

AGENDA FOR THE CITY COUNCIL
AUGUST 6, 2024

PUBLIC HEARING

PUBLIC COMMENT

LAID ON THE TABLE

COMMUNICATIONS

1. From Mayor Joshua Garcia, veto of 2/3 majority vote ordinance
2. From Mayor Joshua Garcia, re-appointments of various members of the Council on Aging
3. From Mayor Joshua Garcia, appointment of Vanessa Santiago to the Parks and Recreation Commission
4. From Mayor Joshua Garcia, appointment of Jorge Santiago to serve as Director of Veterans Services
5. From Mayor Joshua Garcia-Elms College Lease Agreement for the use of Mackenzie Field
6. From Mayor Joshua Garcia- Valley Blue Sox Lease Agreement for use of Mackenzie Stadium
7. From Mayor Joshua Garcia and Personnel Director Kelly Curran-COH Remote Telecommuting Pilot Program
8. From City Clerk Brenna Murphy Leary, letter regarding appointment of City Treasurer
9. From City Clerk Brenna Murphy Leary and Admin Assistant Jeffery Anderson-Burgos- City Council Minutes from June 4, 2024, June 18, 2024, June 27, 2024 and Executive Session minutes from February 8, 2021, October 18, 2022, November 1, 2022 December 6, 2022, and December 5, 2023
10. From Personnel Director Kelly Curran- City of Holyoke Social Media Policy
11. From City Solicitor Lisa Ball- Legal Opinion on voting requirements
12. From City Solicitor Lisa Ball- communication regarding Litigation and PILOT payments at 11 Yale St.
13. From City Solicitor Lisa Ball- communication regarding Executive Session Minutes
14. From City Solicitor Lisa Ball- communication regarding City of Holyoke Law Department Business Report

15. From Assistant City Solicitor Jane Mantolesky- Communication regarding Heavy Commercial Vehicle Operation on Homestead Avenue, Holyoke, Massachusetts
16. From Atty. Kathleen Degnan- communication regarding OML from Stephen Superba
17. From Atty. Kathleen Degnan- communication regarding OML from Linda Vacon
18. From City Councilor Linda Vacon-OML Complaint Form
19. From Councilor Howard Greaney-clarification on vote of municipal budget
20. From Mary Monahan, communication regarding board and ad hoc committee
21. From State Rep. Patricia Duffy, communication regarding Appointed Treasurer position
22. From Marco Crescentini-CCC-2024-06-14 City Council Chambers Plan Memo & Sketches
23. From Christopher Gauthier- Communication re: Victory Theater listing 7.3.2024
24. From Various residents- letter regarding maintaining all quality of life policing methods
25. From Stephen Superba- Open Meeting Law Complaint, June 18, 2024
26. From Stephen Superba- Open Meeting Law Complaint July 10, 2024
27. Grant Report-Mass Cultural Council Capital Facilities Fund
28. Grant Report-Fund #0689 FY24 Firefighter Safety Equipment Grant, Department of Fire Services
29. From Holyoke Redevelopment Authority-minutes from the March 20th, April 17th, and April 25th meetings
30. From Historical Commission- minutes from the April 8th meeting

PETITIONS

31. Petition of Emma Huse, renewal of a Home Occupation from Mask Makers Face Painting at 22 Bassett Road

PRESIDENT'S REPORT

REPORTS OF COMMITTEES

32. The Committee on Development and Governmental Relations to whom was referred an order Petition of Edwin Colon of 23 Springdale Ave for a Street Vendor License to be located at the Gas Station on Berkshire and Main St.
Awaiting disposition
33. The Committee on Development and Governmental Relations to whom was referred an order Petition of Open Square Realty LLC for a Multi Family Dwelling at 4 Open Square

Way
Awaiting disposition

34. The Committee on Development and Governmental Relations to whom was referred an order that the City Council approve an Amendment to a Home Rule Petition for the purpose of expanding the Center City Liquor License Area.
Awaiting disposition
35. The Committee on Development and Governmental Relations to whom was referred an order Holyoke Downtown Parking Study - Final Report
Awaiting disposition
36. The Committee on Charter and Rules to whom was referred an order that a Home Rule Petition be filed with amendments to the City Charter as required for consistency with state law, pertaining to our city's restructuring of municipal finance.
Recommended that the order has been complied with.
37. The Committee on Charter and Rules to whom was referred an order that City Council rule 10.C be revisited in discussion.
C. City Council shall appoint a Youth Ambassador to the City Council. The term shall last one year starting July 1 to June 30. Appointees shall only be Eligible to serve one term. Individuals eligible for this position must be a Holyoke Resident, enrolled in a local high school or equivalent program and be in the range of 15 to 17 years of age. The Youth ambassador shall be required to attend all full City Council meetings and may attend any subcommittee meetings. As well as:
Be allowed to speak during public comment period
Attend all regular meetings of the City Council and whichever subcommittee Meetings they would like
Give a "Youth Ambassador Report" at the beginning of the first meeting of every month updating the Council about the Youth Community, Positive Or Negative (Similar to the Presidents Report)
Request that a City Councilor file an order to give a proclamation to a young Person or someone who works with City youth
Sit in Council Chambers and assist the Administrative Assistant during Full Council Meetings and any Subcommittee Meetings
Attend Youth related events on behalf of the City Council
Meet with Youth in other Municipalities
Sit at the committee table during regular meetings
Selection Process: Opening for Youth Ambassador position shall be posted for 2-3 Weeks. Youths will apply through their Guidance Counselor who will then screen the applicants and forward qualified resumes to the City Council. All qualifying Candidates will be interviewed by Public Service and Human Resources Committee and provide two letters of recommendation. First candidate to reach eight votes by full Council shall get the position. Individual chosen for position is subject to removal upon two thirds Vote of the City Council.
Recommended that the rule be removed without prejudice.

MOTIONS, ORDERS AND RESOLUTIONS

38. BARTLEY - Ordered that a handicap sign be placed at 15 Davis St. The sign is requested by Teresa Lewis and the placard number is PL6980631.
39. BARTLEY- With the washout of the water/sewer line at S. Elm St. (behind Fitzpatrick Skating Rink), the impact on the neighborhood needs to be addressed by the City leaders in terms of the timeline for repairs, alternate means for walkers to navigate this area and overall appearance. This is a constituent request. Refer to DGR, Parks Dept.
40. BARTLEY- DPW and the HFD Alarm Division come into city council to provide a status update on the X-walk improvement plan and Traffic signal improvement at Elmwood Towers on South St. I recently heard from an HPD Sgt. – who has been tremendously helpful in mitigating the problems – who advises the parts are in and work should soon commence. Refer to DGR and/or send a communication to the CC Admin. Asst. asap.
41. Bartley, Magrath-Smith- Holyoke's state delegation (Sen Velis, Rep Duffy) and their colleagues in the House and Senate from the other w. Mass counties implore our friends at DCR to produce running water as quickly as possible for the myriad groups, supporters, hikers and nature lovers who visit Mt. Tom Reservation. This is a constituent request. The constituent represents the Appalachian Mountain Club and she makes the following observation, " I am curious how one of the busiest areas of one of the busiest State Parks in Mass, in an Environmental Justice area, has not been prioritized for the water fountain upgrade when there is no other water option currently available."
42. BARTLEY- DPW and the HFD Alarm Division come to the city council to provide a status update on the X-walk improvement plan at the main gate of Holyoke C.C. on Homestead Ave. Please also invite a representative from the College. (I'll figure that part out with the CC President, DGR Chair and Admin. Asst.) I've lost count of the number of times I've filed an order relative to this. I can find emails going back to 2017 (at a minimum). Refer to DGR.
43. BARTLEY, JOURDAIN- Order, the School Department, the School Committee, the Receiver and Mayor present a plan for the future of Metcalf School. I'd like to hear long-terms plans as well as temporary ones. I would like the district to consider the City continue using the school in its current purpose: as a learning institution. If not in the plan, then let's consider it as the headquarters of the School Department. Should a committee be formed? What plans are being discussed? The building, erected 1911, is iconic and should be preserved and, if needed, rehabilitated and repurposed for City uses. Refer to HPS, Receiver, Mayor and Joint Committee.
44. BARTLEY, OCASIO - DPW provide an update on its progress to install a street sign for Jones Ferry Rd. where it intersects at Ingleside Ave. This order was originally filed 11/21/23. Receive and Adopt and as of 7/27/24 it had not been installed. Hopefully this will be done soon. Receive, Adopt and Refer to DPW.
45. BARTLEY - The DPW patch the pothole on Chapin St near the Hibiscus restaurant as soon as possible. Constituent request. Refer to DPW and send to Public Safety for follow-up.

46. BARTLEY - The procurement office provide any executed contracts between the City of Holyoke, the Holyoke G & E, the Holyoke Park & Rec commission and the organization heading the volleyball // athletic center proposals for the open land in Elmwood. Please remit asap to the CC admin. asst. but in any event no later than the first CC meeting in September. (Note: the contract between the Vendor and the country club are private but if the contract was provide to City officials, then I am formerly requesting this be provided to CC, even if it's in executive session, pursuant to the Freedom of Information Act.)
47. BARTLEY - The procurement office present any contract(s) relative to the Anniversary Hill // Scott's Tower project by and between the City, Kestral Land Trust, the CPA Committee, etc. to the City Council via a communication by the first meeting in September. If possible, please email the documents to the City Council admin. assistant as early as possible.
48. BARTLEY, OCASIO - ordered that OPED provide an update to city council regarding putting the following W-3 and W-2 properties on the market – they've each been sitting dormant for well over one year without any progress or updates:
1. 432 Hillside Ave.
 2. 146 Brown Ave. and environs.
 3. Lots at St. Vicent St. and Ingleside Ave.
- Please send a communication for the first city council meeting in September 2024. Refer to DGR for follow-up.
49. BARTLEY, VACON, JOURDAIN, SULLIVAN, GREANEY- ordered that OPED please provide an update on the former K-Mart plaza. On the main door to the former retailer is contact information for what appears to be a new owner. Please reach out to them and circle back to city council. Per its web site: For other inquiries, please call Transformco at (847) 286-2500 and please see its website www.transformco.com. Refer to DGR for a follow-up.
50. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWENTY THOUSAND ONE HUNDRED FIFTY ONE AND 52/100 Dollars (\$20,151.52) as follows:
- FROM:
- | | | |
|-------------|-----------|-------------|
| 12101-51105 | SERGEANTS | \$7,135.40 |
| 12101-51107 | PATROLMEN | 13,016.12 |
| TOTAL: | | \$20,151.52 |
- TO:
- | | | |
|-------------|-------------------------------------|-------------|
| 12101-51180 | INJURED ON DUTY (PAYROLL 7/20/2024) | \$20,151.52 |
| TOTAL: | | \$20,151.52 |
51. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FOUR THOUSAND NINE HUNDRED THIRTY FIVE AND 52/100 Dollars (\$4,935.52) as follows:

FROM:

12201-51105 FIREFIGHTER \$1,271.62

12201-51103 CAPTAIN 3,663.90

TOTAL: \$4,935.52

TO:

12201-51180 INJURED ON DUTY (PAY PERIOD #2) \$4,935.52

TOTAL: \$4,935.52

52. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, SIX THOUSAND EIGHTY SEVEN AND 20/100 Dollars (\$6,087.20) as follows:

FROM:

12201-51105 FIREFIGHTER \$2,494.09

12201-51103 CAPTAIN 3,593.11

TOTAL: \$6,087.20

TO:

12201-51180 INJURED ON DUTY (PAY PERIOD #1) \$6,087.20

TOTAL: \$6,087.20

53. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, SIX THOUSAND TWO HUNDRED SEVEN AND 14/100 Dollars (\$6,207.14) as follows:

FROM:

12201-51105 FIREFIGHTER \$2,543.24

12201-51103 CAPTAIN 3,663.90

TOTAL: \$6,207.14

TO:

12201-51180 INJURED ON DUTY (PAY PERIOD #3) \$6,207.14

TOTAL: \$6,207.14

54. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TEN THOUSAND SEVEN HUNDRED SIX AND 74/100 Dollars (\$10,706.74) as follows:

FROM:

12101-51105 SERGEANTS \$5,351.55

12101-51107 PATROMEN 5,355.19

TOTAL: \$10,706.74

TO:

12101-51180 INJURED ON DUTY \$10,706.74

TOTAL: \$10,706.74

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

FROM:

8815-10400 CANNABIS STABILIZATION \$108,695.56

.-. UPDATE TO FY2025 .

TOTAL: \$108,695.56

TO:

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

TOTAL: \$108,695.56

56. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, THIRTY THOUSAND AND 00/100 Dollars (\$30,000) as follows:

FROM:

11211-51104 MAYOR - CAFO \$30,000

TOTAL: \$30,000

TO:

11611-51210 ELECTIONS OFFICERS \$30,000

TOTAL: \$30,000

57. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FIFTY EIGHT THOUSAND FIVE HUNDRED AND 00/100 Dollars (\$58,500) as follows:

FROM:

11751-51109 PLANNER II \$58,500

TOTAL: \$58,500

TO:

11751-51106 PLANNER I \$58,500

TOTAL: \$58,500

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

FROM:

12941-51104 FORESTRY - TREE CLIMBER \$5,000

TOTAL: \$5,000

TO:

14102-53010 ENGINEERING - PROFESSIONAL SERVICES \$5,000

TOTAL: \$5,000

59. Devine- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2024 STUDENT & SENIOR SAFE PROGRAMS, 9,798.98, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

Sec 2-509 - Grant ReportingAny city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

60. DEVINE - Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "EOEEA FY25 GREENING THE GATEWAY CITIES PROGRAM IMPLEMENTATION GRANT, \$149,760, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

Sec 2-509 - Grant ReportingAny city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

61. DEVINE - Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2024 STUDENT & SENIOR SAFE PROGRAMS, 9,798.98, NO MATCH" grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.

Sec 2-509 - Grant ReportingAny city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.

62. DEVINE - Ordered that the Mayor in conjunction with the HPD and disabilities commission give an update on making the HPD building handicap accessible. Send to Public Safety Committee
63. DEVINE, ANDERSON-BURGOS - Ordered, that a "DO NOT BLOCK THE BOX" be painted on Northampton Street and West Franklin Street.
64. DEVINE - ORDERED: That the Law Department render an opinion if City Council rule 9C be changed from 45 continuous days to 45 business days. Report back to the full council.
65. GIVNER - By request of several business owners, update Grafitti ordinances 74-100 & 74-101 to transfer law enforcement responsibilities onto HPD instead of property owners. OR, give building owners warnings with a grace period of a specified number of days to clean up the graffiti BEFORE being fined. Building owners are currently fined for Graffiti creation on their property. This seems unfair as building owners are not tagging their own property and cannot control unlawful acts happening to their property. -Public Safety
66. GREANEY - Ordered that no group homes, profit or non-profit, be allowed within the city limits of Holyoke, Ma without the approval of the Holyoke City Council.

67. GREANEY - Ordered that the City of Holyoke tax work-off program for seniors be increased from 30 to 70 slots. Furthermore, that the stipend be increased from \$750 to \$1000.
Rationale: Applications for this program have dramatically increased. These economic times warrant the proposed changes.
68. JOURDAIN - Ordered, that DPW and Veolia provide the City Council with a report and illustration of all outstanding high priority capital needed for CSO improvement, transmission line and/or the plant itself required over the next 10 years (now and 2034). Please spell out the cost of the projects, timeline for completion, and location (provide a map if necessary for distribution lines). Please also report any grant funds or low interest loans available to subsidize the projects. Please provide if the city or operator partner is responsible for the costs and whether we need to bond for the project or it will be absorbed into the annual operating expense/cost. Please also number the projects in order of priority. Please also note if the city has already put funding in place or if no funding source has been approved yet. Please report to the City Council within 45 days of receipt.
69. MAGRATH-SMITH - Order that Kennedy Circle be added to Ordinance Sec. 86-325. - Schedule IV: Stop streets so that a permanent stop sign can be placed. This is a request from the interim engineer indicating that a stop sign is warranted.
70. MAGRATH-SMITH - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, ONE HUNDRED ELEVEN THOUSAND AND 00/100 Dollars (\$111,000) as follows:
FROM:
8811-10400 CAPITAL STABILIZATION \$111,000
TOTAL: \$111,000
TO:
14252-52600 HIGHWAYS R&M STREETS & FIXTURES \$111,000
TOTAL: \$111,000
71. MAGRATH-SMITH - Ordered that Rule 4B be amended to reflect current practice and open meeting law, clarifying that items for City Council meetings agendas are due at noon, not one o'clock, and adding that a Monday holiday would also change the deadline to Thursday instead of Friday.
72. MAGRATH-SMITH, DEVINE - ordered that the Library Director and Financial Manager come into City Council to provide an update concerning how the library is responding to the fees associated with the tax exemption issue and the potential impact to services.
73. MURPHY-ROMBOLETTI - Ordered that the City Council reconsider its June 4, 2024, Order approving the ballot question regarding the position of the Treasurer. Considering the opinion of the City Clerk, which was made pursuant to information received from the Secretary of the Commonwealth's office, the Charter change should be done via special legislation as approved by the City Council and Mayor as opposed to the City voters.
74. MURPHY-ROMBOLETTI - Ordered That the State Primary and the State Election in the City of Holyoke for the expression of various office of Candidates of political Parties for

offices herein stated be and they are hereby called to be held on Tuesday, September 3, 2024 and November 4, 2024 in various 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 ImageCast Precinct for the election of candidates of political parties for the following offices: Please see attached.

75. MURPHY-ROMBOLETTI - With community support, ordered that the City Council dedicate Hillside Avenue as "David M. Bartley Way" in recognition of David M. Bartley who served as a member of the Massachusetts House of Representatives from 1963 to 1975, Speaker of the Massachusetts House of Representatives from 1969 to 1975, Secretary of Administration and Finance from 1982 to 1983, and President of Holyoke Community College from 1975 to 2004.
76. OCASIO- ordered that the DPW install a Handicap sign for Ana Rodriguez at 361 Chestnut St
77. OCASIO- Ordered that the DPW remove the handicap signs at the following locations:
 - 1) Italian Osorio 588 South Summer St Apt 1613.
 - 2) Maridelve de Jesus 588 South Summer St.
 - 3) Emma Morales 586 South Summer St Apt 1512.
 - 4) Wilfredo Loranzi 584 South Summer St Apt 1441.
 - 5) Dianne Pierre 580 South Summer St 2L

All the residents no longer live at these locations.

78. RIVERA I. - Ordered that the Personnel Department and Law Department work in conjunction to update the following ordinances to reflect a modern Human Resources Department:

Article I

30-1 (a)

82-4 (c)

82-5 (c)

Article II Division I

2-40 (a)

2-43 (e) (k)

2-64

2-66 b (3)

2-67 (a)

2-69 (h)

Article II Division II

2-86

Article II Division VI
2-182 b (3) e (2)

Article III Division II
2-311 a, b, c, d
2-312 a, b (21)
2-313
2-314

Article IV 2-422 (b)

79. RIVERA J. - An order to declare Holyoke Assessors Parcel 030-08-004, 285 Main Street, Holyoke, MA as surplus property and sell to abutter, Johnna Caizan-Torres with an address of 10215 Jamaica Avenue, Apartment 2L, Richmond Hill, NY 11418, for \$15,000.00. This property is valued under \$35,000.00 and therefore exempt from procurement requirements.
80. RIVERA J. - Order to request the installation of a handicapped parking spot in front of 56 Mosher Street, where Mrs. Jusino resides. This request is made considering the disability challenges faced by Mrs. Jusino, who has issues accessing parking near her residences.
81. SULLIVAN - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWO HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$250,000) as follows:
FROM:
8811-10400 CAPITAL STABILIZATION \$200,000
8812-10400 SEWER STABILIZATION 50,000
TOTAL: \$250,000
TO:
60402-53011 SEWER - PROF SERVICES OTHER \$200,000
60402-53005 SEWER - LEGAL SERVICES 50,000
TOTAL: \$250,000
82. VACON - ORDER: that an ordinance be created that establishes a public process for approving the installation of raised crosswalks that includes input from safety departments and the public and a determination from engineering.
83. VACON - ORDER: that Holyoke double the tax abatement for veterans as authorized by the Hero Act: Expanding Veteran Property Tax Exemptions.
84. VACON - ORDER: That a permanent sign indicating "traffic light ahead" be placed before the curve on Westfield Rd approaching Apremont Hwy going toward Westfield. That a sign indicating "traffic light ahead" be placed on Westfield Rd for traffic approaching from Westfield toward Holyoke
Receive and refer to DPW engineer to evaluate and determine if warranted and proper placement

LATE FILED ORDERS AND COMMUNICATIONS

Addendum:

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

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

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

City Clerk