approved by the City Council be placed on the ballot on November 4, 2024 as referenced in the 9/26/23 decision by Judge Mulqueen.

Ballot Question

Shall the City of Holyoke amend the current Community Preservation Act real estate surcharge, as established in accordance with the provisions of Section 3 of Chapter 44B of the Massachusetts General Laws, and which amendment of such surcharge is permissible pursuant to Section 16 of Chapter 44B of the Massachusetts General Laws, and approved by its legislative body, from 1.5% to 1.0%, a summary of which appears below?

(with revised dates)

8

Community Preservation Act Ballot Question and Draft Summary

Ballot Question

Shall the City of Holyoke amend the current Community Preservation Act real estate surcharge, as established in accordance with the provisions of Section 3 of Chapter 44B of

the Massachusetts General Laws, and which amendment of such surcharge is permissible pursuant to Section 16 of Chapter 44B of the Massachusetts General Laws,

and approved by its legislative body, from 1.5% to 1.0%, a summary of which appears below?

Summary of Question

On October 3, 2023, the City Council voted, without taking a position, to place a question on the ballot which will allow voters to reduce the current Community Preservation Act real estate surcharge from 1.5% to 1.0%. The question will be approved, and the real estate surcharge shall be so reduced, if a majority of the voters voting on the ballot question

vote “yes”. The question will not be approved, and the real estate surcharge shall remain the same, if a majority of the voters voting on the ballot question vote “no”

On November 8, 2016, the voters of the City of Holyoke voted to accept Sections 3 to 7 of Chapter 44B, known as the Community Preservation Act (hereinafter referred to as the “Act”). By accepting the Act, a funding source was established to enable the City of Holyoke to: (1) acquire, create and preserve open space, which includes land for parks, playgrounds and athletic fields; (2) acquire, preserve and rehabilitate historic resources such as historic community buildings and artifacts; and (3) acquire, create, and preserve and support community housing to help local families meet their housing needs. By accepting the Act, a surcharge of 1.5% was assessed on real estate on an annual basis beginning in Fiscal Year 2018. Exempted from the surcharge are: (1) property owned and occupied as a domicile by any person who would qualify for low income housing or low or moderate income senior housing in the City of Holyoke, as defined in Section 2 of the Act; (2) \$100,000 of the value of each taxable parcel of residential real property; and (3) \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59. A taxpayer receiving a regular property tax abatement or exemption will also receive a pro rata reduction in the surcharge. Any taxpayer seeking a low income or senior exemption shall apply for said exemption annually to the City of Holyoke.
Recommended that the order be adopted.

20. The Committee on Finance to whom was referred an order that all city departments work towards creating digital access to all their forms, permits, and licenses to streamline access and reduce paperwork. Send a copy to all department heads and request an update to the finance committee with any expenses we would acquire in order to make this transition happen.
Recommended that the order has been complied with.
21. The Committee on Finance to whom was referred an order that the honorable city council work with the law department on identifying the a criteria for the expenditure of Community Impact funding. It has been brought to my attention that at least one of the cannabis companies will soon be seeking a refund. How are we protected against this? And how have we spent money as of now?
Recommended that the order has been complied with.
22. The Committee on Finance to whom was referred an order In light of the recent announcement of Holyoke’s allocation from the State of nearly \$500,000.00 in tax appropriation for its infrastructure, the Mayor and DPW Superintendent provide a plan on how to use the funds for this fiscal year. So the public is aware, please see agenda item #8 from the 1/2/24 meeting (Fair-Share Amendment).
Recommended that the order has been complied with.

23. The Committee on Finance to whom was referred an order From MassDOT, letter regarding Holyoke Fair Share apportionment for FY2024
Recommended that the order has been complied with.
24. The Committee on Finance to whom was referred an order that the Holyoke Police department come into finance and elaborate on what is done with money that is seized or forfeited due to arrests or drug busts.
Recommended that the order has been complied with.
25. The Committee on Finance to whom was referred an order That the Finance Committee review the FY 22 budget impact, as well as, school building financial analysis impact of the Assessors' decision to lower the Holyoke Mall's assessment by an additional \$36 million (for a \$1.46 million annual revenue drop) the day after the Council's February 15 vote to approve spending \$475,000 on a feasibility study for a new middle school.
Recommended that the order has been complied with.
26. The Committee on Development and Governmental Relations to whom was referred an order that the City Council approve the Resolution for the Certified Housing Development Incentive Program (HDIP) Project including a Local Tax Increment Exemption (TIE) Agreement with Wrights Block LLC for the redevelopment of 106 - 120 High Street (Assessor Map 013, Block 01, Parcel 006) into downtown market rate housing.
Recommended that the order be adopted.
27. The Committee on Development and Governmental Relations to whom was referred an order that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare 37 Brown Avenue (Assessors Map 081, Block 00, Parcel 042) as surplus property available for disposition. The property was acquired via a judgment in tax lien foreclosure in 2022. It is an approximately .14 acres lot with a single family home constructed, zoned R-2 and has an assessed value of \$219,900.00.
Recommended that the order be adopted.
28. The Committee on Development and Governmental Relations to whom was referred an order that the Honorable City Council, in accordance with M.G.L. Ch. 30B and the Holyoke Code of Ordinances procurement ordinance, declare 432 Hillside Avenue (Assessors Map 123, Block 00, Parcel 021) as surplus property available for disposition. The property was acquired via a judgment in tax lien foreclosure in 2023. It is an approximately .17 acres lot with a single family home constructed, zoned R1-A and has an assessed value of \$175,600.00.
Recommended that the order be adopted.
29. The Committee on Charter and Rules to whom was referred an order that the City Clerk provide information outlining the procedures for submitting changes to Municode and ensuring accurate publication of the City Charter.
Awaiting disposition
30. The Committee on Charter and Rules to whom was referred an order that RULE 4. CITY CLERK section A: In case of the absence of the City Clerk, a Clerk Pro-Tempore shall be appointed....the words Clerk Pro-Tempore shall be deleted and changed

to "Assistant City Clerk, 2nd Assistant City Clerk or Administrative Assistant to the City Council shall resume the duties of the City Clerk when the City Clerk is absent."
Awaiting disposition

31. The Committee on Charter and Rules to whom was referred an order With community support, order that all ordinances and charter rules reflecting city council and city council subcommittee meeting notices be updated to reflect acceptance of email as sufficient method of notice, and city website posting as sufficient method of public notice.

Awaiting disposition

32. The Committee on Charter and Rules to whom was referred an order With community support, order that the following section of our Codes of Ordinances and charter be updated to reflect use of email as sufficient for special meeting notice:

Sec. 12. – Special meetings of city council.

The mayor may at any time call a special meeting of the city council by public posting through the city website along with written notifications thereof, together with a statement of the subjects to be considered thereat, to be deposited in the post office, postpaid and addressed to the persons to be notified, at least forty-eight hours before the time appointed for such meeting, or to be left at the usual place of residence of each member of the council, by email at least forty-eight hours before the time appointed for such meeting. (Acts 1965, c. 187; Acts 1992, c. 189)

Awaiting disposition

33. The Committee on Charter and Rules to whom was referred an order that the City Council make a rule change to be added to "meetings" section for our first meeting:

2. MEETINGS

A. Regular meetings of the City Council shall be held on the first and third Tuesday of each month at 7:00 o'clock p.m sharp. All City Councilors are to be in the City Council Chambers or present by remote access by 6:45 p.m.

B. No meeting of the City Council shall go beyond 10PM EST unless, upon a motion of any councilor, the meeting is extended for a period of time stated in the motion, and so long as the motion is unanimously approved by all members present. If a motion to extend the meeting past 10PM EST is not approved, all remaining items shall be continued until the next regularly scheduled City Council meeting. If items are continued to the next meeting pursuant to this rule, those items shall appear at the beginning of the next agenda

B. The President and/or Committee chairs can cancel meetings due to inclement weather.

Awaiting disposition

34. The Committee on Charter and Rules to whom was referred an order that RULE 3 MEETINGS 3(A) be changed to reflect that City Council meetings shall be held on the first and third Tuesday of the month at 6:30 p.m. (change from 7:00 p.m.)

Awaiting disposition

35. The Committee on Charter and Rules to whom was referred an order RULE 6 DECORUM section E add the words or city employees after the words "another

member”
Awaiting disposition

MOTIONS, ORDERS AND RESOLUTIONS

36. Givner- With community support, that all one way streets include a stop sign on both even and odd sides of the street's corner on approach to a stop.-Ordinance / Copy to DPW
37. Givner- With community support, order that city departments develop an online portal to collect information from property and business owners. Our current postal mail approach slows the collection of needed data, creates data entry work for city employees, and has the potential to get lost/missed by those it is sent and/or returned to. The first departments that come to mind are our Building, Board of Health, and Board of Assessors. This will be especially useful as the city continues to become more efficient in the collection and use of property information.
-Receive, adopt and send to the Mayor
38. Givner- Ordered, that the City Council approve the Resolution for the Certified Housing Development Incentive Program Project including a Local Tax Increment Exemption (TIE) Agreement with Open Square Properties, LLC for the new downtown market rate housing development at 4 Open Square Way (Assessors Map 022, Block 01, Parcel 003).
39. Givner- In an effort to support Holyoke's need for housing, Order that the City Council approve the Resolution for the Certified Housing Development Incentive Program Project including a Local Tax Increment Exemption (TIE) Agreement with Open Square Properties, LLC for the new downtown market rate housing development at 4 Open Square Way (Assessors Map 022, Block 01, Parcel 003). (Resolution attached)
-DGR
40. Givner- Per constituent request, order that the handicap placard be removed from 277 Walnut St as resident Jane Pafford has moved.
-Ordinance / Copy to DPW
41. Givner- Per constituent request, order that a stop sign be added on the left side of Pine Street when approaching Cabot.
-Ordinance / Copy to DPW
42. Givner- With community support, order that a street light be installed between 31 and 33 O'Connor Ave on the odd side of the street. There have been multiple vehicle break ins here. A light would provide pedestrian safety and deter vehicle break ins on this very dark section of the street.
-Ordinance / Copy to DPW

43. Jourdain-That Charter Sections 19 and 34 be amended and elsewhere as appropriate to allow for all appointments to the Fire Commission and DPW Commission to be appointed by the Mayor subject to confirmation by the City Council.
44. Jourdain- Pursuant to Ordinance Sec 12, subject to the approval of the Parks and Recreation Commission, the City Council gives its final approval to name the Fountain at Laurel Park, the “Helen F. Norris Fountain at Laurel Park” in honor of 16 year Ward 3 City Councilor Helen F. Norris and her very meaningful and accomplished service to the city. I also thank Mayors Garcia and Pluta for strongly supporting this naming.
45. Jourdain- That the DPW please continue making cold patching potholes in the city as a priority until weather warms and more permanent solutions can be used.
46. Meg Magrath-Smith- Ordered that members of the Fire Commission come into Public Safety to discuss the recent issue concerning firefighters obtaining their EMT certifications.
47. Murphy-Romboletti-That the Polling Places for each of the voting precincts in the City of Holyoke for the Presidential Primary to be held Tuesday, March 5, 2024, be and the same are hereby designated as follows:
ORDENA, que los lugares para cada recinto en la Ciudad de Holyoke para la Primaria Presidencial que se llevaran a cabo el Martes, 5 de Marzo 2024, sea y al igual, por este medio designado lo siguiente:

WARD ONE BARRIO UNO

PRECINCT A – Rosary Towers Recreation Room 21 Bowers St..

PRECINTO A—Rosary Towers Recreation Room 21 de la Calle Bowers

PRECINCT B—City Hall Basement, 536 Dwight St.

PRECINTO B—City Hall Sotano, 536 de la Calle Dwight St.

WARD TWO BARRIO DOS

PRECINCT A—Morgan School Gym, South Bridge St. Entrance only

RECINTO A—Gimnasio de la Escuela Morgan, en la Calle So. Bridge solamente

PRECINCT B – Falcetti Towers, 475 Maple St.

RECINTO B – Falcetti Towers, 475 de la Calle Maple

WARD THREE BARRIO TRES

PRECINCT A – Metcalf School Gym, 2019 Northampton St..

RECINTO A – Gimnasio de la Escuela Metcalf, 2019 de la Calle Northampton

PRECINCT B – Metcalf School Gym, 2019 Northampton St.

RECINTO B –Gimnasio de la Escuela Metcalf, 2019 de la Calle Northampton

WARD FOUR BARRIOS CUATRO

PRECINCT A& B – St. Paul’s Church Parish Center, Appleton St.

RECINTO A&B – St. Paul’s Church Parish Center, en la Calle Appleton

WARD FIVE BARRIOS CINCO

PRECINCT A – Lt. Elmer J. McMahon School Gym, Kane Rd.
RECINTO A—Gimnasio de la Escuela McMahon, en la Calle Kane

PRECINCT B – Maurice A. Donahue School Gym, Whiting Farms Rd.
RECINTO B—Gimnasio de la Escuela Donahue, en la Calle Whiting Farms

WARD SIX BARRIO SEIS
PRECINCT A&B – Sullivan School, 400 Jarvis Ave.
RECINTO A&B – Escuela Sullivan, 400 de la Calle Jarvis

WARD SEVEN BARRIO SIETE
PRECINCT A&B - E. N. White School Gym, 1 Jefferson St.
RECINTO A&B– Gimnasio de la Escuela E. N. White, 1 de la Calle Jefferson

48. Murphy-Romboletti- Ordered that the City Council suspend the necessary rules and cancel the City Council Meeting for March 5, 2024, due to the Presidential Primary.
49. Murphy-Romboletti- Ordered That the Presidential Primaries in the City of Holyoke for the expression of Presidential Preference, or of No Preference, of Political Parties, or for the Election
of Candidates of political Parties for offices herein stated be and they are hereby called to be held on Tuesday, March 5, 20124, in the several places as designated by the City Council.

The polls will be opened at 7:00 AM and remain open continuously thereafter until 8:00PM., when the polls will be closed, and all voters of the political parties will in the several polling places in which they are entitled to vote, between said hours, give in their votes by Accu-Vote for the election of candidates of political parties for the following offices:

Presidential Preference.

Members of the State Committee, one man and one woman for each of the Political Parties for the Hampden-Hampshire Senatorial District.

Not more than 35 members of the Democratic Ward Committee, from each of the Seven wards.

Not more than 35 members of the Republican Ward Committee, from each of the Seven wards.

ORDENA, que las primarias presidencial en la ciudad de Holyoke por la Expression de preferencia presidencial, o de ninguna preferencia de partido politico, o para la eleccion de candidatos de partidos politicos para oficinas en esto declarado. Ser y por este medio sera llamada a llevar a cabo el Martes, 5 de Marzo 2024, en los varios lugares designado por los Asambleistas municipal.

Las urnas estaran abiertas a las 7:00A.M. y permaneceran abiertas continuamente de alli en adelante hasta las 8:00P.M. Cuando las urnas sean cerradas y todos los votantes de los partidos politicos, vayan a los varios lugares de votacion en el cual tienen derecho a votar, entre dichas horas, den sus votos, votando en Accu-Vote para la eleccion de candidatos para los partidos politicos las siguientes oficinas:

Preferencia Presidencial.

Miembros del comite del estado, un hombre y una mujer para cada uno de los partidos politicos para el Hampden-Hampshire Distrito Senatorial.

No mas de 35 miembros del comite barrio Democratico, de cada uno de los siete barrios.

No mas de 35 miembros del comite barrio Republicano, de cada uno de los Siete barrios.

ORDENO, mas adelante, que el escribiente municipal causa aviso de dicha primarias que sea emprentado en uno o mas periodicos publicado en esta ciudad y tambien sea conspicuo anunciado en las oficina del escribiente municipal.

50. Ocasio- That a handicap sign be placed in front of 799 High St. for Francisco Rivera Chevere, Placard # PL1770918, Exp: 04/16/24.
51. Rivera, I.- Order that the honorable city council ask the police department to provide us with an itemized budget breakdown of dollars received and expended over the last 5 years from the criminal seizure and forfeiture account.
52. Vacon- that our legal department sends and provides a copy of the letter notifying Republic Commercial Disposal of our noise ordinance and giving notice to cease emptying dumpsters outside of the allowed time frame. Please provide copy of the letter for the next City Council meeting.
53. Vacon, Bartley- that in accordance with City Council Rule 9 A, (All Committees shall be appointed and announced by the President, unless otherwise provided for, or especially directed by the City Council), adopted unanimously by the City Council, the City Council direct that the Ward 3 City Councilor be appointed to replace the Ward 5 City Councilor on the DGR Committee. Currently, the Ward 5 City Councilor has been assigned to three committees, most other city councilors have been assigned to two, and the Ward 3 City Councilor has been assigned to one committee. This is an unbalanced and unfair assignment where one councilor has been singled out for a heavier workload than any other councilor. This assignment will restore a fair workload of two committees for each councilor. Motion to receive and adopt
54. Anderson-Burgos- Ordered that the handicap sign located in front of 184 Sargeant St be removed.
55. Bartley- DPW paint hash-marks indicating no parking at west side of HARRISON AVE where it meet MYRTLE ST. This is a constituent request.
56. Bartley- DPW, as practical as possible, paint stop lines and other necessary markings at the intersection of PARENTEAU DR/HIGH ST./SOUTH ST. as this intersection is not getting any safer.

57. Bartley- The Holyoke City Council issue a proclamation to the family of MERLE HILLMAN, WWII Pearl Harbor hero from the USS California, who was finally laid to rest at St. Jerome's in a memorial service January 27, 2024.
58. Devine, I. Rivera - Under City Council rules, please add the following: New Rule: Every 2 years after being sworn in, the City Council President shall set the seating arrangements of the City Council. Consideration shall be taken for any legitimate handicap preference.
59. Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "2024 MASSDEP RECYCLING DIVIDENDS/SUSTAINABLE MATERIALS RECOVERY PROGRAM , \$9,100, 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.
60. Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, NINETY THOUSAND EIGHT HUNDRED SIXTY ONE AND 00/100 Dollars (\$90,861) as follows:
- FROM:
- | | | |
|-------------|-------------|----------|
| 12201-51105 | FIREFIGHTER | \$90,861 |
| TOTAL: | | \$90,861 |
- TO:
- | | | |
|-------------|-------------------------------|----------|
| 12201-51102 | DEPUTY FIRE CHIEF | \$65,588 |
| 12201-51300 | OVERTIME | 8,307 |
| 12201-51500 | VACATION/PERSONAL DAY BUYBACK | 4,506 |
| 12201-51510 | SICK LEAVE/INCENTIVE BUYBACK | 12,460 |
| TOTAL: | | \$90,861 |
61. Devine- Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY SEVEN THOUSAND TWO HUNDRED EIGHTY THREE AND 71/100 Dollars (\$37,283.71) as follows:
- FROM:
- | | | |
|-------------|-----------|-------------|
| 12101-51105 | SERGEANTS | \$10,493.16 |
| 12101-51107 | PATROLMEN | 26,790.55 |
| TOTAL: | | \$37,283.71 |
- TO:
- | | | |
|-------------|-----------------|-------------|
| 12101-51180 | INJURED ON DUTY | \$37,283.71 |
| TOTAL: | | \$37,283.71 |

LATE FILED ORDERS AND COMMUNICATIONS

Addendum:

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



MAYOR JOSHUA A. GARCIA
CITY OF HOLYOKE

January 23, 2024

The Honorable City Councilors
City of Holyoke – City Hall
Holyoke, MA 01040

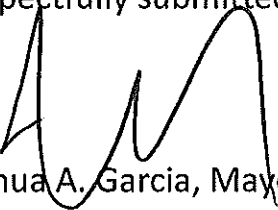
Honorable Councilors:

I hereby appoint the following individual to serve as a Board Member for the Valley Opportunity Council for the City of Holyoke:

Ms. Kayla Rodriguez
14 Laurel Street
Holyoke, MA 01040

Ms. Rodriguez will replace Jackie Watson and will serve a three-year term; said term will expire on December 31, 2027.

Respectfully submitted,


Joshua A. Garcia, Mayor
JAG: nmo

RECEIVED

JAN 24 2024

Cc: Ms. Kayla Rodriguez
Mr. Stephen Huntley

Holyoke City Clerk's
Holyoke, MA



MAYOR JOSHUA A. GARCIA
CITY OF HOLYOKE

January 30, 2024

The Honorable City Council
City of Holyoke
Holyoke, MA 01040

Dear Council Members:

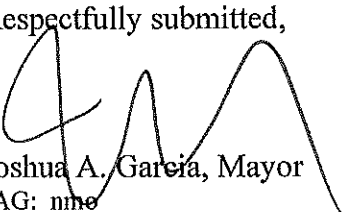
Subject to your approval, I hereby reappoint the following individual to serve as member on the Library Board of Directors for the City of Holyoke:

Mr. George Mettey
7 Hemlock Drive
Holyoke, MA 01040

Mr. Mettey will serve a two-year term; said term will expire in February 2024.

If you have any questions with regards to this matter, please do not hesitate to contact me at (413) 561-1600.

Respectfully submitted,



Joshua A. Garcia, Mayor
JAG: nme

Cc: George Mettey
Maria Pagan

REGULAR MEETING OF THE CITY COUNCIL

January 22, 2024

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

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

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

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

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

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

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

The Pledge of Allegiance was recited.

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

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

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

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

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

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

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

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

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

Councilor Devine stated that she would not move either.

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilor Jourdain stated that he could answer that question.

Councilor Devine stated that she was just pointing that out.

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

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

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

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

PUBLIC COMMENT

No members of the public spoke.

COMMUNICATIONS

(40:10)

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

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

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

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

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

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

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

---> Received and Adopted.

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

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

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

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

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

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

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

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

From Holyoke Police Department, response to Councilor Israel Rivera's order asking for the report of payouts for the Police Dept from the past 20 years.

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

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

Holyoke Historical Commission, minutes of October 2 and November 20, 2023 meetings

---> Received.

Holyoke Redevelopment Authority, summary of activities from November 2022 to October 2023

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

From Board of Fire Commission, meeting minutes for the December 18, 2023 meeting

---> Received.

PETITION

(48:40)

Petition of ACMJ for a special permit extension for the Marijuana Manufacturing Establishment at 532 Main St (026-03-012)

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

PRESIDENT'S REPORT

(49:00)

President Murphy-Romboletti stated that she presented a proclamation to Mary Lynch, Grand Marshal for the St. Patricks' Parade Committee.

She then stated that she and several councilors attended the conference of the Mass Municipal Association, adding that Holyoke was well represented. She stated that it had been a great opportunity to learn about legal updates on law, as well as information on housing and climate change. She then encouraged councilors to sign up for the MMA newsletter, noting that they often held many free webinars that councilors could find helpful.

She then stated that there were open seats on committees for councilors to serve on, including the Tourism Advisory Committee, the School Building Committee, the Parking Advisory Committee, as well as the Citizens Advisory Committee.

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

COMMITTEE REPORTS

(52:25)

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

FROM:

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

TOTAL: \$9,768.13

TO:

11751-51500 VACATION BUYBACK \$4,770.36

11751-51510 SICK LEAVE BUYBACK 4,997.77

TOTAL: \$9,768.13

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

Committee Members:

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

UNDER DISCUSSION:

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

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "COMMUNITY PLANNING GRANT PROGRAM, \$90,000, NO MATCH " grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan

Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

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

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, TWENTY THOUSAND SEVENTY EIGHT AND 00/100 Dollars (\$20,078) as follows:

FROM:

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

TOTAL: \$20,078

TO:

16101-51102 REFERENCE LIBRARY ASSISTANCE \$20,078

TOTAL: \$20,078

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

Committee Members:

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

UNDER DISCUSSION:

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

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

Approved by the Mayor.

The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, THIRTY THOUSAND AND 00/100 Dollars (\$30,000) as follows:

FROM:

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

14101-51105 SR CIVIL ENGINEER 15,000

TOTAL: \$30,000

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

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

Committee Members:

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

UNDER DISCUSSION:

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

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

Approved by the Mayor.

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

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

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

Committee Members:

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

UNDER DISCUSSION:

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

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

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

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

Committee Members:

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

UNDER DISCUSSION:

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

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

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

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

Committee Members:

Patricia Devine
Kocayne Givner
Michael Sullivan

Kevin A. Jourdain
Linda L. Vacon

UNDER DISCUSSION:

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

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

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

ORDERS AND TRANSFERS

(1:07:10)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilor Greaney asked if some of these orders constituted censorship.

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

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

Councilor Devine stated that she did not call anyone petty.

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

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

(\$35,446.34) as follows:

FROM:

12101-51105 SERGEANTS \$10,493.16

12101-51107 PATROLMEN 24,953.18

TOTAL: \$35,446.34

TO:

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

TOTAL: \$35,446.34

To the City Council:

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

Joshua A Garcia, Mayor

UNDER DISCUSSION:

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

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

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

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

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

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

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

FROM:

8811-10400 CAPITAL STABILIZATION \$20,000

TOTAL: \$20,000

TO:

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

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

TOTAL: \$20,000

To the City Council:

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

Joshua A Garcia, Mayor

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

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

FROM:

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

TO:

12101-51300 OVERTIME \$300,000
TOTAL: \$300,000

To the City Council:

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

Joshua A Garcia, Mayor

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

Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "MASS EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION PLAN, 26,800, 10% IN KIND/VOLUNTEER MATCH " grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:

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

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

Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "2023 COMMUNITY MITIGATION FUND TRANSPORTATION PLANNING GRANT, \$82,300, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:

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

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

Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY23 TDI EQUITY, \$38,550, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

To the City Council:

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

Joshua A Garcia, Mayor

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilor Bartley confirmed that this was obvious.

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

---> Received and Adopted.

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

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

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

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

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

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

---> Received and Adopted. Copy to DPW

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

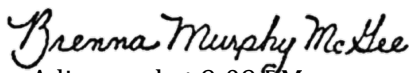
Bartley- The DGR chair invite into committee the Governor's representative for western Mass and Sen Markey's representative for western Mass. to a future meeting.

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

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

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

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


Adjourned at 9:09 PM



MAYOR JOSHUA A. GARCIA

CITY OF HOLYOKE

January 29, 2024

The Honorable City Councilors
City of Holyoke
Holyoke, MA 01040

Dear Council Members:

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

Ms. Mary D. Moriarty
429 Homestead Avenue
Holyoke, MA 01040

Ms. Moriarty will serve a three-year term; said term will expire February 1, 2027.

Respectfully submitted,

Joshua A. Garcia, Mayor
JAG/nmo



Mayor Joshua A. Garcia

Aaron M. Vega, Director

RECEIVED

JAN 29 2024

City Council

January 29th, 2024

Holyoke City Clerk's
Holyoke, MA

Communication to the Holyoke City Council 2024/25 from Office of Planning & Economic Development (OPED)

Congratulations to all of you on your successful election. To those incumbents returning and the newly elected, the team here at OPED looks forward to working with you!

We are a small but mighty team here at OPED with three departments in one. This great team is made up of four Planning staff members (though the Planner Two position has been defunded), five Economic Development staff members, one Licensing staff and one Mass in Motion funded Coordinator which is a grant funded role through the Department of Public Health. Each of these roles plays an integral part in everything from liquor licenses, special permit reviews, to small business loans.

On the planning side of OPED, we conduct all special permit reviews, site plans for new or significant reuses of buildings and staff the Board of Appeals in addition to the Planning Board. Planning staff also maintains our GIS map system for the city, works on various planning grants and projects. Additionally planning staff and Board members will be the lead on this year's Comprehensive Plan project, replacing the over 20 year old plan we currently follow. Planning has also created our tourism maps on exploreholyokey.com where residents can see maps of all Holyoke public art installations in the city or find a Holyoke restaurant for any occasion!

- On the Economic Development side of the office, we work on everything from attracting new business, supporting the current industry in the city, leading the marketing and tourism efforts, leading on grant applications (bringing in over \$1.5 million last year alone), acting as a liaison on mixed use developments between local and State agencies, and working as a partner on the disposition of city properties? process, just to name a few of our tasks. Some notable projects have included the Mass Gaming Mitigation grant which funded exploreholyokey.com, Beyond Walls, Doors Open and the 150th celebration. Other projects have been collaborations with our Boards such as the HEDIC MakerLoan Program or the Winn Development project supported by the Redevelopment Authority.

We offer staff support to several Boards and Commissions:

Planning Board



Board of Appeals

Holyoke Redevelopment Authority

Holyoke Economic Development Industrial Corporation

The Historic Commission

The Local Historic District Commission

The Licensing Board

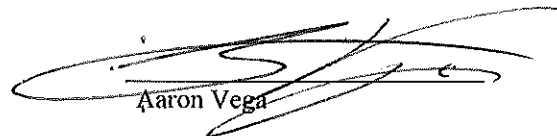
Tourism Advisory Committee

The Biking & Pedestrian Committee

You will see me or staff at a number of your sub committees on a variety of orders, but I am happy to set up meetings with any of you to dive deeper into the work we do in OPED.

We are asking that a City Council member be appointed to the Tourism Advisory Committee (TAC) and that a City Council member be appointed to the Comprehensive Plan working group. The TAC meets monthly and provides feedback and insight into our tourism and marketing plans as well as advises the spending of the Mass Gaming Mitigation Grant. The Comprehensive Plan working group will be a year and half process with meetings throughout the city, working sub groups and long term visioning for the city.

Thank you again, we look forward to a positive working relationship with all of you over the next two years. Our door is always open!



Aaron Vega

JAN 23 2024

On September 26, 2023 (City Councilor) David Barley and I met with Donald Sanders and Susan Palmer at the Mifa office. As a basis of our discussion I used Mifa's strategic business plan, business table from their website, and IRS tiff 990 tax returns and audit reports available online. At the meeting I asked Don if the \$2,000,000 Community Campaign figure on Table 1 was correct Susan said the correct figure was \$100,000 \$1,900,000 less than the Table 1 amount.

I met again with Sanders and Palmer on November 15, 2023. Palmer gave me an updated business table 2. The Massachusetts State Historic Tax Credits had increased by \$600,000 as did the Federal Historic Tax Credits from table 1. Before the meeting I had called the Massachusetts Historic Commission in Boston. I spoke with Josh who is the head of tax credits for the Commission. He concurred that Mifa has \$4,400,000 has state credits but has about \$1,000,000 not funded. Each year the Commission gives applying entities a portion of the given amount. Mifa was given \$4,100,000 in 2009 and later given an additional \$300,000. The Commission allocated amounts \$50,000-\$1,000,000 in different years totaling about \$3,000,000. In some years the Commission does not allocate any money. Mifa has not been given any money for two years. Mifa's listing on Table Two \$6,915,000 and \$6,600,000 is not accurate. They are vastly overstated. Also Josh said it is necessary to have the Theatre listed on the Historic Registry in order to receive further state Historic credits and Federal Tax Credits.(see attached printout). Victory Theatre is eligible to be on the National Historic Registry but has never completed the process. Josh said it takes about three years to complete the process. Mifa may be able to qualify for the larger tax credits but it seems to be at least six years away. Sanders says they are attempting to sell the credits and use the proceeds towards construction. It seems Mifa will have a difficult time selling the credits for the larger amounts at this time that they are depending on.

On Table 2 The City of Holyoke \$2,000,000 Capital Assets Bond Bill have not been released. MIFA can probably count on getting the funds but do not have it as of yet.

Table 2 does not include the \$3,000,000 stated at the bottom of Table 1 necessary to fund operating support once Victory Theatre opens. Table 2 also does not include interest payments. Mifa is expecting to obtain a loan to cover the costs of construction using Tables 1 and 2 as collateral. This seems dicy.

On page 26 of the Strategic Business plan Mifa states "Effective programming requires more than a simple knowledge of the types of events the potential audience wishes to see but also requiring delivering content at a price point that is palatable to the market in a manner that generates sufficient income to cover the cost of delivering the content." Between 2015-2019 Mifa had a combined budget of \$2,401,018. They took in \$32,202 from performance presentation income during the same years which comes nowhere near covering the budget. This calls into question whether Sanders will have the ability to sustain the restored theatre even if it opens in the future. When and if the theatre opens Sanders will need about \$5,000,000 per year in income to sustain the Theatre.

Sanders in 2020 listed Kathy McKean as receiving \$45,000 as a consultant. McKean worked for MIFA for years. Was the fee paid to her as a consultant or as an employee? My concern is that when Sanders is running a larger organization that he does it in a legal manner as McKean was an employee over the years and not a consultant. Also Sanders received payments as a consultant over the years. Was he too paid as a consultant or an employee? How did Sanders sustain himself over the years? What were his expenses such as travel, entertainment?

WHY SANDERS IS NOT QUALIFIED TO MANAGE VICTORY THEATRE EVEN IF IT IS BUILT

1. Sanders is attempting to finance the restoration of through a large loan. There will be a large debt. Sanders is shown not to be financially responsible over the years. Will the city be responsible for the debt? In 2020 according to IRS 990's Sanders spent \$49,000 in travel expenses but bringing in only \$950 in performance presentation. He needs to verify the travel expenses.
2. Sanders is around 74 years old. How long can it be expected that he will be able to turn over running MIFA in a few years?
3. When Bartley and I met with Sanders and Palmer she said they would have "shovels in the ground" by January 2024. This did not happen.
4. Sanders has stated that the main reason he wanted to restore Victory Theatre was to present Broadway Musicals. He has shown almost no productions associated with Broadway shows. Such as with The Holyoke Players.
5. As of November 15, 2023 Sanders had \$330,000 according to Palmer. This is a far cry from The \$63,000,000 needed. This shows he is not fiscally responsible.

State Bonds for \$13,000,000 listed on Table 1 were never granted by Governor Baker. On Nov. 15, 2023 Sanders said now an even better bond \$14,000,000 would be granted by Governor Healey. \$1,200,000 of the \$14,000,000 which looks like has been granted now. If Sanders can show he used the \$1,200,000 productively then an additional \$3,500,000 would be released. Then if the \$3,500,000 would be shown to be productively used then he would get the remaining \$10,000,000. Sanders said on Nov. 15, 2023 that the \$1,200,000 would be used for pointing the theater's brick façade starting in January. I thought this, though doable, would be very difficult since cement is difficult to work with in cold weather. It would be better to do interior warmer work.

Sanders has listed on Table 1 \$6,000,000 that has been spent by MIFA on the restoration. On November 15, 2023 Table 2 shows \$8,241,474 being invested. Sanders needs to show detailed receipts for the amounts involved. Why the difference? Was the difference \$2,241,474 invested between Sept. 26 and Nov. 15?

In conclusion I believe Sanders to genuinely want to restore the Victory Theatre to be able to hold New York Broadway productions. He too believes this will economically restore Holyoke's downtown district. It is his dream. He should be applauded for having these visions. Sometimes dreams are broken. Perhaps having the city take over the ownership of the building and establish a citizens committee to figure out how to use the building would be the best step going forward.

NOTES:

Call Massachusetts Historic Commission (617) 727-8470. Speak to Josh to verify questions on Historic Tax Credits.

Look at Attorney General of Massachusetts website (Public Charities) 030878 Massachusetts International Festival of the Arts tiff990 IRS statements to find or not find contributions and grants and performance presentation income.

See Secretary Of State Massachusetts to view state historic tax allocations.

11/9/2023 6:13 PM



Donald Sanders <donsanders141@gmail.com>
 Reply **DS**
 To David Weinberg **Copy** David K. Bartley



13 attachments View Download Save to Drive



Dear David,

In response to your questions;

1. In 2004 Mikhail Baryshnikov performed. You mentioned in your strategic business plan you had 2200 tickets sold between \$100-\$50. I assume you took in at least \$120,000. In your 2004 990 you report \$76,136. Why the difference?

You'll find the Baryshnikov box office of \$199,000 recorded in the 2003 990 that covers the period beginning July 01, 2003 and ending June 30, 2004. The performances were in late January, 2004. The box office in the 2004 990 records income from July 1, 2004 to June 30, 2005 for other events.

2) In 2005 you listed Kathy McKean as a consultant and was paid \$45,000. Was she paid as an employee or a consultant?

I don't see this at all. Kathy McKean didn't come to MIFA until 2008.

My mistake 2020

(3) You list you are receiving \$6.35 million Federal Historic Tax Credits and \$6 million State Historic Tax Credits. You have stated in past years receiving \$5.5 Federal Historic Tax Credits and \$4.4 State Credits? Why the difference? Also do your amounts go for any construction features not considered to be historical significant?

Federal and State Historic Tax Credits increase every year in proportion to the increase in construction costs. They are for the entire building restoration as approved and overseen by the Massachusetts Historic Commission determination.

(4) You list receiving \$13 million in state grants. Have you received the money?

No. The \$13 million was an authorized bond but was not activated by Governor.

(5) Mr. D'Amour pledged \$1.5 million towards construction. Have you received the money?

Yes.

(6) You mention getting \$2 million Capital Assets Bond Bill. Did you receive the money?

No, not yet. It's in process.

(7) Susan mentioned that hopefully you will have "shovels in the ground by Jan. 1 2024. Are you still on schedule?

We are planning right now with architects and contractors hopefully for action still in January/February '24.

(8) In 2022 you list about \$2.6 million total assets? Do you have any further monies in a bank account now?

The financial position as stated as of June 2022 was accurate as of that time. Reviewed financial statements for 2023 are in process. Cash assets approximately \$307,000. See attached for a helpful project update prepared by Susan Palmer.

I thank you for your time. I will be making a report to the city council and to the mayor once I receive your answers. Thank you for your time. David Weinberg



Thank David. I hope these answers are helpful to understand the project and for your report. One of the most

**MIFA Victory Theatre** <info@mifafestival.org>

12/8/2023 5:50 PM

Great Day at the Victory Theatre

To osprey@ospreylimited.com Reply To info@mifafestival.org



1 attachment Download Save to Drive



as the action unfolds Last Thursday, you may have noticed activity at the Victory! The Victory Construction Team of Barr & Barr Construction and DBWW Architects were on-site surveying the Victory's facade, roof, and building surround. With the help of Odeh Engineering and JD Rivet Roofing, a structural investigation was completed and the next steps for the start of construction were determined. A drone was also used to help access unreachable heights. Photos by Odeh Engineers. Holyoke Mayor Joshua A. Garcia and Victory Theatre Building & Finance Committee Chair Michael Kane were on site for updates on the plan of action from the construction team. Thank you to the Holyoke Police Department for providing police detail for supervising traffic around the site. We will be keeping you updated as the action unfolds... Stay Tuned Spotted at the Victory! In addition to all the activity happening, George Timmons, Holyoke Community College's new president was given a tour of the theater by MIFA's Don Sanders introducing Mr. Timmons to the project and its importance for future educational partnerships with HCC. Photo by Holyoke Community College HCC President George Timmons on his first day of work at HCC July 17, 2023. Learn more about MIFA Victory Theatre [Share This Email](#) [Share This Email](#) [Share This Email](#) MIFA | 56 Suffolk Street, Suite 300, Holyoke, MA 01040-5026 [Unsubscribe](#) osprey@ospreylimited.com [Update Profile](#) | Constant Contact Data Notice Sent by info@mifafestival.org powered by Try email marketing for free today!

The site survey should have been completed years ago. It is necessary to know what needs to be done, how the restoration is to be accomplished, so that costs can be accurately determined as well the time frame necessary to finish the restoration. Sanders has said that the restoration will take two years to complete. However since the site survey is only now taking place an accurate time frame is not available. It may be longer than two years.



RESOLUTION OF THE CITY COUNCIL OF HOLYOKE, MA
APPROVING THE CERTIFIED HOUSING DEVELOPMENT INCENTIVE
PROJECT OF WRIGHTS BLOCK LLC

WHEREAS, the Commonwealth has established a Housing Development Incentive Program (the “HDIP”) designed to increase residential growth, expand diversity of housing stock, support economic development, and promote neighborhood stabilization in designated Housing Development (HD) Zones within Gateway municipalities by providing tax incentives to rehabilitate multiunit properties for sale or lease primarily as market rate units.

WHEREAS, the City of Holyoke strongly supports increased residential growth, expanding the diversity of its housing stock, economic development, and neighborhood stabilization; and

WHEREAS, on December 4, 2012, the City Council approved and designated the Center City Housing Incentive Program (CCHIP) Zone as a local adoption of the HDIP; and

WHEREAS, the CCHIP Zone was approved by the Department of Housing and Community Development on December 21, 2012 as an area for housing development projects; and

WHEREAS, Open Square Properties, has agreed to develop a proposed Certified Housing Development Project to be located at 4 Open Square Way (Assessors Map 022, Block 01, Parcel 003) which is within the boundaries of the CCHIP Zone; and

WHEREAS, Open Square Properties is currently used for commercial purposes and has developed plans to construct 87 market-rate rental units in a portion of the property known as Mill 2. The project aligns with and will promote the goals of the HDIP/CCHIP; and

WHEREAS, the CCHIP Agreement between the City of Holyoke and Open Square Properties, LLC supports the goals of the City.

THEREFORE BE IT RESOVLED, that the City Council approves the Tax Increment Exemption Agreement between the City of Holyoke and Open Square Properties, LLC with said Agreement applicable only to the residential portion of the property as determined by the Board of Assessors and effective only after the Executive Office of Housing and Livable Communities approves this Tax Increment Exemption Agreement and issues a Final Certificate for this Housing Development Project; and

BE IT FURTHER ORDERED, that the City Council authorizes the Mayor to enter into a Tax Increment Exemption Agreement between the City and Open Square Properties, LLC with said agreement providing an exemption on property taxes over a five-year period following the subsequent schedule:

Year 1 - 100%; Year 2 - 80%; Year 3 - 60%; Year 4 - 40%; Year 5 - 20%.

and based on the assessed value of the residential portion of the HD Project after new construction is complete less the base value as agreed upon in the Tax Increment Exemption Agreement pursuant to 760 CMR 66.

Adopted by vote of the Holyoke City Council at a duly called meeting on _____ by a vote of _____ yeas and _____ nays, and absent ().

Brenna Murphy McGee, City Clerk

Joshau A. Garcia, Mayor

Introduced by Councilor Givner

Ordered, that the City Council approve the Resolution for the Certified Housing Development Incentive Program Project including a Local Tax Increment Exemption (TIE) Agreement with Open Square Properties, LLC for the new downtown market rate housing development at 4 Open Square Way (Assessors Map 022, Block 01, Parcel 003).

RESOLUTION OF THE CITY COUNCIL OF HOLYOKE, MA
APPROVING THE CERTIFIED HOUSING DEVELOPMENT INCENTIVE PROJECT OF
WRIGHTS BLOCK LLC

WHEREAS, the Commonwealth has established a Housing Development Incentive Program (the “HDIP”) designed to increase residential growth, expand diversity of housing stock, support economic development, and promote neighborhood stabilization in designated Housing Development (HD) Zones within Gateway municipalities by providing tax incentives to rehabilitate multiunit properties for sale or lease primarily as market rate units.

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and based on the assessed value of the residential portion of the HD Project after new construction is complete less the base value as agreed upon in the Tax Increment Exemption Agreement pursuant to 760 CMR 66.

Adopted by vote of the Holyoke City Council at a duly called meeting on _____ by a vote of _____ yeas and _____ nays, and absent ().

Brenna Murphy McGee, City Clerk

Joshau Garcia, Mayor



City of Holyoke,
Massachusetts

Birthplace of Volleyball

Brenna McGee <mcgeeb@holyoke.org>

Fwd: Handicap Sign Removal

1 message

Juan Anderson-Burgos <j.andersonburgos@gmail.com>

Mon, Jan 29, 2024 at 11:31 AM

To: Brenna McGee <mcgeeb@holyoke.org>

Hello Brenna,

I know Irma is on her way to retirement and I wanted to make sure that this order was filed for next cc meeting.

Ordered that the handicap sign located in front of [184 Sargeant St](#) be removed.

Could you attach this email to the order in case anyone on cc has questions as to why it's being removed. Thank you in advance.

My best,

Juan Anderson-Burgos

Begin forwarded message:

From: Juan Anderson-Burgos <j.andersonburgos@gmail.com>

Date: January 29, 2024 at 11:10:15 AM EST

To: Jeffery Anderson-Burgos <anderson-burgosj@holyoke.org>

Subject: Re: Handicap Sign Removal

Please and thank you.

Juan Anderson-Burgos

On Jan 26, 2024, at 2:58 PM, Jeffery Anderson-Burgos <anderson-burgosj@holyoke.org> wrote:

Juan

This is in Ward 6. It's actually 184. Did you want to file an order for the next meeting to have this sign removed?

Jeffery Anderson-Burgos (He/Him/His) (*what is this?*)

Administrative Assistant to the City Council

City of Holyoke

536 Dwight St, Room 10

O: 413-322-5525

E: Anderson-BurgosJ@holyoke.org

Web: www.holyoke.org/departments/city-council/

"You cannot escape the responsibility of tomorrow by evading it today"

-- Abraham Lincoln

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

From: **Kelly Curran** <currank@holyoke.org>

Date: Fri, Jan 26, 2024 at 2:12 PM

Subject: Fwd: Handicap Sign Removal

To: Jeffery Anderson-Burgos <anderson-burgosj@holyoke.org>, Jenny Rivera <jennyriveraward1citycouncil@gmail.com>

Cc: Dimarys Seymour <seymourd@holyoke.org>

Hi Jeffery and Jenny,

I believe this is ward 1. Don from the Commission on Disabilities asked me to share this with the ward councilor. If I have the wrong ward, can you forward it to the appropriate councilor?

My colleague wanted to inform us that the handicap sign at 189 Sargeant Street can be taken down. It was for her mother Migdalia Colon who passed away 2021.

Migdalia's daughter Dimarys is copied on this email if you need any more information.

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

From: **Dimarys Seymour** <seymourd@holyoke.org>

Date: Fri, Jan 26, 2024 at 1:50 PM

Subject: Re: Handicap Sign Removal

To: Kelly Curran <currank@holyoke.org>

184 Sargeant

<image.png>

On Fri, Jan 26, 2024 at 1:36 PM edge166 <edge14@verizon.net> wrote:

Hi

Let the ward councilor know so they can file and order to remove it. No action needed by the COD.

Don

On Friday, January 26, 2024 at 08:26:10 AM EST, Kelly Curran <currank@holyoke.org> wrote:

Good morning,

My colleague wanted to inform us that the handicap sign at [189 Sargeant Street](#) can be taken down. It was for her mother Migdalia Colon who passed away 2021.

Migdalia's daughter Dimarys is copied on this email if you need any more information.

--

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

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[Employees: For confidential Employee Assistance Program \(EAP\) access call](#)

| **CONCERN: 413-534-2625**

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Take care,
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