

## AGENDA FOR THE CITY COUNCIL

April 18, 2023

### LAI 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.

### PUBLIC COMMENT

### COMMUNICATIONS

2. From Mayor Joshua A. Garcia letter of Veto for the CPA ballot question to be placed on the November 2023 local election.
3. From Joshua Garcia, Mayor, School Building Committee Chair, Anthony Soto, Superintendent and SBC Member Erin Brunelle, School Committee member and SBC Vice Chair letter re: Request to Approve financing for the Middle School Building project.
4. From Brenna Murphy McGee, MMC & Jeffery Anderson-Burgos, Admin. Ass't. to City Council Minutes of April 4, 2023.
5. FY24 CPA Budget Proposa
6. FIR89 FY22 Firefighter equipment City of Holyoke Grant Completion form.

### PETITIONS

7. Petition of David Greenberg for a renewal of a Pawnbroker license at 448 Appleton St.
8. Petition of Brad Matthews Jewelers for a renewal of a Second hand License at 2225 Northampton St.
9. Petition of David Greenberg for a renewal of a Second hand license at 448 Appleton St.
10. Petition of Game Stop #4391 for a renewal of a Second Hand License at 50 Holyoke St.
11. Petition of EcoAtm for a renewal of a Second Hand License at 2261 Northampton St.

12. Petition of EcoAtm for a renewal of a Second Hand License at 250 Westfield Rd.
13. Petition of EcoAtm for a renewal of a Second hand license at 50 Holyoke St.
14. Petition of Frank Ferrini for a renewal of a Second Hand License at 375 Whitney Ave.

### PRESIDENT'S REPORT

### REPORTS OF COMMITTEES

15. Ordinance Committee Reports (if any)
- 15A. The Committee on Joint Committee of City Council and School to whom was referred an order 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. Recommended that the order has been complied with.
- 15B. The Committee on Joint Committee of City Council and School to whom was referred an order that the city provide an update on any antiracism and diversity training already in place for employees, and update on how it can be improved. Refer to Personnel, Public Safety, and Joint SC and CC Committee Recommended that the order has been complied with.
- 15C. The Committee on Joint Committee of City Council and School to whom was referred an order that the honorable city council invite the representatives of Holyoke Public Schools Special Education Department to address IEP process and procedure as well as who they are working with to help ensure families understand information being presented. Constituents are concerned that they may not be receiving adequate counsel when making important decisions in such meetings. Being that a considerable portion of parents identify English as a second language, it is important families understand the information that is being presented them. Recommended that the order has been complied with.
- 15D. The Committee on Joint Committee of City Council and School to whom was referred an order That the receiver of schools please explore the costs and feasibility of revamping current drivers Ed classes, so that upon completion students receive a drivers license/permit from DMV. Recommended that the order has been complied with.
- 15E. The Committee on Joint Committee of City Council and School to whom was referred an order 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. Recommended that the order has been complied with.

- 15F. The Committee on Joint Committee of City Council and School to whom was referred an order That the school Receiver Mr. Anthony Soto and his team be requested to explore the steps, costs and federal reimbursements associated with re-establishing the Air Force Junior Reserve Officer Training Corps or similar sister service program in the public schools. It is additionally requested that interest be measured to determine student body support for such a program. Recommended that the order has been complied with
- 15G. The Committee on Joint Committee of City Council and School to whom was referred an order that the Superintendent provide feedback on how the department is handling reports of teachers using the "N word" in front of students. Refer to Joint CC and SC Committee Recommended that the order has been complied with.
16. Finance Committee Reports (if any)
- 16A. The Committee on Finance to whom was referred an order Settlement Agreement By and Between The City of Holyoke and the International Brotherhood of Police Officers Local #388. Recommended that the order be adopted.
- 16B. 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 "FY23 REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION (REDO) PROJECT - "The ARtery Project", \$28,500, 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.
- 16C. 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 TWENTY FIVE THOUSAND AND 00/100 Dollars (\$125,000) as follows:  
FROM:  
12101-51510 SICK BUYBACK \$125,000  
TOTAL: \$125,000  
TO:  
12101-51107 PATROLMEN \$125,000  
TOTAL: \$125,000 Recommended that the order be adopted.
- 16D. 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 TWENTY FIVE THOUSAND AND 00/100 Dollars (\$125,000) as follows:  
FROM:  
12101-51117 E-911 DISPATCHERS \$125,000  
TOTAL: \$125,000  
TO:

12101-51300 OVERTIME \$125,000  
TOTAL: \$125,000 Recommended that the order be adopted.

- 16E. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, SIXTY ONE THOUSAND THREE HUNDRED FORTY FIVE AND 00/100 Dollars (\$61,345) as follows:

FROM:  
12201-51500 VACATION BUYBACK \$61,345  
TOTAL: \$61,345  
TO:  
12201-51300 OVERTIME \$60,000  
12201-51302 HAZMAT OVERTIME 1,345  
TOTAL: \$61,345 Recommended that the order be adopted.

- 16F. The Committee on Finance to whom was referred an order that there be and is hereby appropriated by transfer in the fiscal year 2023, THIRTY THREE THOUSAND AND 00/100 Dollars (\$33,000) as follows:

FROM:  
12101-51204 PT POLICE PRINCIPLE CLERKS \$18,000  
12101-51322 ELECTIONS 2,652  
12101-51323 SNOW REMOVAL 7,348  
12101-51915 EDUCATION PLAN 5,000  
TOTAL: \$33,000  
TO:  
12101-51109 RESERVES \$10,000  
12101-51110 POLICE PRINCIPAL CLERKS 6,775  
12101-51123 BOOKKEEPER 1,225  
12101-51321 SPECIAL EVENTS 10,000  
12101-51900 TRAINING 2,000  
12101-51920 INCENTIVE 3,000  
TOTAL: \$33,000 Recommended that the order be adopted.

- 16G. The Committee on Finance to whom was referred an order that the Police Chief, Auditor, and Treasurer come before the Finance Committee to review the process of newly hired RollKall Technologies LLC Off Duty Blue and try to find a process to find a procedure to pay down the current deficit in the off duty fee account.  
Recommended that the order has been complied with.

- 16H. The Committee on Finance to whom was referred an order That Representative Duffy and Senator Velis (or their representatives) be invited to City Council to discuss specific legislative bills they will file on our behalf to increase our local aid and various funding formulas affecting the city. They are requested to provide us a summary list of all state financial formulas affecting Holyoke, how our current aid is calculated (i.e. strictly by population size, number of students, miles of public roads, etc) so we can understand fully what is really driving our current local aid and what we need to change to get more aid. The current local aid model is unsustainable and Massachusetts needs to help Holyoke far more than it is currently. Councilors

will also provide them with a number of suggestions for specific changes when we discuss. Recommended that the order has been complied with.

- 16l. The Committee on Finance to whom was referred an order that no new road details shifts be scheduled or provided for any company or department that has an outstanding balance due to the PD/City of Holyoke. Recommended that the order has been complied with.
17. Public Safety Committee Reports (if any)
18. Public Service Committee Reports (if any)
19. Development and Governmental Relations Committee Reports (if any)
20. Charter and Rules Committee Reports (if any)
- 20A. The Committee on Charter and Rules to whom was referred an order From Lisa A. Ball, City Solicitor, legal opinion regarding Council access to Legal Opinions Recommended that the order has been complied with
21. Joint City Council and School Committee Reports (if any)

#### MOTIONS, ORDERS AND RESOLUTIONS

22. GIVNER -- In the interest of public safety, that a Brush fire avoidance and response plan be provided to city councilors and be publicized on the city website.
23. GIVNER -- In the interest of public safety, that a traffic safety pledge be created, in good faith, and that this pledge be taken by all city employees and officials. All city employees and officials should be expected to model righteous behavior by adhering to speed limits and following all traffic laws, ESPECIALLY when using CITY VEHICLES. How can we expect our community to respect its laws if city employees are blatantly disregarding them.
24. JOURDAIN -- Ordered, that the law dept. provide the City Council with legal opinion and related documentation ensuring that the CPA committee and City of Holyoke are not violating anti-aid amendment (Mass. Const. Amend. Article 46, § 2, as amended by Article 103) by providing various CPA dollars to private parties including but not limited copies of all historic preservation restrictions placed on all property deeds, copies of public access agreements for all recipients, copies of mandatory re-payment requirements if property is sold, and related. Please confirm

compliance with the state law for all recipients including by for-profit entities and inform us if recipients are advised that such safeguards are required. The City Council will want to review to all paperwork to ensure all legal safeguards are in place to ensure compliance with the law.

25. JOURDAIN -- ORDERED:

MCGEE To amend section 2-156.1 to return the approval the assistant city solicitor for the city council by the President of the city council to the language:

(1) City council. An assistant city solicitor shall attend all regular and special city council meetings and subcommittee meetings as necessary. The assistant shall work with the city council regarding legal questions posed to the law department by the council or by individual council members. The appointment of the assistant city solicitor for the city council shall also be approved by the president of the city council.

To further amend to return this language to section 2-153 of our ordinance:

In special cases the mayor, or city council through a majority vote, may authorize or require the department to secure the advice or services of such additional counselors as they may deem best. No money shall be paid by the for legal services, except as expressly authorized by this chapter. The mayor shall fund any authorization approved by the city council under this section.

26. JOURDAIN -- Ordered, that the City Council retain independent legal counsel to work with the City Council and legal department to review its rules and powers under the Charter, state law, city ordinances and its rules.  
MCGEE

27. MCGIVERIN -- that there be and is hereby appropriated by transfer in the fiscal year 2023, ONE THOUSAND AND 00/100 Dollars (\$1,000) as follows:

FROM:  
15102-54200      SUPPLIES                      \$1,000  
                    TOTAL:              \$1,000

TO:  
15101-51300      OVERTIME                      \$1,000  
                    TOTAL:              \$1,000

28.    MCGIVERIN    -- that there be and is hereby appropriated by transfer in the fiscal year 2023, THIRTY THOUSAND AND 00/100 Dollars (\$30,000) as follows:

FROM:  
14251-51104      HEAVY MOTOR EQUIPMENT OPERATOR  
                    \$30,000  
                    TOTAL:              \$30,000

TO:  
14252-54221      SUPPLIES- TRAFFIC LINES  
                    \$30,000  
                    TOTAL:              \$30,000

29.    MCGIVERIN    -- that there be and is hereby appropriated by transfer in the fiscal year 2023, NINETEEN THOUSAND THREE HUNDRED FIFTY FIVE AND 33/100 Dollars (\$19,355.33) as follows:

FROM:  
12101-51104      SERGEANT                      \$19,355.33  
12101-51107                                      12,154.14  
                    TOTAL:              \$19,355.33

TO:  
12101-51180      INJURED ON DUTY                      \$19,355.33  
                    TOTAL:              \$19,355.33

30.    MCGEE                      -- ordered that the position of Chief Administrative and Financial Officer be created and added to Schedule A
31.    PUELLO  
RIVERA\_I                      -- That a "don't block the box" be painted in front of 403 Main Street to help prevent peaking in front of and blocking of fire hydrant.
32.    RIVERA\_I                      -- Order that representatives of Cataldo Ambulance Service Company be asked to come into public safety and share any information or data they have collected in relation to overdoses within the city of Holyoke.
33.    RIVERA\_I                      -- Order that Mayor work in collaboration with the School Department, School Committee and the City Council to explore

ways to expand on the educational opportunities provided at Dean Tech (Holyoke High School South Campus), by offering adult learners (particularly Holyoke) the chance to get certified in the trades offered at the school.

34. RIVERA\_I -- Order that the Mayor organize an advisory committee that will work in collaboration with Public Health Department and Public Safety Committee that will work on coordinating re-entry services for those re-entering society, specifically the city of Holyoke.
35. VACON -- That Lynn Ann Drive and the remaining portion of Richard Eger Drive be accepted as city streets in order to be eligible for Chapter 90 funding. These streets are part of a neighborhood where all other streets have been accepted.
36. VACON -- that we seek assistance from the Pioneer Valley Planning Commission to evaluate and address the longstanding truck traffic problems on Homestead Avenue.

Background information:

In Massachusetts, setting up a truck exclusion zone requires the permission of the Massachusetts Department of Public Works (MDPW).

This in turn requires a study that documents truck traffic levels and

justifies excluding trucks from the streets affected. The Pioneer Valley Planning Commission (PVC) can help local governments evaluate truck traffic problems and develop strategies for dealing with them. If truck exclusion appears to be a reasonable solution, the PVC can assist local officials in performing the required study. Truck exclusion zones can be authorized only if a suitable alternate route is available for truck traffic.

The link to the full article from PVC:

[https://www.pvpc.org/sites/default/files/manage\\_truck\\_traff.pdf](https://www.pvpc.org/sites/default/files/manage_truck_traff.pdf)

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