



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, July 12, 2022 at 7:00 PM

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

In-Person/Remote Meeting

Present – Councillors Barrett*, Bevilacqua, Sullivan, Lewandowski, McGonagle, Rogers and Toohy

*Councillor Barrett presided as acting Council President

Absent – Council President Jordan and Council Vice President Michitson

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 McGonagle to approve June 7, 2022 minutes, second Councillor Bevilacqua

PASSED All in Favor

Motion by Councillor Rogers to approve June 16, 2022 minutes, second Councillor Bevilacqua

PASSED All in Favor

Motion by Councillor Toohy to approve June 21, 2022 minutes, second Councillor Bevilacqua

PASSED All in Favor

Motion by Councillor Bevilacqua to approve June 28, 2022 minutes, second Councillor McGonagle

PASSED All in Favor

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councillor Bevilacqua assigned the minutes.

5. COMMUNICATIONS FROM THE MAYOR:

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

6.1. Councillor Barrett requests to introduce Mike Jarvis regarding an upcoming event

Councillor Barrett introduced Mike Jarvis who photographs fire and first responders. Mike Jarvis, Water Street, owner of Jarvis Productions. Invited the Council to his upcoming photo exhibit “Moments in Bravery” which will display over 20 local departments. Opening on July 21st 5-8 PM and then every Saturday 12-4 through October at the Haverhill Fire Museum.

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7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. Chief of Police, Robert P Pistone, requests to present three of his officer’s commendations and highlight their achievements

11-O

Chief Pistone appeared before the Council to acknowledge and recognize several police personnel accomplishments. Plaques were presented to Officer Gillian Privitera, Officer Milady Figueroa and Officer Nicole Donnelly for their outstanding dedication to three separate events—“Heroes and Helpers”, contributions to a young woman battling cancer, and the bowling fundraiser for the Relay for Life which most was done during off-duty. Amy Carter was recognized for the Dana Faber “Drop it Challenge”.



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Chief Pistone also invited the public to take part in the upcoming National Night Out Tuesday, August 2nd at Swasey Field from 5-8PM.

Councillors commended the Officer's, Chief and the department stating how lucky the city is to have such a dedicated and compassionate department.

- 8.2. William Pillsbury Jr., Community Development Director, requests approval of Resolution authorizing Mayor to submit FY2023 (Program Year 2022) Community Development Block Grant (CDBG) program for the City 91
- 8.2.1. Resolution – Authorize the Mayor to submit the CDBG Application 92

William Pillsbury addressed the Council explaining the Community Development Block Grant. Haverhill is an entitlement community so once a year receive an entitlement amount from HUD. Varies each year, down 8-9% this year to \$954K. Used for heating assistance and food pantries. Can only spend 15% on public services. Target area neighborhoods include the Acre, Hills, Highlands, and Riverside area for neighborhood stabilization including public improvements and code enforcement. Key element of the block grant is housing rehabilitation. Resolution authorizes to submit annual package.

Councillor Rogers asked how you find out about the program. Mr. Pillsbury said through Andrew Herlihy, on the website, and there are public hearings.

Councillor McGonagle abstaining from vote due to conflict.

*Motion by Councillor Bevilacqua, second Councillor Sullivan
PASSED Yeas 6, Nays 0, Abstain 1(McGonagle), Absent 2(Jordan, Michitson)*

- 8.3. Christine Webb, City Assessor, submits abatement report for month of June 2022

*Motion by Councillor Sullivan, second Councillor Bevilacqua 9-F
PASSED Placed on File All in Favor*

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

- 9.1. Document 82 -Petition for underground electric conduits from MA Electric Co d/b/a National Grid of North Andover for South Main st – Plan 30287257

- 9.1.1. Document 82-B -Order grant permission for underground electric conduits from MA Electric Co d/b/a National Grid of North Andover for South Main st

President Barrett opened the hearing.



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Yasna Eang presenting remotely for National Grid requesting a petition to run approximately 90 feet of 2-3" conduit from pole 51-84 to pad 51-1 in order to accommodate upgrade service at 445 South Main Street

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

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

President Barrett closed the hearing.

Motion by Councillor McGonagle to move for passage, second Councillor Toohey

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor McGonagle-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Barrett-yes, 7 Yeas, 0 Nays, 2 Absent (Jordan, Michitson)

President Barrett: PASSED

10. HEARINGS AND RELATED ORDERS:

- 10.1. Document 33; Petition from Lawrence Palmisano for JR Builders requesting to accept Emma Rose Circle as a Public Way *postponed from June 21st*
 - 10.1.1. Document 33-B; Order – accept Emma Rose Circle as a Public Way
Favorable recommendations from Planning Board & Director

President Barrett opened the hearing.

TJ Melvin of Millennium Engineering presenting remotely, stated since originally submitted received certificate of compliance from Conservation. Revisions were made based on comments from the Engineering Dept. We addressed all the outstanding items; one item was added additional loam and seeding, and a stop sign at the end of Emma Rose which we are coordinating with Mr. Pettis and DPW to install sign. Delay was mostly due to Conservation.

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

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

President Barrett closed the hearing.

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

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor McGonagle-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Barrett-yes, 7 Yeas, 0 Nays, 2 Absent (Jordan, Michitson)

President Barrett: PASSED



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10.2. Document 74/2021; William Pillsbury Jr. Economic Development & Planning Director requests hearing for Zoning Amendment – to City Code Chapter 255 and submits Ordinance *postponed from May 17 2022*

10.2.1. Document 74-B/2021; Ordinance re: Amend City Zoning Ordinance Chapter 255 by adding 8.3 Inclusionary Zoning – All housing projects in City Shall require a minimum of 10% of all units to be affordable as a condition of approval *Related communication from William Pillsbury Jr., requesting to postpone the hearing to a date to be determined*

Motion by Councillor Bevilacqua to postpone to date TBD, second Councillor Toohey PASSED postponed date TBD All in Favor

10.3. Document 84; CCSP 22-10; Attorney Robert Harb for applicant Salon Val Bros LLC for special permit – for a 3-unit multifamily dwelling with hair salon at 381 South Main st *Related communication from Attorney Robert Harb requesting, on behalf of applicant, to continue the hearing to July 26 2022*

Motion by Councillor McGonagle, second Councillor Bevilacqua PASSED to be heard July 26, 2022 All in Favor

10.4. Document 85; CCSP 22-11; Attorney Robert Harb for applicant Philip R Rice, Trustee of Casey Realty Trust for special permit at 67 Pecker st; to restore property to a single-family dwelling *Comments from Departments are included*

President Barrett opened the special permit hearing.

Attorney Robert Harb presenting on behalf of the owner Phil Rice Trustee of Casey Realty Trust. Application to restore a protected status and nonconforming single-family dwelling pursuant to Chapter 255 Section 5.6. Meets all requirements of a Special Permit and has all approvals of City Departments.

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

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

President Barrett closed the special permit hearing.

Motion by Councillor McGonagle to move for passage, second by Councillor Bevilacqua. Councillor Sullivan asked to amend the motion to include with the conditions of all City Departments.

Councillor McGonagle and Councillor Bevilacqua agree to amend with conditions.

Councillor's Sullivan, McGonagle and Barrett, all comment it is taking a blighted property and restoring it and thanked Mr. Rice.

President Barrett: Madam Clerk please call the roll on the Motion.



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President Barrett: Passed with conditions of all City Departments.

11. APPOINTMENTS:

- 11.1. **Confirming Appointments:**
- 11.2. **Non-Confirming:**
- 11.3. **Resignations:**

12. PETITIONS:

- 12.1. Petition from Karl E. Eckstrom, P.E. – Senior Director - Bridge & Structures Department; for MASS DOT requesting approval for Obstruction Permit (EOB-22-10) on behalf of the MBTA’s future construction contract - regarding temporary staging of railroad bridge crossing South Elm st 93

Andrew Herlihy before the Council as City MassWorks Grants Administrator. Last before the Council was concerned about the issue relative to the MBTA plans to replace their bridge over South Elm Street and what that would mean with the pending MassWorks traffic improvements. Happy to report that thanks to the efforts of the Mayor, Council, and Legislative delegations they met with the MBTA, and the State allowed us to move our MassWorks Grant back one full year with no penalty. More importantly, the delegation was able to find money for the MBTA to move their project up by one year or more. This will allow us to both the traffic improvement work to support the Procopio-Beck project and replace the railroad bridge at the same time. The interagency cooperation has been extraordinary. One of the members of the team, Karl Eckstrom, has sent a letter and is available for technical questions. In order for the MBTA to go out to bid on this project, which they want to do in August—these are two separate projects; our MassWorks traffic improvement work and the MBTA’s work—they will be going on in a coordinated fashion at the same time. In order for both projects to go out for bid, the MBTA needs to know the contractor has the permission from the Council to allow construction platforms to be built. Will build a construction platform over South Elm Street, two lanes of traffic will still be able to pass; will construct bridge over one year; new bridge will be replaced in one weekend. Need approval from Council to allow. Now have a bridge replacement schedule from MBTA. They will repair the under-bridge work as well. We can use MassWorks dollars on water, sewage, and drainage work in the area. Should be completed late 2024, early 2025.

Karl Eckstrom stated will set temporary bridge height well above existing bridge to allow for safe passage of all vehicles. The width of the road will remain the same with new bridge.



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Councillor Bevilacqua asked if inflation will have an effect on the MBTA project? Stated it is the only opportunity to widen the road. Concerned about access for residents traveling and the safety during construction and will it be wide enough for two cars to pass?

Mr. Eckstrom stated current market conditions will increase the cost of the project, same project, same materials. Current market conditions increased cost but financially capable of handling increase. With regards to construction, will need to halt traffic when the steel is in the air suspended by the crane over the course of that single weekend. Once secure and stable traffic will allow to resume. Have done this at five other locations in 2021 and 2022. Will need two weekends of traffic interruptions. Stanchions will be placed wide enough and will shift lanes in order to accommodate to lanes of traffic.

President Barrett asked if any notification will be placed on the highway about construction? Andrew Herlihy stated he will look into possible signage on 495.

Mr. Steve Costa, Founder of Citizens for Haverhill Fire, addressed the Council urging that they reach back out to the delegation to see if can get additional funding for the temporary ladder truck to go to Station 4 on South Main Street due to the fact that neither city ladder trucks meet the weight restrictions for the Basiliere Bridge. In 2019, urged delegation for additional funding for a ladder truck to go to Bradford for the safety of our citizens in Bradford. Not one Council member posed this question.

President Barrett asked Andrew Herlihy to coordinate with Chief O'Brien to ensure fire ladder truck and any apparatus needed is on both sides. Andrew confirmed that they have been working on it.

Mike Katsulis, 118 South Elm Street, concerned that project will stretch into the sidewalks and street making vehicles cut the corners wider to the bridge.

President Barrett explained there most likely will be flag personnel or police details along with jersey barriers to prohibit.

Andrew Herlihy asking Council to approve right of way permission so can go out to bid.

Motion by Councillor Sullivan, second Councillor Toohey

PASSED

Yeas 6, Nays 1 (Bevilacqua), 2 Absent



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12.2. Petition from Felix Garcia Jr. P.E./*Garcia Engineering*, requesting approval of Order to open 38 Railroad st and 115 South Pleasant st to install/repair underground utilities *Related communication from City Engineer John Pettis* 32-C

12.2.1. Order – City Council approves request to open 38 Railroad st and 115 South Pleasant st 17-D

Motion by Councillor Sullivan, second Councillor McGonagle
PASSED Yeas 7, Nays 0, Absent 2 (Jordan, Michitson)

12.3. Petition from Attorney Robert Harb for applicant Andrew R Fanaras, Trustee of PBF Trust, of 37 Hancock st; requesting hearing to amend Chapter 255 Zoning Map, and change Map 520, Block 314 Lots 3,4,4A 4B and 32 from a RM Zone to a RH Zone; the same zone as client’s Abutting lots; Map 520, Block 314 Lots 1 & 2; which would place these properties in the same RH Zone

Refer to Planning Board &
Council Hearing Aug 23 2022

Motion by Councillor Sullivan, second Councillor Bevilacqua
PASSED to be heard August 23, 2022 All in Favor 94

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

12.5. **Amusement/Event Application**

12.6. **Auctioneer License:**

12.7. **Tag Days:** *with Police approval*

12.7.1. *Pentucket Youth Cheer – July 15,16,17*

Motion by Councillor Bevilacqua, second Councillor McGonagle
PASSED All in Favor 15-L

12.8. **One Day Liquor License:**

12.8.1. *Tattersall Farm, 542 North Broadway, for event Sunday, September 18th, 12-4 PM; Beer and Wine pending license commission approval*

Motion by Councillor Sullivan, second Councillor McGonagle
PASSED pending License Commission approval Yeas 7, Nays 0, Absent 2 (Jordan, Michitson) 81-C

12.9. **Annual License Renewals:**

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

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

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

12.9.4. **Christmas Tree Vendor:**

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

12.9.5.1. Vicky Gonzalez, 19 Granite st – *new*
Motion by Councillor McGonagle, second Councillor Toohey
PASSED Yeas 7, Nays 0, Absent 2 (Jordan, Michitson) 49-W



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- 12.9.6. **Taxi License:**
- 12.9.7. **Junk Dealer License** *with Police approval*
- 12.9.8. **Pool Tables**
- 12.9.9. **Sunday Pool**
- 12.9.10. **Bowling**
- 12.9.11. **Sunday Bowling**
- 12.9.12. **Buy & Sell Second Hand Articles** *with Police approval*
- 12.9.13. **Buy & Sell Second Hand Clothing**
- 12.9.14. **Pawnbroker license**
- 12.9.15. **Fortune Teller** *with Police approval*
- 12.9.16. **Buy & Sell Old Gold**
- 12.9.17. **Roller Skating Rink**
- 12.9.18. **Sunday Skating**
- 12.9.19. **Exterior Vending Machines**
- 12.9.20. **Limousine/Livery License/Chair Cars** *with Police approval*

13. MOTIONS AND ORDERS:

- 13.1. Transfer \$50,000 from the Youth Activity/Mental Health Stabilization Fund to fund the Girls Softball League grant voted by the Youth Activity Mental Health Committee

Motion by Councillor Bevilacqua, second Councillor Sullivan

PASSED Yeas 7, Nays 0, Absent 2 (Jordan, Michitson) 18-W

- 13.2. Transfer \$8,447.62 from Waterways Fund, which has a balance of \$21,379 to the capital fund for the purchase of a surveillance system deposit at the public docks. This was voted unanimously by the *Haverhill Harbor Commission* on 6/28/2022

Motion by Councillor Bevilacqua, second Councillor Toohey

PASSED Yeas 7, Nays 0, Absent 2 (Jordan, Michitson) 18-X

- 13.3. Transfer \$329,202 from the Youth Activity/Mental Health Stabilization Fund to fund the operating reserve fund

Motion by Councillor Bevilacqua, second Councillor McGonagle

Councillor Rogers asked why money is being transferred out of this fund. President Barrett stated she believes ARPA money is being used for fund.

Christopher Sicuranza, Chief of Staff, addressed the Council stating working with vendor, Anser. They have been guiding us regarding the ARPA funds and following the exact guidance. There are Federal guidelines that need to be followed for use of ARPA funds. All funds except for softball fit into the definition.

PASSED Yeas 7, Nays 0, Absent 2 (Jordan, Michitson) 18-Y



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- 13.4. Transfer \$72,000 from Stormwater Capital to the Stormwater System Improvements (3220423)

Motion by Councillor Sullivan, second Councillor McGonagle 18-Z
PASSED *Yeas 6, Nays 0, Absent 3 (Bevilacqua, Jordan, Michitson)*

- 13.5. Transfer \$526,000 from the listed accounts in the Wastewater Fund to the Wastewater Capital Outlay – WWTP Upgrade

Salaries & Wages – Sewer	\$66,000
Salaries & Wages – Wastewater	\$200,000
Wastewater – Overtime	\$100,000
Long Term Debt – Interest	\$160,000

Motion by Councillor Sullivan, second Councillor McGonagle 95
PASSED *Yeas 6, Nays 0, Absent 3 (Bevilacqua, Jordan, Michitson)*

- 13.6. Transfer \$125,000 from the listed Water Expense accounts to the Water Meter Replacement Capital (3111016)

Salaries & Wages - Water Treatment	\$58,000
Salaries & Wages - Water Maintenance	\$67,000

Motion by Councillor McGonagle, second Councillor Toohey 95-B
PASSED *Yeas 7, Nays 0, Absent 2 (Jordan, Michitson)*



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Document

CITY OF HAVERHILL

In Municipal Council

Ordered:

That \$3,013,331.00 be transferred from various general fund appropriations to fund FY 2022 operating expenses.

Transfer to: (Budget Deficits)	
City Clerk Expenses	\$ 11,500.00
Auditor's Office Salaries	\$ 53,705.00
Auditor's Office Expenses	\$ 5,995.00
Assessors Salaries	\$ 8,939.00
Treasurer/Collector Salaries	\$ 18,700.00
Human Resources Expenses	\$ 3,000.00
MIS Salaries	\$ 17,807.00
MIS Expenses	\$ 42,766.00
Building Maint. Expenses	\$ 33,704.00
Inspectional & Health Services Salaries	\$ 21,771.00
Economic Development Salaries	\$ 11,772.00
Police Capital	\$ 30,838.00
Fire Salaries	\$ 226,000.00
Highway Vehicle Supplies	\$ 48,000.00
Public Works Solid Waste/Recycling Expenses	\$ 191,000.00
Public Works Parking Area Salaries	\$ 2,815.00
Public Works Street Lighting Expenses	\$ 137,000.00
Public Works Snow & Ice Removal Expenses	\$ 1,046,789.00
Citizens Center Salaries	\$ 60,200.00
Citizens Center Expenses	\$ 9,000.00
Recreation Salaries	\$ 396.00
Payroll Taxes (FICA/Medicare)	\$ 285,634.00
Workers Compensation	\$ 614,000.00
General Liability Insurance	\$ 132,000.00
	\$ 3,013,331.00

Transfer from: Budget Surplus)	
City Clerk Salaries	\$ (56,000.00)
Council Salaries	\$ (3,000.00)
Constituent Services Salaries	\$ (30,000.00)
Purchasing Salaries	\$ (9,000.00)
Building & Zoning Salaries	\$ (26,000.00)
Building Maint. Salaries	\$ (39,000.00)
Inspectional & Health Services Expenses	\$ (10,000.00)
Public Health Salaries	\$ (3,000.00)
Economic Development Expenses	\$ (5,200.00)
Police Salaries	\$ (50,000.00)
North Shore Essex Tech. Assessment	\$ (121,292.00)
Public Works Solid Waste/Recycling Salaries	\$ (26,500.00)
Public Works Fleet Maint. Salaries	\$ (81,500.00)
Public Works Park Dept. Salaries	\$ (58,500.00)
Public Works Administration Salaries	\$ (18,500.00)
Veterans Services Salaries	\$ (16,000.00)
Veterans Services Expenses	\$ (375,000.00)
Public Library Salaries	\$ (18,000.00)
Debt Service	\$ (382,000.00)
Unemployment Compensation	\$ (95,000.00)
Group Insurance	\$ (200,000.00)
Sick Leave Bank	\$ (35,000.00)
Retiree Medical Claims	\$ (120,000.00)
Vacational Accrual	\$ (20,000.00)
Capital Projects	\$ (145,000.00)
Budget Reserve	\$ (666,290.00)
Salary Reserve	\$ (403,549.00)
	\$ (3,013,331.00)

Motion by Councillor Sullivan, second Councillor McGonagle

PASSED

Yeas 7, Nays 0, Absent 2 (Jordan, Michitson)

95-C



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14. ORDINANCES (FILE 10 DAYS)

- 14.1. Ordinance re: Vehicles and Traffic – Stop streets; Merrill st, South at intersection of Linwood st; Moreland st, North at Groveland st and Linwood st, South at Groveland st File 10 days

Motion by Councillor Bevilacqua, second Councillor Sullivan
PASSED Placed on File All in Favor

96

- 14.2. Ordinance re: Vehicles and Traffic – Stop Street; Rochambault st, West at intersection of Hilldale av File 10 days

Motion by Councillor Bevilacqua, second Councillor Toohey
PASSED Placed on File All in Favor

96-B

15. COMMUNICATIONS FROM COUNCILLORS:

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

- 16.1. Document 19-F; Ordinance re: Handicap Parking; HPS 22-10; 19 Fourth av *filed June 22 2022*

Motion by Councillor Bevilacqua, second Councillor McGonagle
PASSED Yeas 7, Nays 0, Absent 2 (Jordan, Michitson)

- 16.2. Document 88; Communication from City Solicitor, William Cox Jr. submits Order - Mayor and Council approve certain mutual Conservation Restrictions granted to the City from Essex County Greenbelt Association for land at 97 Corliss Hill rd postponed from June 28 2022
Communication from City Solicitor William Cox requesting this item be postponed until July 26, 2022 meeting as still awaiting final approval of documents from MA EEA

Motion by Councillor Bevilacqua, second Councillor Toohey
PASSED postponed to July 26, 2022 All in Favor

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 Sullivan to adjourn, second Councillor Lewandowski
PASSED All in Favor Adjourned 20:18



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UPDATED ITEM:

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

- 21.1. Councillor Barrett requests to introduce Mike Jarvis regarding an upcoming event. 98

*See item 6.1