



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, June 21, 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, McGonagle and Toohey
Attending Remotely – Councillor Rogers
City Clerk – Linda L. Koutoulas

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

Councillor McGonagle not yet present. Will approve minutes at next meeting.

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councillor Toohey assigned the minutes.

5. COMMUNICATIONS FROM THE MAYOR:

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:

8.1. Robert E Ward, *Interim DPW Director* submits proposed Order for a Conservation Restriction for Meserve Woods for approval 11-N

8.1.1. Order-Authorization Vote for Acquisition of Meserve Woods Conservation Restriction – raise and appropriate \$500,000 to acquire the conservation restriction

Robert Ward, Interim DPW Director, states joint purchase for Crystal Lake water shed. Crystal Lake is public drinking water supply. Important to keep water shed healthy for clean drinking water. The City was awarded \$250K grant for water protection and worked in collaboration with Essex County Greenbelt Association who matched with \$250K, no out of pocket costs to the City.

Vanessa Johnson-Hall, Land Director for Essex County Greenbelt Association, stated also negotiated for 54 acres and an additional 18- and 15-acres bringing total to 80 acres for protected land for water shed/conservation.

Motion by Councillor Bevilacqua, second Councillor Toohey

PASSED Yeas 8, Nays 0, Absent 1 (McGonagle) 11-NN

8.2. Abatement report from Christine Webb, *Assessor* for month of May 2022

Motion by Councillor Barrett, second Councillor Sullivan

PASSED Yeas 8, Nays 0, Absent 1 (McGonagle) 9-E

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

9.1. Mass Electric d/b/a National Grid of No Andover requests underground electric conduits on south Main st-plan 30287257 Hearing July 12th

Motion by Councillor Sullivan, second Councillor Barrett

PASSED to be heard July 12, 2022 Yeas 8, Nays 0, Absent 1 (McGonagle) 82



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9.2. Mass Electric d/b/a National Grid & Verizon NE Inc request joint pole location on
Hilldale av – plan 26652472 Hearing July 26th

Motion by Councillor Sullivan, second Councillor Barrett

PASSED to be heard July 16, 2022 Yeas 8, Nays 0, Absent 1 (McGonagle) 83

10. HEARINGS AND RELATED ORDERS:

10.1. Document 57: Application CCSP 22-4; for new Inflammable License from Steven J Eddy for the diesel fueling station proposed at 298 Amesbury rd – 32,000 gallons of diesel fuel to be stored underground *Abutters green cards are back Fire Dept has signed the application with recommendations Police Dept has requested traffic study before City Council approval Request from Attorney Michael Migliori to continue Hearing to July 26th Motion by Councillor Sullivan, second Councillor Barrett PASSED Postponed to July 26, 2022 Yeas 8, Nays 0, Absent 1 (McGonagle)*

10.2. Document 78: Marc Couture for owners Stephen Flynn & Christine Michaud requesting Special Permit CCSP 21-15, to build a 2- story garage at 177 Millvale rd, within 500' of the Millvale reservoir *Has Dept approvals*

President Jordan opened the special permit hearing.

Stephen Flynn, owner and Marc Couture, builder, presented before the Council to build a 26x26 two-story garage. Will be built where existing driveway is, there will be no run-off and will put subsurface area to discharge water.

President Jordan asked if anyone would like to speak in favor? No one spoke.

President Jordan asked if anyone would like to speak in opposition? No one spoke.

President Jordan closed the hearing.

Motion by Councillor Sullivan to move for passage, second Councillor Barrett

President Jordan: Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor McGonagle-absent, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 8 Yeas, 0 Nays, 1 Absent (McGonagle)

President Jordan: Passed

10.3. Document 79: Guy Bresnahan/Broco Oil requests to amend their Inflammable license for Biodiesel Fuel at 168 Hale st *Has Dept approvals*

President Jordan opened the special permit hearing.

Guy Bresnahan representing Broco Oil presenting to the Council a storage license increase that will permit a 4,000-gallon biodiesel fuel tank. Retrofitted all 13 trucks so



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they can run on 100 percent environmentally friendly diesel. Looking for approval to implement and use the tank.

President Jordan asked if anyone would like to speak in favor? No one spoke.

President Jordan asked if anyone would like to speak in opposition? No one spoke.

President Jordan closed the hearing.

Motion by Councillor Sullivan to move for approval, second by Councillor Toohey

Councillor Barrett asked if Councillor Sullivan can amend his motion to include with the conditions of all the departments.

Councillor Sullivan amended motion to include with the conditions of all departments, seconded by Councillor Toohey.

Councillor Barrett asked if all the neighbor and roadway issues were resolved?

Guy Bresnahan stated they are attempting to resolve the issues and the city recommended to apply for a discontinuance of Hale Street between Burke Street and Norfolk Street and Broco. In process of obtaining. Should be about one month.

Councillor Lewandowski asked if the potential benefit for the abutter's is that they would not have to pay taxes on the land. Guy Bresnahan stated he was told that but has not had a follow-up conversation with the City Engineer yet.

President Jordan: Motion by Councillor Sullivan to approve with the conditions of all departments, second Councillor Toohey

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor McGonagle-absent, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 8 Yeas, 0 Nays, 1 Absent (McGonagle)

President Jordan: Passed with the conditions of all departments

11. APPOINTMENTS:

11.1. **Confirming Appointments:**

11.1.1. *Cultural Council – Lois Hartman, expires 12/ 31/ 2024*

Motion by Councillor Bevilacqua, second Councillor Barrett

PASSED Yeas 8, Nays 0, Absent 1 (McGonagle) 6-G

11.2. **Non-Confirming:**

11.3. **Resignations:**

12. PETITIONS:



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- 12.1. Request from Attorney Robert Harb for applicant *Salon Val Bros LLC*. For a special permit CCSP 22-10; for a three-unit multifamily dwelling with hair salon, for mixed use property at 381 So Main st which currently has a commercial hair salon and 2 existing apartments Hearing July 12th

Motion by Councillor Sullivan, second Councillor Bevilacqua

PASSED to be heard July 12, 2022 Yeas 8, Nays 0, Absent 1 (McGonagle) 84

- 12.2. Request from Attorney Robert Harb for applicant Philip R Rice, Trustee of Casey Realty Trust for a special permit CCSP 22-11; at 67 Pecker st; to restore property to a single-family dwelling – property is currently vacant Hearing July 12th

Motion Councillor Bevilacqua, second Councillor Sullivan

PASSED to be heard July 12, 2022 Yeas 8, Nays 0, Absent 1 (McGonagle) 85

- 12.3. Request from Lawrence Palmisano for JR Builders requesting to accept Emma Rose Circle as a public way; street code #89830 Council Hearing July 12th

Motion Councillor Bevilacqua, second Councillor Toohey

PASSED to be heard July 12, 2022 Yeas 8, Nays 0, Absent 1 (McGonagle) 33

- 12.4. Request from City Engineer, Joh Pettis, to accept the following streets as Public Ways: Sarah J Circle, Bailey's Court, Holly Lane, and Keith Lane Refer to Planning Board & Council Hearing Sept13th

Motion Councillor Bevilacqua, second Councillor Barrett

PASSED to be heard September 13, 2022 Yeas 8, Nay 0, Absent 1(McGonagle) 86

- 12.5. Applications Handicap Parking Sign: *with Police approval:*

- 12.6. Amusement/Event Application

- 12.6.1. *Greater Haverhill Arts Association* announces annual Arts Festival, EVNT 22-17 being held at Bradford Common, September 10th , 10 am to 4 pm *Has all approvals*

Motion Councillor Bevilacqua, second Councillor Sullivan

PASSED Yeas 7, Nays 0, Abstain 2 (Barrett, McGonagle) 66-L

- 12.7. Auctioneer License:

- 12.8. Tag Days: with Police approval

- 12.9. One Day Liquor License – *pending License Commission*

- 12.9.1. *Team Haverhill* requests beer & wine license for *River Ruckus* at 70 Washington st; September 24th , 9 am to 9 pm – *has Police approval*



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Motion Councillor Bevilacqua, second Councillor Sullivan

PASSED

Yeas 9, Nays 0

81-B

12.10. **Annual License Renewals:**

12.10.1. **Hawker Peddlers License 2022 - Fixed location** – *with approvals*

12.10.2. **Coin-Op License Renewals** - *with Police approvals*

12.10.3. **Drainlayer License Renewals for 2022** -*with City Engineer approval*

12.10.4. **Christmas Tree Vendor:**

12.10.5. **Taxi Driver Licenses for 2022:** *with Police approval*

12.10.6. **Taxi License:**

12.10.7. **Junk Dealer License** *with Police approval*

12.10.8. **Pool Tables**

12.10.9. **Sunday Pool**

12.10.10. **Bowling**

12.10.11. **Sunday Bowling**

12.10.12. **Buy & Sell Second Hand Articles** *with Police approval*

12.10.13. **Buy & Sell Second Hand Clothing**

12.10.14. **Pawnbroker license**

12.10.15. **Fortune Teller** *with Police approval*

12.10.16. **Buy & Sell Old Gold**

12.10.17. **Roller Skating Rink**

12.10.18. **Sunday Skating**

12.10.19. **Exterior Vending Machines**

12.10.20. **Limousine/Livery License/Chair Cars** *with Police approval*

13. MOTIONS AND ORDERS:

13.1. Order - Transfer \$150,000 from Highway Salaries to the Capital Account
– Highway Sidewalk Repairs

Motion Councillor Barrett, second Councillor Bevilacqua

PASSED

Yeas 9, Nays 0

18-R

13.2. Order - Transfer \$165,000 from Water Debt Services – Principal to the
Water Capital Outlay – to acquire Land for drinking water supply protection

Motion Councillor Barrett, second Councillor Bevilacqua

PASSED

Yeas 9, Nays 0

18-S

13.3. Order – Transfer \$65,000 from Water Health Insurance to the Water
Electricity Expense to cover deficit

Motion Councillor Barrett, second Councillor Sullivan

PASSED

Yeas 9, Nays 0

18-T



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- 13.4. Order – Mayor and City Council approve certain Mutual Conservation Restrictions granted to the City from Essex County Greenbelt Association for land at 97 Corliss Hill rd *related communication from City Solicitor, William Cox*

Solicitor Cox requested continuing until June 28, 2022 meeting
Motion by Councillor Michitson, second Councillor Barrett
PASSED continue to June 28, 2022 Yeas 9, Nays 0

87

14. ORDINANCES (FILE 10 DAYS)

- 14.1. Ordinance re: Vehicles and Traffic – Delete Handicap parking at 19 Fourth av File 10 days
Motion Councillor Barrett, second Councillor Toohey
PASSED file 10 days Yeas 9, Nays 0

15. COMMUNICATIONS FROM COUNCILLORS:

President Jordan announced a 10-minute recess before starting the budget orders.

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

FY2023 BUDGET ORDERS -CONTINUED FROM JUNE 16TH

- 16.1. Document 74-B; Order – Appropriate \$221,603,558 and be designated as appropriation and funded in the following manner:
- | | |
|---------------|--------------------------------------|
| \$ 5,300,000 | Free Cash |
| 214,793 | Water Receipts |
| 639,841 | Wastewater Receipts |
| 427,640 | Transfer from Special Revenue (ARPA) |
| 100,850 | Hospital Trust Funds |
| \$214,920,434 | Taxation and Other Receipts |

Motion by Councillor Bevilacqua, second Councillor Barrett

Mayor Fiorentini addressed the Council. Thanked the Council for their input on the budget over the last 40 days. Made compromises and concessions in response to what the council wanted. Thanked for no further talk of zeroing out the budget. Know it was just a negotiating tactic. Asked the Council to vote for the budget and the amendments with one further amendment being made tonight. Budget increases funding for public education mostly due to the Student Opportunity Act and because the city increased funding; increases funding for the police department for social workers; extra money for highway workers; sidewalk improvements; calls for increases in fire department for four new firefighters if we don't get the grant and four new dispatchers so can put back in the stations. Ask to vote for amendments first, then vote for the budget.



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The Mayor read the list of amendments proposed totaling FY23 Budget Increases to \$1,428,520. (President Jordan asked Mayor to clarify the Youth Stabilization & Mental Health Fund will be \$750K total. Mayor said if budget passes tonight an additional \$250K would be added to the \$500K for total of \$750K).

Proposed Revenue Increases total \$1,008,288.

Possible Budget Reductions total \$420,232.

Mayor asks respectively that the Council vote on the amendments.

Motion by Councillor Bevilacqua, second Councillor Barrett

Councillor McGonagle asked the Mayor about their conversation earlier for \$200K for a fire boat. Mayor pledged \$200K ARPA funds for fire boat.

Councillor McGonagle stated didn't receive everything wanted in budget, feels it is a good budget but still need to work on morale, manning, and personnel at Fire Department. Likes the program of work/life balance at the Haverhill Police Department. Appreciates Mayor working with him and will support budget.

Councillor Michitson would like to make an amendment but cannot make without the Mayors approval: He is requesting the current minimum manning of the firefighters is 21, 19 in suppression and 2 in dispatch. Wants Mayor to agree to keep the minimum manning of 21 with 20 suppression and 1 in dispatch, will support budget if supports amendment.

Mayor stated a study is being done and introduced Thomas Wieczorek of Center for Public Safety Management. Mr. Wieczorek, CPSM attended remotely. Former fire chief, city manager, headed up commission on fire accreditation. CPSM focus is on dispatch, police, fire, EMS and homeland security. Stated Chief Pozzo will be heading up this project, he is head of Fire and EMS services who has 42 years in fire service.

Councillor Michitson asked mayor if that is a "no" to his amendment. He stated he wanted to be clear that the City Council was not going to defund the city. We have been strong supporters of the Police Dept. wanted to be very clear on that. The council was looking for was a way to take an honorable stand for public safety. The mayor kept his word with the four new firefighters in reserve if the Safer grant doesn't come in. Stated it is up to the Mayor to break the log jam with the fire department. Mayor stated he would wait until the study is completed.

Councillor Sullivan spoke about the Dutton airport site as a possible site for a new fire station and would like the study to look at that site. Mayor and Mr. Wieczorek stated they would include in study.

Councillor Lewandowski echoes what Councillor Michitson said. Like 99.9% of budget but doesn't get support without amendment that Michitson made. It's about public safety. It's about the safety of the firefighters and the residence they serve.



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Councillor Bevilacqua stated we must be responsible to the city, worst economic crisis for most, been talking to many over last few weeks all concerned. Stated City Council threatened to defund the city.

President Jordan corrected Councillor Bevilacqua stating the Council never threatened to defund the city. Councillor Bevilacqua rephrased to say vote to zero out. *President Jordan and Councillor Bevilacqua exchanged comments back and forth regarding what was said at the June 16th budget meeting wanted to correct for the record. Councillor McGonagle stated people were told something that was not accurate. It wasn't the Council who rallied all to be here and know where it came from. The Mayor agreed it come from him. Councillor Michitson stated it's about taking a stand.

Councillor Rogers asked Mr. Wieczorek if the study included minimum manning, survey of firehouses by walking through them, timeframe, evaluation of the exiting contract with the city, and who gets the reports? Mr. Wieczorek said will have a team on the ground looking into all aspects. Usually takes 120-days, draft reports will be reviewed by all, will have to check who gets final report.

Councillor Rogers asked the Mayor about the \$750K mental health and the \$250K for the fire boat? Mayor said will use ARPA money for \$250 mental health and can line transfer the \$250 for the fire boat.

Councillor Barrett commented the budget is solid, not perfect. Fills gaps. Wanted to confirm mental health \$250K for programs for children and \$250K for direct mental health services. Wish budget season could be less dramatic. Will support.

Councillor Toohey wanted to thank his colleagues and appreciates how passionate they are. Asked in the future if we could respect one another a little bit more. Thanked the Mayor and the administration for providing a budget that makes sense. Having passed 14 budgets, understands the challenges involved. Wanted everyone to know that the Council is very supportive of the city's personnel on every level. The budget is not 100% but it is a very good budget. In the future, with a little more hard work and transparency with the Mayor and the fire department, a few more doors can be opened. Wanted to ask the Chief if the fire study can include the area of Route 97 for a fire station. Mayor and Chief stated it would be included in the study.

President Jordan read a comment from a Haverhill Citizen: "How can the public feel assured emergency services are able to adequately protect us when they tell us they do not have the resources or man power to do so? If the fire department is not able to work efficiently, aren't you doing the public a disservice?"

Mayor response said that is what the study is about, of course we want public safety.

Ryan Fairbanks, Firefighter, stated that it is a scary question and one they rustle with all the time. City has many buildings that have been converted from old mill factories, some of the largest



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converted mill buildings in the state. Retrofitted building typically are not as safe. Been asking for three years for more staffing. Always told will deal during budget time, here we are again. NFPA 1710 Standards for high rise on scene is 50 and timeline is 8-12 minutes; nearest ladder is 14 minutes away and show up with only 16; two studies in 10 years; police have had zero staffing studies; studies are skewed to who pays for them; we offered to fund but was rejected; evaluated model being accepted tonight against one from one year ago only gave six extra firefighters for the year; trying to make job and city safer; meet zero NFPA standards; have one ladder and four pumps; lowest staff gateway city in state; 34 more police and 6 six less firefighters in last six years; we meet zero NFPA response metrics.

President Jordan stated his two concerns are youth services mental health and glad it has been addressed; second sticking point is keeping our firefighters safe by having more firefighters on duty, would concede if could keep minimum manning to 21, but now 20; looking forward to the studies results; will vote for amendments; do appreciate Mayor going up on youth mental health but cannot vote for a budget that doesn't guarantee more firefighters.

*President Jordan: Madam Clerk call the roll on the Motion to approve the **amendments only***
PASSED Yeas 9, Nays 0

Motion by Councillor Bevilacqua to approve budget, second Councillor Barrett

President Jordan: Madam Clerk call the roll on the Motion to approve the budget
PASSED Yeas 6, Nays 3 (Michitson, Lewandowski, Jordan)

16.2 Document 74-C; Order – As part of FY 2023 Budget the sum of \$13,795,458 be appropriated to operate the Wastewater Dept for items marked as appropriated:

And that \$13,772,769 come from Wastewater Revenue
And that 662,530 come from available Retained Earnings
And that \$ 639,841 be appropriated in the General Fund & funded from Wastewater Receipts

Motion by Councillor Barrett, second Councillor Sullivan
PASSED Yeas 8, Nays 0, Absent 1 (Lewandowski)

16.3 Document 74-D; Order – City Council in accordance with the City Ordinance Chapter 83, set the annual budget for the following revolving funds:

Recreation and Youth Activities	\$175,000
Veteran's Memorial Skating Rink	456,000
Citizens Center Rental	25,000
Council on Aging Activities	50,000
Wood School Daycare	100,000
Municipal Open Space Management	\$100,000

Motion by Councillor Bevilacqua, second Councillor Barrett



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PASSED

Yeas 8, Nays 0, Absent 1 (Lewandowski)

16.4 Document 74-E; Order – As part of FT 2023 annual budget the sum of \$11,831,329 be appropriated to operate the Water Department for items marked as appropriated on the attached:

And that \$10,587,811 come from Water Revenue

And that 1,458,311 come from Available Retained Earnings

And that \$214,793 be appropriated in the General Fund and funded from Water Receipts

16.4.1 Document 74-G; Communication from Mayor Fiorentini submitting budget changes that will amend the FY 2023 Haverhill Operating Budget

16.4.1.1 Document 74-GG; Order - Amended budget changes as proposed by Mayor Fiorentini to FY 2023 Budget

Motion by Councillor Barrett, second Councillor Bevilacqua

PASSED

Yeas 8, Nays 0, Absent 1 (Lewandowski)

16.5 Document 74-F; Robert E Ward, *Interim DPW Director*, submits proposed Order for *Waste and Wastewater User Rates* – for approval with the FY23 budget

16.5.1 Document 74-FF; Order – Relating to Water and Wastewater User Rates for the FY 23 budget, effective July 1, 2022

Motion by Councillor Sullivan, second Councillor Barrett

PASSED

Yeas 8, Nays 0, Absent 1 (Lewandowski)

16.6 Document 11-M; Robert Ward, Interim DPW Director submits *proposed* Order to *amend* the loan Order passed by City Council on June 15, 2021 which was to fund the cost of engineering and construction of improvements to City's drinking water distribution system and sewer collection system and after the Order is placed on file, he will attend the Council meeting to answer any questions

16.6.1 Document 42-F; Amended Loan Order – 2022 Water & Sewer System Improvements *filed June 8th*

Motion by Councillor Sullivan, second by Councillor Barrett

PASSED

Yeas 9, Nays 0

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 to adjourn by Councillor Sullivan, second Councillor Rogers

PASSED

Yeas 9, Nays 0

Adjourned 21:09 PM