



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, March 1, 2022 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

In-Person/Remote Meeting

Present – President Jordan, Councillors, Michitson, Barrett, Bevilacqua, Sullivan, Lewandowski, Rogers and Toohy

Attending Remotely – Councillor McGonagle

Administrative Assistant -- Laurie A. Brown

City Clerk – Linda L. Koutoulas

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

Motion by Councillor Barrett to approve and place February 15, 2022 minutes on file, second Councillor Sullivan

PASSED Placed on File

Yeas 9, Nays 0

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councillor Sullivan assigned minutes.

5. COMMUNICATIONS FROM THE MAYOR:

Mayor Fiorentini asked for a moment of silence for the people of the Ukraine.

5.1. Mayor Fiorentini requests permission to present citations to PRIDeStar EMS

Trinity Ambulance Division Paramedic Samantha Kuenzler and

Bobby Thorne in recognition of their heroic and life-saving actions in reviving

Steven St. Germaine on January 7, 2022 and to thank them for their bravery and

dedication and service to the Greater Haverhill Community

Mayor Fiorentini presented Bobby Thorne and Samantha Kuenzler with citations from the City of Haverhill and the office of the Mayor.

4-E

6. COMMUNICATIONS FROM COUNCILLORS TO INTRODUCE AN INDIVIDUAL(S) TO ADDRESS THE COUNCIL:

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

9. UTILITY HEARING(S) AND RELATED ORDER(S):

9.1. Petition from Mass Electric Co d/b/a National Grid and Verizon NE requesting joint pole location on Forest st **Hearing March 22, 2022**

Placed on File to be heard March 22, 2022

9.2. Petition from Mass Electric Co d/b/a National Grid of North Andover requesting underground electric conduits on Sylvan Hill rd **Hearing March 22, 2022**

Motion by Councillor Bevilacqua, second Councillor Sullivan

PASSED Placed on File both to be heard March 22, 2022 Yeas 9, Nays 0

10. HEARINGS AND RELATED ORDERS:

10.1. **Document 34**, Petition CCSP 22-1 from The Lupoli Companies requesting Hearing to allow Site Plan Major for redevelopment of the Downtown/Merrimack st parcels: Map Block Lot: 103-1-1, 103-1-6, 103-1-7, 103-3-1A, 103-2-2. Combined size is 4.49 acres in Downtown Haverhill/Merrimack st,



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zoned Waterfront District Sub-Zone C, currently City owned. Development components include 370 market rate apartments, demolition of current Goecke Parking facility; construction of new parking facilities with 640+ parking spaces; 50,000 sq ft of retail/commercial space, including a food hall; year-round, multi-use outdoor public spaces including space for farmers market and other outdoor activities

10.1.1. Order: Declare real property surplus and authorize Mayor to sell this property to Lupoli Company for \$1M. Purchase and Sale/Development agreement attached. *Filed February 15 2022*

Comments and approvals from Departments included

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Councillor Bevilacqua and Councillor McGonagle recused themselves due to potential conflict of interest.

President Jordan opened the hearing.

The Mayor addressed the Council about the project and stressed the Council vote on the merits of the project and nothing else.

Bill Pillsbury explained the Zoning under the Site Plan – Major and the specific actions the Council needed to take for the vote.

Tim Love, Dugan Sherwood, and Gerry-Lynn Darcy gave summary of the project. Those speaking on behalf of the Lupoli Companies were Jonathan Dowst, Pentucket Bank; Lane Glenn, President of Northern Essex Community College; Joe Faro, Founder and CEO Tuscan Brands; and Sal Lupoli.

President Jordan asked if anyone would like to speak in favor.

Those speaking were Michael Gagliardi, David O’Laughlin, Gary Ortiz, Jerry McSweeney, Ken Cavallaro, and Kelly LeCours.

President Jordan asked if anyone would like to speak in opposition.

Those speaking in opposition were Ryan Fairbanks, Steve Costa, Joy Smith, Colin LePage, and Tim Carroll.

President Jordan closed the hearing.

Motion by Councillor Barrett to move for approval with the conditions from the department heads, second by Councillor Sullivan.

Comments were made by the Councillors about the project.



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***See attached hearing minutes for complete details.*

President Jordan asked Madam Clerk to repeat the motion.

Motion to approve the Major Site Plan Downtown/Merrimac Street parcels with all conditions from the departments posed motion by Councillor Barrett, seconded by Councillor Sullivan.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor Sullivan-yes, Councillor Lewandowski-no, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-no

5 Yeas, 2 Nays (Lewandowski, Jordan), 2 Abstain (Bevilacqua, McGonagle)

President Jordan: Passed.

Motion by Councillor Sullivan to approve the Purchase and Sales Agreement, second Councillor Barrett

Madam Clerk read the Order:

Order to declare real property surplus and authorize Mayor to sell this property to Lupoli Company for \$1M. Purchase and Sale and Development agreement attached.

Councillor Sullivan asked for a point of clarification, thought read City Solicitor Cox said we were going to have to substitute the redline version, the most recent version. Asked Solicitor Cox to please clarify for us how to make this vote.

Solicitor Cox asked someone to make a motion to amend the order by deleting the current Purchase and Sale and Development agreement in its entirety and substitute that with the Purchase and Sale agreement and Development agreement attached to my memo which I sent you.

Motion by Councillor Sullivan to amend order by deleting current Purchase and Sale agreement and Development agreement and substitute with Purchase and Sale and Development agreement sent by Solicitor Cox (as stated above), second by Councillor Barrett.

Madam Clerk please call the roll on the replacement.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor Sullivan-yes, Councillor Lewandowski-no, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes

6 Yeas, 1 Nay (Lewandowski), 2 Abstain (Bevilacqua, McGonagle)

Madam Clerk please call the roll on the vote for Mayor to enter into the Purchase and Sale.



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5 Yeas, 2 Nays (Lewandowski, Jordan), 2 Abstain (Bevilacqua, McGonagle)

President Jordan: Passed.

11. APPOINTMENTS:

11.1. **Confirming Appointments:**

11.2. **Non-Confirming:**

Resignations:

12. PETITIONS:

12.1. **Petition 91046** of Robert Johnson for applicant/owner Water Landing, LLC for Special Permit Modification for 229 Water St. – Special Permit approved by City Council Oct 27 2020 **Hearing March 8, 2022**

Motion by Councillor Barrett, second Councillor Sullivan

PASSED to be heard March 8, 2022 Yeas 9, Nays 0 39

12.2. Petition from Attorney William Cox for City requesting hearing to revise the Code by amending Chap 66 by adding “The City Council shall determine their own limitations on a member’s ability to participate remotely.” 40

Council Hearing March 22, 2022

Ordinance re Meetings: Amend City Code Chapter 66. **File 10 Days** 40-B

Motion by Councillor Bevilacqua, second Councillor Barrett

PASSED Placed on File to be heard March 22, 2022 Yeas 9, Nays 0

12.3. Petition from Attorney William Cox for City Board of Health requesting hearing to revise the Code by deleting the words “Not to exceed 4 in total” from Table 1: Use and Parking Regulations from section K-19 of the current table and also submits the required Ordinance **Refer to Planning Board & Council Hearing April 26, 2022** 41

12.3.1. Ordinance re: Zoning: Amend City Code Chapter 255, Table 1: on Page 15 – “Accessory Uses” as presented **File 10 days** 41-B

Motion by Councillor Bevilacqua, second Councillor Barrett

PASSED Placed on File to be heard April 26, 2022 Yeas 9, Nays 0

12.4. **Applications Handicap Parking Sign: with Police Dept approval**

12.5. **Amusement/Event Application:**

12.6. **Auctioneer License:**

12.7. **Tag Days:**

One Day Liquor License:



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- 12.8. **Annual License Renewals:**
- 12.8.1. **Hawker Peddlers License 2022 - Fixed location – *with approvals***
 - 12.8.2. **Coin-Op License Renewals - *with Police Dept approval***
 - 12.8.3. **Drainlayer License Renewals for 2022 -*with City Engineer approval***
 - 12.8.4. **Christmas Tree Vendor:**
 - 12.8.5. **Taxi Driver Licenses for 2022:**
 - 12.8.6. **Taxi License**
 - 12.8.7. **Junk Dealer License**
 - 12.8.8. **Pool Tables**
 - 12.8.9. **Sunday Pool**
 - 12.8.10. **Bowling**
 - 12.8.11. **Sunday Bowling**
 - 12.8.12. **Buy & Sell Second Hand Articles**
 - 12.8.13. **Buy & Sell Second Hand Clothing**
 - 12.8.14. **Pawnbroker license**
 - 12.8.15. **Fortune Teller**
 - 12.8.16. **Buy & Sell Old Gold**
 - 12.8.17. **Roller Skating Rink**
 - 12.8.18. **Sunday Skating**
 - 12.8.19. **Exterior Vending Machines**
 - 12.8.20. **Limousine/Livery License/Chair Cars**

13. MOTIONS AND ORDERS:

14. ORDINANCES (FILE 10 DAYS)

15. COMMUNICATIONS FROM COUNCILLORS:

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

19. DOCUMENTS REFERRED TO COMMITTEE STUDY

20. LONG TERM MATTERS STUDY LIST

21. ADJOURN

Motion by Councillor Rogers, second Councillor Toohey

All in Favor

Adjourned 9:54 PM