AGENDA FOR THE CITY COUNCIL
SEPTEMBER 4, 2024

PUBLIC HEARING

PUBLIC COMMENT

LAID ON THE TABLE

1. From Mayor Joshua Garcia, veto of 2/3 majority vote ordinance

COMMUNICATIONS

2. From Mayor Joshua Garcia, communication on paving schedule for city roads

3. From Mayor Joshua Garcia, reappointment of Joseph Charles Mazzola of 332 Pleasant St. to serve on the Local Historic Commission. Mr. Mazzola will serve a three-year term, expiring October 1, 2027.

4. From Mayor Joshua Garcia, appointment of various individuals to serve on the Parking Advisory Board

5. From Assistant City Solicitor Jane Mantolesky- legal opinion rule 9P

6. From City Clerk Brenna Murphy Leary and Admin. Assistant Jeffery Anderson-Burgos, minutes from the August 6, 2024 meeting

7. From Admin Assistant Jeffery Anderson-Burgos, Executive Sessions minutes from February 6, 2024

8. From Councilor Jourdain- email regarding to Fiestas Patronales Invite

9. From School Committee Member Gustavo Romero, letter of resignation

10. From School Committee Member Dr. Gloria Cabellero-Roco, letter of resignation

11. From the Holyoke Retirement Board, PERAC Investment Report 2023

12. From the Holyoke Retirement Board, Annual Statement of the Financial Condition of the Holyoke Retirement Board

13. From Carl Rossi, DPW Director, Letter to residents regarding alleyway trash pickup

14. From Interim City Engineer- Bray Park Dr. Update

15. Holyoke Teachers Association - Letter regarding process to hire superintendent

16. From Stephen Superba - Email regarding Police Chief search

17. From Stephen Superba - Email regarding Police Department Cash Seizures

18. From Office of Campaign and Political Finance-Disposition Agreement

19. From Board of Fire Commissioners, meeting minutes from July 22, 2024

20. From Local Historic Commission, minutes from the May 16th and June 13th meetings

21. From City Auditor Tanay Wdowiak- SEWER ENTERPRISE BUDGET VS ACTUAL and GENERAL FUND BUDGET VS ACTUAL

PETITIONS

22. Petition of Francisco Martir, Food Vendor License Application for 415 Main St.

PRESIDENT'S REPORT

REPORTS OF COMMITTEES

23. The Committee on Ordinance to whom was referred an order That Section 8.1.9 be amended to include the following language after the last sentence: Requirement to submit new technical data
    If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:
    - NFIP State Coordinator

    Massachusetts Department of Conservation and Recreation
    - NFIP Program Specialist

    Federal Emergency Management Agency, Region I
    Recommended that the order be adopted.

24. The Committee on Ordinance to whom was referred an order that the Zoning Ordinance, Section 7.8 WIRELESS TELECOMMUNICATION FACILITIES AND ANTENNAS, be amended to include Small Wireless Facilities.
    Recommended that the order be adopted.

25. The Committee on Ordinance to whom was referred an order 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.
    Recommended that the order be adopted.

26. The Committee on Ordinance to whom was referred an order that the position of Chief Administrative and Financial Officer be created and added to Schedule A
    Recommended that the order be adopted.

27. The Committee on Ordinance to whom was referred an order the DPW install a handicap sign at 199 Beech St for Pablo Gonzalez. Handicap Placard PL2280794
    Recommended that the order be denied at the recommendation of the Disabilities Commission.

28. The Committee on Ordinance to whom was referred an order that the DPW remove the handicap signs at the following locations:
1) Italian Osorio 588 South Summer St Apt 1613.
2) Maridelva 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.
Recommended that the order be adopted.

29. The Committee on Ordinance to whom was referred an order Per constituent request, Order that handicapped parking sign be removed from in front of 1205 Dwight St by the new owner, Anthony Case.
Recommended that the order be adopted.

30. The Committee on Ordinance to whom was referred an order Per resident request, please remove handicap sign from 204 Oak St, for Ms. Josephine Rivera. She will no longer need it.
Recommended that the order be adopted.

31. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, TWO HUNDRED 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
Recommended that the order be adopted.

32. The Committee on Finance to whom was referred an order 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
Recommended that the order be adopted.

33. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, FORTY THOUSAND EIGHT HUNDRED AND 00/100 Dollars ($40,800) as follows:
FROM:
11521-51104 PERSONNEL - HEAD ADMIN CLERK $40,800

TOTAL: $40,800
TO:
11521-51250 PERSONNEL TEMP/SEASONAL HELP $40,800
TOTAL: $40,800
Recommended that the order be returned to the Auditor.

34. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2024, 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
TOTAL: $108,695.56
TO:
19412-57630 CLAIMS & DAMAGES $108,695.56
TOTAL: $108,695.56
Recommended that the order be returned to the Auditor.

35. 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 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.
Recommended that the order be adopted.

36. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2025, 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
Recommended that the order be adopted.

37. 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 "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 Reporting any city department, of which has received grant funding

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

38. 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 "EOEEA FY25 MUNICIPAL VULNERABILITY PREPAREDNESS ACTION GRANT AWARD-DAY BROOK WATERSHED, $1,229,730, NO MATCH " grant and authorizes the establishment of a Fund or other method appropriate for the accounting of the receipts and expenditures of all resources associated with the administration of said grant.
Sec 2-509 - Grant Reporting Any city department, of which has received grant funding by approval of the city council pursuant to Massachusetts General Laws, or any other authorizing criteria, shall within a reasonable period of time, but no later than 60 days from the conclusion of said grant, generate a detailed report which outlines the planned outcomes with the documented actual results. Said report shall be submitted to the city clerk for addition to the city council's next agenda.
Recommended that the order be adopted.

39. The Committee on Finance to whom was referred an 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.
Recommended that the order be referred to the Holyoke Police Department.

40. -- The Committee on Finance to whom was referred an order The Mayor’s office please provide the City Council with a list of all current host community agreements from marijuana companies in our city. Please also provide us a list of how much revenue we are generating annually from each of these agreements.
Recommended that the order be referred to the Mayor.

41. The Committee on Finance to whom was referred an order that the city put out an RFP to do a study on our finances, specifically focusing on tax revenue brought in and how it is spent throughout the community. This analysis is important in order for the city to have a better understanding of how much tax money is allocated in different parts of communities vs the subsidization of state and federal funding.
Recommended that the order be referred to the Mayor.

42. The Committee on Finance to whom was referred an order The mayor and the DPW finance speed humps at Laurel St. Please see the Petition approved in ordinance 4/10/24 and (I hope) at full city council 4/17/24.
Recommended that the order be referred to the Mayor.

43. The Committee on Finance to whom was referred an order with the pedestrian signal on South St. still flashing "yellow" after 2 months, and having an estimated repair cost of

$11,000 and DPW uses capital stabilization funds to fix the light and to communicate updates to seniors residing in Elmwood Towers.
Recommended that the order be referred to the DPW, Alarm Division, with a request for a report back.

44. The Committee on Finance to whom was referred an order With community support, order that the law department provide stat of pothole claims over last 10 years along with percentage of claims approved and denied.
Recommended that the order be given a leave to withdraw.

45. The Committee on Finance to whom was referred an order 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.
Recommended that the order has been complied with.

46. The Committee on Finance to whom was referred an order that the City Council review and adopt the Mayor's proposal for the city's financial policies by ordinance.
Recommended that the order has been complied with.

47. The Committee on Finance to whom was referred an order From Mayor Joshua A. Garcia, emails providing feedback from various department heads in regards to financial policies manual.
Recommended that the order has been complied with.

48. The Committee on Finance to whom was referred an order City of Holyoke Financial Policies Manual from Division of Local Services MA Department of Revenue.
Recommended that the order has been complied with.

49. The Committee on Finance to whom was referred an order that the attached letter from Chief David Pratt be added to the next agenda so that it may become part of the official record and be sent to the Finance Committee
Recommended that the order has been complied with.

50. The Committee on Development and Governmental Relations to whom was referred an order Holyoke Redevelopment Authority, summary of activities from November 2022 to October 2023
Recommended that the order has been complied with.

51. -- The Committee on Development and Governmental Relations to whom was referred an order that Mary Nathan, disaster program manager for the Western MA Red Cross be invited to discuss available resources and programs for displaced families as a result of fires or other disasters.
Recommended that the order be given a leave to withdraw.

52. -- The Committee on Development and Governmental Relations to whom was referred an order That the DPW provide quotes and an acquisition plan for movable speedbumps/humps and required lights/signage to establish temporary traffic control points for each ward, (7) to be paid for through cannabis stabilization. Additionally requested to explore whether existing movable police signs/radars with custom lettering

would provide sufficient signage for the TCPs.
Recommended that the order be given a leave to withdraw.

53. -- The Committee on Development and Governmental Relations to whom was referred an order The honorable City Council Invite OPED director and representatives from Winn Development to provide an update on the 216 Appleton St project.
Recommended that the order be given a leave to withdraw.

54. -- The Committee on Development and Governmental Relations to whom was referred an order that the DGR committee meet with the Soldier's Memorial Commission the Veterans service director, and the Supt of DPW as well as our State Senator and State Representative to discuss the administration and maintenance of the War Memorial building.
Recommended that the order be given a leave to withdraw.

55. -- The Committee on Development and Governmental Relations to whom was referred an order that the DG&R committee invite in representatives from Holyoke Medical to get an update on the hospital.
Recommended that the order be given a leave to withdraw.

<u>MOTIONS, ORDERS AND RESOLUTIONS</u>

56. JOURDAIN - Ordered, that the School Receiver and Father Albert be invited to the Joint Committee of the City Council to discuss the status of the school breakfast and lunch program in Holyoke. If they cannot attend please send the City Council a letter to let us know if the concerns about the parochial school children losing their breakfast and lunch has been resolved satisfactorily or if the matter is still unresolved from their perspective and the children might still lose out. Please keep us posted until resolved.

57. MAGRATH-SMITH - Ordered, that a new Community Representative be chosen by City Council to be seated on the Community Preservation Act Committee (CPAC) to replace Franchesca Nunez.

58. MURPHY-ROMBOLETTI - Ordered - that the City create the position of a municipal hearings officer to hear appeals by offenders of the State Building Code made pursuant to MGL c. 148A, Section 2 and that a stipend be determined for said position

59. MURPHY-ROMBOLETTI, RIVERA, J.- Ordered that the City install a raised crosswalk (or other appropriate alternative) on Nick Cosmos Way in front of the Boys & Girls Club to ensure pedestrian safety for residents, kids and staff accessing the park. --

60. MURPHY-ROMBOLETTI - Ordered that the City Council receive the letters of resignation from School Committee Members, Dr. Gloria Caballero-Roca and Gustavo Romero, and works to schedule a joint meeting with the School Committee to fill the positions.

61. OCASIO - Order to request the forestry dept. John Twohig to move overhanging branches going on Capri Pizza fence and property.

62. OCASIO - Order to request the forestry dept. John Twohig to move overhanging branches going on Capri Pizza fence and property.

63. OCASIO - Order DPW to finish painting the lines (parking) been waiting since Terry Murphy was a City Councilor.

64. OCASIO - Order that the city or landlords to fix or patch the big holes in the alley. Dangerous for residents and Handicap equipment (wheelchairs, strollers etc.) Between E. St. And S. Bridge also between S. Summer and S. Canal St.

65. OCASIO - Order DPW to pickup and clean debris (bricks) on sidewalk on the corner of Adam and So. Summer St. it's dangerous for residents to walk.

66. OCASIO - Order that the HPD to enforce removing vehicles with no insurance or no longer working or sitting in the same spot for months. In order to make room for other people who are legal to park.

67. OCASIO - Order to request the MVD to come to city council and explain what is legal and not legal for Handicap signs for residents.

68. RIVERA, J.-Ordered that a Handicap Parking Sign be installed for Daniel Canales of 95 Newton St.

69. RIVERA, J.-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 Elliott Properties, LLC for the redevelopment of 174 Lyman Street (Assessors Map 012, Block 04, Parcel 001) into downtown market rate housing.

70. VACON, JOURDAIN - ORDER: the Treasurer along with key people, please provide an update on progress and next steps for converting to self-insurance to provide health insurance for city employees. Please also review with the City Council the calculations on how the FY 25 insurance budget was calculated. Refer to Finance Committee

71. BARTLEY - CC establish by ordinance a minimum sewer fee to be paid to the City upon the sale of any real estate closing. Currently none exists though a $5.00 fee was the norm. The present actual rate is $7.50/1000 gallons. Refer to Ordinance. Copy Board of Public Works, Legal for their input. FYI - this is not to be a revenue raiser but would be monies to cover city expenses to coordinate this time-consuming work.

72. BARTLEY - The administrative assistant add a page to the city's web site that highlights Holyoke's sister cities program. So far as I can tell there are sister city relationships with Salinas (Puerto Rico), Tralee (Ireland) and SVALYAVA (Ukraine). Receive and adopt. Copy Joint Committee as an FYI as I'm hoping there could be an educational component for HPS students.

73. BARTLEY - The administrative assistant organize and highlight on Holyoke's website the Honorary Streets and please add some biographical information. This is simply another way to keep the Honorees' deeds and memories alive. Receive & adopt.

74. BARTLEY - The DPW install a protective wraparound barrier (lattice, wire) the Holyoke Railroad platform. Unfortunately people are using this for protection from the elements but it is a very dangerous location and I don't want anyone to stumble onto the rail tracks as recently happened in Northampton. Receive, Adopt and refer to DPW and to Public Safety committee for a follow-up.

75. BARTLEY - The law department provide an update to CC as to the reason a 2022 HPD cruiser (with 30,000 miles +/-) has been sitting at Marcotte Ford for the last 12 months. My understanding is an officer had an accident as a result of a mechanical defect and the car was towed back to the dealer where continues to sit unused. Receive and Refer to Law Dept and send to Order to Public Safety for follow-up.

76. DEVINE - That Route 5 from McDonalds through to Hitchcock Street be paved unless this is considered a state road. If considered a state road, that the Dept of Transportation be notified.

77. DEVINE - Ordered, that the DPW put a handicap parking space in front of 420 Dwight Street.

78. DEVINE - Ordered, that Rule 9P be amended so that items not acted on in committee jackets become deemed tabled after 45 "business" days.

79. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWENTY TWO THOUSAND TWO HUNDRED FORTY THREE AND 12/100 Dollars ($22,243.12) as follows:

FROM:
12101-51105 SERGEANTS $7,135.36
12101-51107 PATROLMEN 15,107.76
TOTAL: $22,243.12
TO:
12101-51180 INJURED ON DUTY $22,243.12
TOTAL: $22,243.12

80. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TWENTY TWO THOUSAND FIVE HUNDRED SIXTY NINE AND 45/100 Dollars ($22,569.45) as follows:

FROM:
12101-51105 SERGEANTS $7,135.36
12101-51107 PATROLMEN 15,434.08
TOTAL: $22,569.45
TO:
12101-51180 INJURED ON DUTY $22,569.45
TOTAL: $22,569.45

81. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, THREE THOUSAND SIX HUNDRED SIXTY THREE AND 90/100 Dollars ($3,663.90) as follows:

FROM:
12201-51103 CAPTAIN $3,663.90
TOTAL: $3,663.90
TO:
12201-51180 INJURED ON DUTY - FIRE (PP #4) $3,663.90
TOTAL: $3,663.90

82. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, THREE THOUSAND SIX HUNDRED SIXTY THREE AND 90/100 Dollars ($3,663.90) as follows:

FROM:
12201-51103 CAPTAIN $3,663.90
TOTAL: $3,663.90
TO:
12201-51180 INJURED ON DUTY - FIRE (PP #5) $3,663.90
TOTAL: $3,663.90

83. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, TEN THOUSAND AND 00/100 Dollars ($10,000) as follows:

FROM:
11521-51104 PERSONNEL - HEAD ADMIN CLERK $10,000
TOTAL: $10,000
TO:
11521-51250 PERSONNEL-SEASONAL/TEMP $10,000
TOTAL: $10,000

84. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FIFTEEN THOUSAND SIX HUNDRED AND 00/100 Dollars ($15,600) as follows:

FROM:
11212-53009 MAYOR CONTRACTED SERVICES $15,600
TOTAL: $15,600
TO:
15411-51106 COUNCIL ON AGING PT CUSTODIAN $15,600
TOTAL: $15,600

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

FROM:
14101-51101 PAY-ENGINEER $19,000
14101-51105 PAY-SR CIVIL ENGINEER 14,000
TOTAL: $33,000
TO:
14102-53010 PROFESSIONAL ENGINEERING SERVICES $33,000
TOTAL: $33,000

86. DEVINE - Ordered, that there be and is hereby appropriated by transfer in the fiscal year 2025, FIVE THOUSAND SIXTY NINE AND 13/100 Dollars ($5,069.13) as follows:

FROM:
11351-51106 AUDIT-PROF ACCOUNTANT HPD $5,069.13
TOTAL: $5,069.13
TO:
11522-53009 PERSONNEL-PROF SERVICES $5,069.13
TOTAL: $5,069.13

87. DEVINE - Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the "HPD EQUIPMENT DONATION: THERMO SCIENTIFIC TRUNARC HANDHELD NARCOTICS ANALYZER, FAIR MARKET VALUE $40,871.91".

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

88. DEVINE - Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY EMPG GRANT, $5,000, 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.

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

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