

## AGENDA FOR THE CITY COUNCIL

November 15, 2022

### LAI D ON THE TABLE

1. The Committee on Ordinance to whom was referred an order that following the adoption of a resolution in support of the district, that the Ordinance Committee work with the mayor and the appropriate city and state departments to adopt an ordinance creating a Puerto Rican Cultural District within the City of Holyoke. Recommended that the order be adopted.

### PUBLIC COMMENT

### COMMUNICATIONS

2. From Mayor Joshua A. Garcia, letter of Veto regarding following order:  
The Committee on Ordinance to whom was referred an order That an ordinance be created that requires a department head to report (with an incident report explaining the cause) of any loss in their department over \$250 in value to the City Council and Mayor within 30 days Recommended that the order be adopted, as amended for losses over \$500.
3. From Aaron Vega. Director OPED, communication in regard to approved City Council Special permits for Marijuana Companies.
4. From Yoni Glogower, Director Office of Conservation and Sustainability letter re: Land and Water Conservation Fund (LWCF) Grant Award - Anniversary Hill Park Phase 1 Improvements.
5. From Beech Street Residents regarding addressing traffic study issues.
6. From Holyoke Economic Development and Industrial Corporation minutes of April 7, & September 15, 2022.

### PETITIONS

7. Petition of Blossom Flower LLC for a new special permit for a Marijuana Delivery Operator at 1 Cabot St.
8. Petition of Blossom Flower LLC for a new special permit for a Marijuana Manufacturing Establishment at 1 Cabot St.

### PRESIDENT'S REPORT

## REPORTS OF COMMITTEES

9. Ordinance Committee Reports (if any)
10. Finance Committee Reports (if any)
  - 10A. The Committee on Finance to whom was referred an order Design Feasibility Appropriation to comply with Mass. School Building Authority (MSBA) invitation into the Accelerated Repair Program (ARP) to specify and establish scope of work required to replace windows and exterior doors at McMahon, Donahue and Lawrence Schools and boilers at Dean. Budgeted Design Feasibility total appropriation of \$275,000 @ 80% reimbursement. Net cost to City approx. \$55,000." Awaiting disposition
  - 10B. The Committee on Finance to whom was referred an order From Mayor Joshua A. Garcia, proposed FY23 supplemental budget Awaiting disposition
  - 10C. 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 "FY2022 PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP (BVP), \$26,400, 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. Awaiting disposition
  - 10D. The Committee on Finance to whom was referred an order that the amount of NINE THOUSAND SEVEN HUNDRED FIVE AND 00/100 Dollars (\$9,705.00) be authorized from the IT Department's PROFESSIONAL CONSULTING (11552-53010), TWENTY THOUSAND FOUR HUNDRED FIFTY SEVEN AND 00/100 Dollars (\$) be authorized from the POLICE/FIRE NETWORK ADMINISTRATION (11552-53020) appropriation in fiscal year 2023 for services rendered in fiscal year 2022 which were unencumbered at the 2022 fiscal year end. Awaiting disposition
  - 10E. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, EIGHTY THOUSAND AND 00/100 Dollars (\$80,000.00) as follows:  
FROM:  
8810-10400 CAPITAL STABILIZATION \$80,000.00  
TOTAL: \$80,000.00  
TO:  
15103-58000 BOARD OF HEALTH - CAPITAL OUTLAY \$80,000.00  
TOTAL: \$80,000.00 Awaiting disposition
  - 10F. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, FOUR HUNDRED TWO

THOUSAND AND 00/100 Dollars (\$402,000.00) as follows:

FROM:

8812-10400 SEWER ENTERPRISE STABILIZATION \$293,000.00

8811-10400 CAPITAL STABILIZATION 109,000.00

TOTAL: \$402,000.00

TO:

60402-53011 SEWER PROFESSIONAL SERVICES \$402,000.00

TOTAL: \$402,000.00 Awaiting disposition

- 10G. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, FOUR HUNDRED TWO THOUSAND AND 00/100 Dollars (\$402,000.00) as follows:

FROM:

8815-10400 CANNABIS IMPACT STABILIZATION \$402,000.00

TOTAL: \$402,000.00

TO:

60402-53011 SEWER PROFESSIONAL SERVICES \$402,000.00

TOTAL: \$402,000.00 Awaiting disposition

- 10H. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$150,000.00) as follows:

FROM:

12201-51105 FIREFIGHTERS \$150,000.00

TOTAL: \$150,000.00

TO:

12201-51300 OVERTIME \$150,000.00

TOTAL: \$150,000.00 Awaiting disposition

- 10I. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, SEVENTY FIVE THOUSAND AND 00/100 Dollars (\$75,000.00) as follows:

FROM:

8810-10400 CAPITAL STABILIZATION \$75,000.00

TOTAL: \$75,000.00

TO:

15413-58000 COUNCIL ON AGING CAPITAL OUTLAY \$75,000.00

TOTAL: \$75,000.00 Awaiting disposition

- 10J. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, THIRTEEN THOUSAND TWO HUNDRED AND 00/100 Dollars (\$13,200.00) as follows:

FROM:

12102-55860 PERSONNEL EQUIPMENT \$13,200.00

TOTAL: \$13,200.00

TO:

XXXXX-XXXXX GRANT MATCH - FY22 BULLETPROOF VEST \$13,200.00

TOTAL: \$13,200.00 Awaiting disposition

- 10K. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, TWO HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$250,000.00) as follows:

FROM:

12101-51104	LIEUTENANT	\$15,000.00
12101-51105	SERGEANT	35,000.00
12101-51107	PATROLMEN	200,000.00

TOTAL: \$250,000.00

TO:

12101-51300	OVERTIME	\$250,000.00
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TOTAL: \$250,000.00 Awaiting disposition

- 10L. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, TWO HUNDRED FORTY ONE THOUSAND AND 00/100 Dollars (\$241,000.00) as follows:

FROM:

8810-10400 CAPITAL STABILIZATION \$241,000.00

TOTAL: \$241,000.00

TO:

12103-58000 POLICE CAPITAL OUTLAY \$241,000.00

TOTAL: \$241,000.00 Awaiting disposition

11. Public Safety Committee Reports (if any)

12. Public Service Committee Reports (if any)

- 12A. The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia letter appointing Joseph Charles Mazzola, 332 Pleasant St. to serve as a member of the Local Historic Commission for the City of Holyoke: Mr. Mazzola will serve a three year term; said term will expire October 1, 2024 Recommended that the appointment be confirmed

- 12B. The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia letter re-appointing Mr. Joshua Knox, 40 Morgan St. to serve as a member of the Board of Appeals for the City of Holyoke: Mr. Knox will serve a three year term; said term will expire on July 1, 2025 Recommended that the appointment be referred to the City Council

- 12C. The Committee on Public Service to whom was referred an order From Mayor Joshua A. Garcia, letter appointing Jonathan Moquin Jr., 195 Brown Ave. to serve as a Commissioner of the Parks and Recreation for the City of Holyoke: Mr. Moquin will replace Nicholas Duclos and will serve the remainder of the term; said term will expire June 30, 2024 Recommended that the appointment be confirmed

13. Development and Governmental Relations Committee Reports (if any)

- 13A. The Committee on Development and Governmental Relations to whom was referred an order special permit application for Antonio Rodriguez at 2 Orchard St (107-00-026) to add 2nd driveway for school bus to turn around in. Awaiting disposition
- 13B. The Committee on Development and Governmental Relations to whom was referred an order special permit application for Valley Opportunity Council at 348 Chestnut/48-52 Franklin (009-06-005) to extend and alter a nonconforming structure in connection with proposed rehabilitation of multifamily property Awaiting disposition
- 13C. The Committee on Development and Governmental Relations to whom was referred an order From Wayfinders, Analysis of the 5-block area of Holyoke bounded by Appleton Street, Nick Cosmos Way, Worcester Place, and High Street Awaiting disposition
- 14. Charter and Rules Committee Reports (if any)
- 15. Joint City Council and School Committee Reports (if any)

#### MOTIONS, ORDERS AND RESOLUTIONS

- 16. PUELLO -- That the legal office please provide an opinion, is a city council seat vacated if a ward councilor no longer resides in their ward.
- 17. PUELLO -- That the state delegation be requested to please draft and support legislation that would amend the needle program in the city. The program was voted down twice and stopped a third time through a lawsuit. State legislation was passed to allow its operation. This requested legislation change would only allow needles to be issued to users if a used needle is exchanged. A needle exchange rule would go a long way in helping solve hazard issues in the city.
- 18. RIVERA\_I -- That a handicap sign be placed in front of 72 Hampshire St. for Lorraine I. Hernandez Campos, placard # PL1550887.
- 19. VACON -- that speed humps and raised crosswalks be painted yellow to help to distinguish them from the roadway to improve safety and effectiveness.
- 20. VACON -- request that the dead tree in front of 419 Southampton Road be removed. It is a safety issue near the road. (re-file from 2020)
- 21. VACON -- Under certain special circumstances the Mayor may grant

vacation time for a new employee set by ordinance that exceeds the minimum, but may not exceed 4 weeks. Such a special circumstance shall be determined by a 2/3 supermajority of the City Council and shall have no effect on any other time off benefits for any city employee. Such a special circumstance currently exists for the Director of DPW position and shall expire upon appointment of the employee to the position.

22. ANDERSON-BURGOS -- Order that Chief Pratt come in to discuss a possible gun drop off program. Send to public safety.
23. BARTLEY  
PUELLO  
TALLMAN  
VACON -- The City Council invite a representative from the Appalachian Mountain Club of Boston to a future DGR meeting to discuss the various hiking trails it maintains in Holyoke including the New England Trail that crosses state property from Rt. 141 (W-7) to Rt. 202 (W-5). Please invite Holyoke's conservation director to attend, if available, and other interested parties
24. BARTLEY -- The Mayor and community development dept fund the following projects with either CDBG or ARPA funds: Repair Sidewalk on east side of Queen St. between Coit St and Queen St. and Build/Repair Sidewalk on west side of High St. from Norfolk St. to Parenteau Dr.; repave Merrick Ave.; repair sidewalk on south-side of Hampden St. between Nonotuck and Pleasant Sts. with the section near Thorpe Ave. (W-4) in need of immediate attention.
25. BARTLEY  
PUELLO -- City Engineer consider the following road improvements on Main St. in Springdale: in lieu of replacing the traffic light, install a raised crosswalk and solar-powered pedestrian signal. Copy to Mayor, Community Development, HFD Commissioners and Alarm Division.
26. BARTLEY -- City Engineer review options to improve road safety at Queen and Cherry St. Issue: trucks exiting Queen St. are seen driving over the median strip and making an illegal left-hand turn onto Cherry St. (Rt. 202-South).
27. BARTLEY -- The City Council invite the new owner of the Valley Blue Sox, Matthew Drury, and his executive team to a DGR meeting prior to the 2023 season to discuss the team, Mackenzie Stadium, and increasing attendance and use of the field for Holyoke's students, etc. Copy to Park & Rec commissioners and department head.
28. BARTLEY -- The City Engineer provide an update to a future Public Safety meeting on the status of funding repairs at the crosswalk at the main gate to H.C.C. (This has been pending since at least 2017.)

29. JOURDAIN -- That our State Legislative Delegation & Governor's office please use some of the excess state reserves to install sound barriers along Rt. 91 as needed to protect Holyoke neighborhoods from excessive highway sound. The state in the past cited the lack of funding as the reason for not installing these - now is the time and it would be most appreciated. If they would like to come in to City Council to discuss the logistics of this request, they are also most welcome to do that too.
30. JOURDAIN -- DPW/Suez please unclog and fix the street sewer drain in front of 166 Lincoln St. It is beginning to cave in and is also not draining properly if at all.
31. MCGEE -- Ordered, that the City Council present proclamations  
PUELLO for this year's Veterans Day ceremony honorees:  
TALLMAN Brendan  
Boyle - Public Safety Official of the Year  
Olivia  
Mausel - Citizen of the Year  
Phil Levy - Veteran  
of the Year
32. MCGEE -- Order that a new street light be installed near 48 Pearl Street.
33. MCGEE -- Ordered, that the City Council hereby accepts and approves a  
RESOLUTION TO ACCEPT A RECREATION GRANT FROM  
THE EOEEA FOR THE RENOVATION OF LAND FOR THE  
ANNIVERSARY HILL PARK PROJECT.
34. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal  
year 2023, TWENTY THOUSAND AND 00/100 Dollars  
(\$20,000.00) as follows:
- FROM:  
12401-51201 PROPERTY MAINT/DEMO SUPERVISOR  
\$20,000.00  
TOTAL: \$20,000.00
- TO:  
12402-53010 OTHER CONTRACTED SERVICES  
\$20,000.00  
TOTAL: \$20,000.00
35. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal  
year 2023, THIRTY EIGHT THOUSAND TWO HUNDRED  
TWENTY FIVE AND 70/100 Dollars (\$38,225.70) as follows:

FROM:		
12101-51104	LIEUTENANT	\$3,883.22
12101-51105	SERGEANT	14,119.98
12101-51107	PATROLMEN	20,222.50
TOTAL:		\$38,225.70
TO:		
12101-51180	INJURED ON DUTY	\$38,225.70
TOTAL:		\$38,225.70

36. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, THREE THOUSAND SEVEN HUNDRED FORTY NINE AND 96/100 Dollars (\$3,749.96) as follows:

FROM:		
12201-51105	FIREFIGHTERS	\$3,749.96
TOTAL:		\$3,749.96
TO:		
12201-51180	INJURED ON DUTY	\$3,749.96
TOTAL:		\$3,749.96

37. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, TEN THOUSAND AND 00/100 Dollars (\$10,000.00) as follows:

FROM:		
11611-51210	ELECTION OFFICERS	\$10,000.00
TOTAL:		\$10,000.00
TO:		
11611-51300	OVERTIME	\$5,000.00
11612-52400	R&M OTHER	5,000.00
TOTAL:		\$10,000.00

38. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, FIFTY SEVEN THOUSAND ONE HUNDRED SIXTY NINE AND 98/100 Dollars (\$57,169.98) as follows:

FROM:		
14251-51104	HEAVY MOTOR EQUIP	
	OPERATOR-HIGHWAY	\$57,169.98
TOTAL:		\$57,169.98
TO:		
14252-52600	R&M STREETS & FIXTURES- HIGHWAY	
		\$57,169.98
TOTAL:		\$57,169.98

39. MCGIVERIN -- that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "FY2023



MUNICIPAL ROAD SAFETY PROGRAM, \$35,000, 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.

40. MCGIVERIN -- that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the provisions of the "ANNIVERSARY HILL PARK REVITALIZATION: PHASE I PROJECT, LWCF #25-00570, \$520,000, NO MATCH (RESOLUTION SUBMITTED FOR VOTE)" 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.

41. MCGIVERIN -- Ordered, that in accordance with M.G.L. Chapter 44 Sec. 53A, the City Council hereby accepts the "HOLYOKE SCHOOL DEPARTMENT, \$1,066,548, ANONYMOUS DONATION" 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 donation.

42. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, THREE THOUSAND THREE HUNDRED AND 00/100 Dollars (\$3,300.00) as follows:

FROM:

8815-10400 CANNABIS STABILIZATION  
\$3,300.00

TOTAL: \$3,300.00

TO:

19442-54880 FIRE DEPARTMENT EQUIPMENT  
\$3,300.00

TOTAL: \$3,300.00

43. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, SEVENTY FIVE THOUSAND AND 00/100 Dollars (\$75,000.00) as follows:

FROM:

8815-10400 CANNABIS STABILIZATION  
\$75,000.00

TOTAL: \$75,000.00

TO:

19442-53010 BOARD OF HEALTH PROF SERVICES  
\$75,000.00

TOTAL: \$75,000.00

44. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, SEVENTY THOUSAND AND 00/100 Dollars (\$70,000.00) as follows:

FROM:

8815-10400 CANNABIS STABILIZATION  
\$70,000.00

TOTAL: \$70,000.00

TO:

19441-51001 PLANNING-MARKETING MANAGER/TEAM  
\$70,000.00

TOTAL: \$70,000.00

**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