

AGENDA FOR THE CITY COUNCIL
February 15,2022

LAID ON THE TABLE

1. From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. to City council minutes of January 18, 2022.
2. The Committee on Public Service to whom was referred an order From Franchesca Nunez, Cover letter and resume for interest in the Community Preservation Committee Recommended that the candidate be appointed
3. The Committee on Public Service to whom was referred an order From Maribel Ortiz, Cover letter and resume for interest in the Community Preservation Committee Recommended that the candidate be appointed

PUBLIC COMMENT

COMMUNICATIONS

4. From Kathleen E. Degnan, Assistant City Solicitor lette re: Opinion on Procedure to Change Charter - Council Approval on Appointments.
5. From Kathleen E. Degnan, Assistant City Solicitor letter re: Opinion use special Act ot Change Charter - Council Approval on Appointments.
6. From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. to City Council minutes of February 1, 2022.
7. From Damian J. Cote, Building Commissioner, letter re: Property Preservation Group 5 year report.
8. List of 2021 Elected Officials Gross pay.
9. List of Top paid 2021 City of Holyoke employees.
10. List of Top paid 2021 School Department Employees.
11. Communication from Department of Public Works vote to seek changes to the ordinance Sec 2, 201.
12. From Evergreen Industries LLC, Community Outreach Meeting on Feb. 18, 2022 for 73 Sargeant St. Proposed Cannabis Cultivator.
13. From Upper Echelon Cultivation LLC, community outreach meeting on February 28,

2022 for a proposed cannabis microbusiness at 420 Race St.

14. From Megan Seiler, Director Wistariahurst Museum regarding Office Assistant Position reclassification from W-2 to W-7.

PETITIONS

15. Petition of River Grove LLC, for a new Marijuana Establishment at 475 Canal St.

PRESIDENT'S REPORT

REPORTS OF COMMITTEES

16. Ordinance Committee Reports (if any)
17. Finance Committee Reports (if any)
- 17A. 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 "FY22 FIREFIGHTER EQUIPMENT GRANT, \$23,063, 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.
- 17B. 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 "GREEN COMMUNITIES MUNICIPAL ENERGY TECHNICAL ASSISTANCE PROGRAM (META), \$15,000, 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. Recommended that the order be adopted.
- 17C. 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 "VETERAN'S HERITAGE GRANT PROGRAM, \$15,000, 50% 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.
- 17D. The Committee on Finance to whom was referred an order That the City Council approve the expense of the FY2022 Holyoke Share-ValleyBike Administration in the amount of \$9,610.00 to be paid from the TNC-Rideshare receipts reserved for appropriation fund #2601 Recommended that the order be adopted.
- 17E. The Committee on Finance to whom was referred an order that the sum of

\$475,000 is appropriated to pay the costs of the new middle school design phase and the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(7) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to contract for and expend any state aid available for the project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

Further Ordered: That any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

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

Further Ordered: That in order to reduce interest costs, the City Treasurer, with the approval of the Mayor, is authorized to refinance any outstanding bonds of the City, as well as any bonds issued pursuant to this Order, and in connection therewith, to issue refunding bonds in accordance with Chapter 44, Section 21A of the General Laws.

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

- 17F. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, ELEVEN THOUSAND TWO HUNDRED AND 00/100 Dollars (\$11,200.00) as follows:

FROM:

14251-51105 POWER SHOVEL OPERATOR \$11,200.00

TOTAL: \$11,200.00

TO:

14251-51106 PROPERTY MAINT & DEMO WORKER \$11,200.00

TOTAL: \$11,200.00 Recommended that the order be adopted.

- 17G. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2022, SIXTY FIVE THOUSAND AND 00/100 Dollars (\$65,000.00) as follows:

FROM:

14251-51104 HEAVY MOTOR EQUIPMENT OPERATOR \$65,000.00

TOTAL: \$65,000.00

TO:

14302-53100 REFUSE-OTHER SERVICES \$65,000.00

TOTAL: \$65,000.00 Recommended that the order be adopted.

- 17H. The Committee on Finance to whom was referred an order that the mayor and the receiver meet with the finance committee to update the city council on the potential of receiving MSBA approval for building one new middle school with MSBA assistance. Please provide any update on when the city might know the status of the proposal, and the financial implications of any approval. Recommended that the order has been complied with.
18. Public Safety Committee Reports (if any)
19. Public Service Committee Reports (if any)
- 19A. The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Ms. Cheryl Figueroa, 223 Pine St. to serve as a Board Member for the Valley Opportunity Council for the City of Holyoke: Ms. Figueroa will replace Anthony Soto and will finish his term; said term will expire on December 31, 2022. Recommended that the appointment be confirmed.
- 19B. The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Ms. Jacqueline Watson, 20 Easthampton Rd. #F6 to serve as a Board Member for the Valley Opportunity Council for the City of Holyoke: Ms. Watson will replace Kate Preissler and will finish her term; said term will expire on December 31, 2023. Recommended that the appointment be confirmed.
- 19C. The Committee on Public Service to whom was referred an order From Acting Mayor Terence Murphy letter nominating Willie Spradley, 8 Ross Road. to serve on the citizens advisory Committee (CAC) for the Office of Community Development for the City of Holyoke: Mr. Spradley will serve a one year term: said term will expire June 30, 2022 Recommended that the order be given a leave to withdraw
- 19D. The Committee on Public Service to whom was referred an order From Acting Mayor Terence Murphy, letter to nominate Mr. Terry Gibson 20 Oakwood Ave. to serve on the Citizens Advisory Committee (CAC) for the Office of Community Development for the City of Holyoke: If you approve this nomination, Mr. Gibson will serve a one-year term: said term will expire on June 30, 2022 Recommended that the order be given a leave to withdraw
- 19E. The Committee on Public Service to whom was referred an order From Acting Mayor Todd McGee letter appointing Marc Hickey, 16 Oakwood Ave. to serve as the Republican Member for the Board of Registrar of Voters for the City of Holyoke: Mr. Hickey will replace Mr. Preston Macy and will serve a three-year term; said term will expire on March 31, 2024 Recommended that the order be given a leave to withdraw
- 19F. The Committee on Public Service to whom was referred an order From Mayor Alex B, Morse letter appointing Mr Bellamy H. Schmidt, 10 Windpath East, West Springfield, MA to serve as a member of the Retirement Board for the City of

Holyoke: Mr. Schmidt will serve a three year term; said term will expire on January 1, 2024 Recommended that the order be given a leave to withdraw

- 19G. The Committee on Public Service to whom was referred an order From Mayor Alex B. Morse letter reappointing Mr. Jeffrey A. Trask, 28 Central Park Dr. to serve as the Emergency Management Director for the City of Holyoke: Mr. Trask will serve a one-year term; said term will expire on May 2022 Recommended that the order be given a leave to withdraw
- 19H. The Committee on Public Service to whom was referred an order From Mayor Alex B. Morse letter reappointing Mr. Morris M. Partee, 127 St. Kolbe Dr. to serve as a member of the Board of Appeals for the City of Holyoke: Mr. Partee will serve a two-year term; said term will expire on July 1, 2023 Recommended that the order be given a leave to withdraw
- 19I. The Committee on Public Service to whom was referred an order From Mayor Alex B. Morse letter reappointing Ms. Miriam Panitch 134 Madison Ave. to serve as a Commissioner of the Planning Board for the City of Holyoke: Ms. Panitch will serve a five-year term; said term will expire on June 30, 2024 Recommended that the order be given a leave to withdraw
- 19J. The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Mr. Nicholas A. Duclos, 11 Arlington St. to serve as a Commissioner of the parks and Recreation for the City of Holyoke: Mr. Duclos will replace Mr. Israel Rivera and will serve Mr. Rivera's remainder of the term; said term will expire on June 30, 2024. Recommended that the appointment be referred to the City Council.
- 19K. The Committee on Public Service to whom was referred an order From Terence Murphy, Acting Mayor letter appointing Ms. Cheryl Figueroa, 223 Pine St. to serve as a Board Member for the Valley Opportunity Council for the City of Holyoke: Ms. Figueroa will replace Anthony Soto and will finish his term; said term will expire on December 31, 2022 Recommended that the order be given a leave to withdraw
- 19L. The Committee on Public Service to whom was referred an order From Terence Murphy, Acting Mayor letter appointing Ms. Jacqueline Watson, 20 Easthampton Rd. #F6 to serve as a Board Member for the Valley Opportunity Council for the City of Holyoke: Ms. Watson will replace Kate Preissler and will finish her term; said term will expire on December 31, 2023 Recommended that the order be given a leave to withdraw
- 19M. The Committee on Public Service to whom was referred an order From Terence Murphy, Acting Mayor letter to nominate Mr. Russell J. McNiff, Jr. 275 West Franklin St. to serve on the Citizens Advisory Committee (CAC) for the Office of Community Development for the City of Holyoke: Mr. McNiff will serve a one year term; said term will expire on June 30, 2022 Recommended that the order be given a leave to withdraw

- 19N. The Committee on Public Service to whom was referred an order From Acting Mayor Terence Murphy letter nominating Victor Machado, 40 Suffolk St. to Serve on the citizens advisory Committee (CAC) for the Office of Community Development for the City of Holyoke: Mr. Machado will serve a one year term: said term will expire June 30, 2022 Recommended that the order be given a leave to withdraw
- 19O. The Committee on Public Service to whom was referred an order Ordered, that Where as DOR has already recommended twice that the City of Holyoke become compliant with MGL chapter 41 Section 24 as well as City of Holyoke Ordinance 82-36.
Order that the City Council interview the only applicant that has applied for the position of third Assessor that was advertised from 9/21/15- 10/23-15 in order to be in compliance with the above mentioned laws. Recommended that the order be given a leave to withdraw
- 19P. The Committee on Public Service to whom was referred an order that given the recent FCC rulings on net neutrality, the City Council invite in representatives from HG&E to discuss public access to broadband, fiber, and the G&E's ability to provide free, city-wide WiFi Recommended that the order be given a leave to withdraw
- 19Q. The Committee on Public Service to whom was referred an order that the City Council develop a public process by which councilors can submit recommendations for how the \$29 Million in COVID stimulus funding will be spent locally Recommended that the order be given a leave to withdraw
- 19R. The Committee on Public Service to whom was referred an order that the City Council invite in the CPAC to discuss their reflections on their first round of fund disbursement; reflections could include thoughts on their process and some of the reasoning that went to this year's award selections Recommended that the order be given a leave to withdraw
- 19S. The Committee on Public Service to whom was referred an order that the city council invite in the newly hired web company to address the problems the city is having with the system, time line to fixing, etc Recommended that the order be given a leave to withdraw
- 19T. The Committee on Public Service to whom was referred an order that the Crocker communication system/phone system address the phone issues where Verizon user constituents couldn't call into the city for services Recommended that the order be given a leave to withdraw
- 19U. The Committee on Public Service to whom was referred an order that the mayors office and personnel department please provide the city council with the approval notice from the council with regard to the moving of the office Recommended that the order be given a leave to withdraw

- 19V. The Committee on Public Service to whom was referred an order that the mayors office provide the contract between the city and the coffee shop located in city hall
Recommended that the order be given a leave to withdraw
- 19W. The Committee on Public Service to whom was referred an order that the mayors office provide the contractual agreement between the city and Mass DOT for the use of city hall space. Please send to city council in 2 weeks
Recommended that the order be given a leave to withdraw
- 19X. The Committee on Public Service to whom was referred an order That the public service committee conduct interviews for the new whiting reservoir committee
Recommended that the order be given a leave to withdraw
- 19Y. The Committee on Public Service to whom was referred an order that the public service committee meet with the director of the senior center, the superintendent of the DPW, the city engineer, and the director of planning and development, to discuss the parking needs at the senior center and the potential solutions to those problems, including a discussion on the status of the Armory property
Recommended that the order be given a leave to withdraw
- 19Z. The Committee on Public Service to whom was referred an order Whereas the City of Holyoke has received The recommendation for the second time from the Massachusetts Dept of Revenue and to be in compliance with Mass General Law chapter 41 section 24 as well as City Ordinance 82-36, Order that the City Council appoint a third member to the board of Assessors
Recommended that the order be given a leave to withdraw
20. Development and Governmental Relations Committee Reports (if any)
- 20A. 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 Procurement Ordinance, vote that the City of Holyoke accept the proposal and sell 299 and 307 Walnut Street for \$10,000 to OneHolyoke CDC. 299 and 307 Walnut Street are adjacent vacant lots totaling approximately 10,976 square feet in size. The properties are identified in the Holyoke Assessor's records as Map 004, Block 06, Parcels 004 and 005, zoned Downtown Residential (DR) and have a combined assessed value of \$69,000. Recommended that the order be adopted.
- 20B. 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 Procurement Ordinance, vote that the City of Holyoke accept the proposal and sell 394 High Street for \$15,000 to WF Real Estate Holdings LLC (affiliated with Way Finders, Inc.). 394 High Street is a vacant lot approximately 4,095 square feet in size. The property is identified in the Holyoke Assessor's records as Map 011, Block 04, Parcel 014, zoned Downtown Business (BC) and

has an assessed value of \$21,900. Recommended that the order be adopted.

- 20C. 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 Procurement Ordinance, vote that the City of Holyoke accept the proposal and sell 400 High Street for \$15,000 to WF Real Estate Holdings LLC (affiliated with Way Finders, Inc.). 400 High Street is a vacant lot approximately 3,833 square feet in size. The property is identified in the Holyoke Assessor's records as Map 011, Block 04, Parcel 013, zoned Downtown Business (BC) and has an assessed value of \$24,300. Recommended that the order be adopted.
- 20D. The Committee on Development and Governmental Relations to whom was referred an order That the Hon John Velis and the Hon Patricia Duffy be invited to a DGR meeting. Copy their respective offices and refer to committee. Recommended that the order has been complied with.
21. Charter and Rules Committee Reports (if any)
22. Joint City Council and School Committee Reports (if any)

MOTIONS, ORDERS AND RESOLUTIONS

23. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2022, THREE THOUSAND TWO HUNDRED TWENTY NINE AND 38/100 Dollars (\$3,229.38) as follows:

FROM:		
12201-51103	CAPTAIN	\$3,229.38
	TOTAL:	\$3,229.38
TO:		
12201-51180	INJURED ON DUTY	\$3,229.38
	TOTAL:	\$3,229.38

24. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2022, TWENTY SIX THOUSAND SEVEN HUNDRED TWENTY NINE AND 55/100 Dollars (\$26,729.55) as follows:

FROM:		
12101-51104	LIEUTENANT	\$5,048.19
12101-51105	SERGEANT	10,085.70
12101-51107	PATROLMEN	11,595.66
	TOTAL:	\$26,729.55
TO:		
12101-51180	INJURED ON DUTY	\$26,729.55
	TOTAL:	\$26,729.55

25. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2022, TWENTY FOUR THOUSAND FIVE HUNDRED NINETY SEVEN AND 98/100 Dollars (\$24,597.98) as follows:

FROM:

12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	6,723.80
12101-51107	PATROLMEN	13,990.96
TOTAL:		\$24,597.98

TO:

12101-51107	PATROLMEN	\$24,597.98
TOTAL:		\$24,597.98

26. MCGIVERIN -- TO ACCEPT DONATIONS OF \$10,000 FROM PEOPLES BANK AND \$1,000 FROM EASTHAMPTON SAVINGS BANK TO SUPPORT THE LADY LIBERTY CIVIL WAR MONUMENT RESTORATION

27. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2022, TWO THOUSAND DOLLARS AND 00/100 Dollars (\$2,000.00) as follows:

FROM:

11381-51104	HEAD ADMIN. CLERK	\$2,000.00
TOTAL:		\$2,000.00

TO:

11381-51300	OVERTIME	\$2,000.00
TOTAL:		\$2,000.00

28. PUELLO -- That a "No Turn On Red" sign be installed, taking effect when northbound on Resnic Blvd and merging on to Pine St. This will restrict when merges to Pine St can occur to green lights only.

29. RIVERA_I -- CPA Projects - 2 Year Extension request to city council (See attached document)

30. RIVERA_I -- Order that the city council work on developing a system similar to how CPA funds are collected and disbursed with Host Community Agreement monies related to the cannabis industry. Ideally composed of residents, service providers and businesses located within wards 1 & 2.

31. RIVERA_I -- Order that the city council invite the superintendent Soto, Mayor Garica, President Royal (HCC) to chat about the possibility of collaborating to offer the trade certifications to adult residents of Holyoke at Dean Tech.

32. RIVERA_I -- Order that the DPW put up warning signs informing drivers of upcoming raised sidewalks.
33. RIVERA_I -- Order that OPED, City Engineer & DPW explore improving (replace fencing, cut back tall grass and brush) the canal side of the street as well as what it would cost to install a walk, bike, run lane stretching from Canal St. and N.Bridge St. to Canal St. and Appleton St.
34. RIVERA_I -- order that the dpw work on putting up signs welcoming people to holyoke at every highway entrance in 7 different languages.
35. TALLMAN -- That the City Council invite the Law department to discuss pending cases.
36. TALLMAN -- That speed humps be installed on Bemis Rd,
37. GIVNER -- That the City Council consider changing rule 44A to reflect the following:
 - All Council and Sub Committee agendas, and legal forms shall be distributed to Council Members by 1:00 pm 7 calendar days prior to the scheduled meeting or by Monday the previous business day at 1:00 pm in the event that 7 days prior falls on a legal holiday. AND that late files are in fact necessary.
38. GIVNER -- That City counselors receive all documents electronically unless a paper copy is requested. All paper copies received shall be printed double sided for conservation. This action will create fiscal and environmental savings.
39. GIVNER -- That the Holyoke Board of Health publicizes an email/ phone number to receive health related complaints ie. odor nuisance complaints generally in regard to manufacturing and commercial businesses.
40. GIVNER -- That the city revisit previous legal language to create an ordinance allowing backyard chickens in residential areas in an effort to enhance food equity.
41. GIVNER -- That the City Council limit debate of items covered in committee to 60 second clarifications, in the form of question/inquiry only, with a limit of 3 questions/inquiries per counselor. AND that responses be no more than 60 seconds each as well.
42. GIVNER -- That the city takes serious steps to create methods of enforcement. There are many ordinances and laws in place to

protect citizens and support businesses. What good are all these laws and ordinances without enforcement? Ongoing city wide enforcement issues include; parking in no parking zones created specifically to aid in visibility for drivers and pedestrians, parking in reserved parking zones created for businesses to receive deliveries and or include customer parking, well over the 25mph speed limit violations especially throughout our more populated neighborhoods, traffic light violations, stop sign violations, trash violations, snow removal violations, etc, etc.

43. JOURDAIN -- That the School Receiver Anthony Soto please provide the City Council with the specific plan and goals the City of Holyoke Public Schools needs to achieve in order to regain local control. Please provide a checklist. Please also provide which items on the plan were accomplished and which remain undone. Need this action plan back to us asap.
44. JOURDAIN -- That the City Council adopt an ordinance that requires all department heads and employees to electronically track (i.e. Munis or other such system as determined by the Personnel Department) all time off accrued and used on a monthly basis. They are also required to report all time off requests, approvals, denials and usage tracking centrally to the Personnel department on a monthly basis. The personnel department shall ensure compliance with city time off policies. Any employee or department head who knowingly provides false information on the reporting of time shall be subject to discipline up to and including termination. They shall also be subject to restitution and/or other civil fine as may be established by ordinance.
45. JOURDAIN -- That the Council on Aging Director provide the City Council with a report for the period FY 2017 - FY 2022 (the current year) on the senior tax work off program established in Ordinance 82-4. Specifically, I would like to know how many seniors have signed up each year for the lottery?, how many were selected each yr?, what date annually is the lottery held and where and how conducted?, what departments did they work?, is a report made of their work?, how much in taxes were worked off in total?, is the program properly advertised?, is it functioning as intended?, should there be any modifications to the program (such as means testing the applicants, changing the \$750 annual limit, increasing/decreasing number of slots, etc)?
46. MCGEE -- That a "no trucks or tractor trailers local traffic allowed sign" at the bottom of Michelle Lane.....Currently, the sign says "No Exit".
47. MCGEE -- Order that the public safety committee invite in the new Chair and

Vice Chair for the Bike Ped Advisory Committee to discuss the
Bike Ped committee, projects, etc.

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

Brenna Murphy McLee

City Clerk