



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

**Tuesday, September 27, 2022 at 7:00 PM
Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202
In-Person/Remote Meeting**

Present – President Jordan, Councillors Barrett, Bevilacqua, Sullivan, Michitson, Lewandowski, McGonagle, and Toohey
Attending Remotely – Councillor Rogers
Administrative Assistant – Laurie A. Brown
City Clerk – Linda Koutoulas
Assistant City Clerk – Kaitlyn Wright

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

*Motion by Councillor Rogers to approve 9/23/22 minutes, second by Councillor Barrett
PASSED place on file Yeas 9, Nays 0*

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councillor Toohey assigned minutes.

5. COMMUNICATIONS FROM THE MAYOR:

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

6.1. Council President Jordan requests to introduce Police Chief Pistone to give details on the upcoming “Heroes and Helpers” annual holiday event 98-G

Chief Pistone gave details on the upcoming “Heroes and Helpers” event. The Haverhill Police SROs identify those children in need and in conjunction with the Haverhill Fire Fighters they take them shopping to Target. Served 100 children last year and raised \$16K. This year hope to serve more children and raise more money. Event takes place Saturday, December 10th This year they will start at the high school with a pizza party, then take bus to Target, then back to HS for wrapping. Donations can be sent to the Police Dept, checks payable to HPD with note Heroes and Helpers. Tim Carroll, Haverhill Fire Dept., HFD has been participating in event since beginning, it’s a great event and kids love to shop with a fire fighter or a cop.

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. Mass Electric Co, d/b/a National Grid requests permission for *joint pole locations* for Research Drive - #30570797 Hearing October 4th 114

9.2. Mass Electric Co, d/b/a National Grid requests permission for *joint pole locations* on Computer Drive - #30570797 Hearing October 4th 115

*Motion by Councillor Barrett, second Councillor Toohey
PASSED both to be heard October 4th Yeas 9, Nays 0*



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10. HEARINGS AND RELATED ORDERS:

- 10.1. Document 107: Donald Leathers requests Special Permit for a residential project in Watershed Protection Overlay District (WSPOD) at 306 Liberty st
Comments are included from various City Departments

President Jordan opened the special permit hearing.

Donald Leathers, 306 Liberty Street, appeared before the Council for a special permit for a building permit. Has a new baby girl and house is not big enough for family.

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 special permit hearing.

Motion by Councillor Sullivan to move for passage with conditions of City Departments, second by Councillor Toohey.

Councillor Sullivan explained what the Council just did so the public and Mr. Leathers would understand. The applicant is simply adding a garage, a dining room, and a bedroom to the existing structure. Although it is in the Watershed Protection Overlay District, none of the departments have a problem, especially the water department. If we do approve it, we are approving the addition to be done with the stipulations and conditions of all the departments that weighed in on it. Since everyone approved, happy to support and congratulations on the new baby.

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-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 9 Yeas, 0 Nays

President Jordan: Passed with Conditions of all City Departments.

11. APPOINTMENTS:

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

12. PETITIONS:

- 12.1. Special Permit Major Modification, SPMM 22-3; – Council consideration requested from Attorney Paul Magliocchetti for James Zorbas – Major Change for development located at 1 Lafayette Square, adopted August 23 2022



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President Jordan opening the hearing.

Paul Magliocchetti, 70 Bailey Blvd., on behalf of owner James Zorbas. Project was approved a while ago in the center of Lafayette Square next to O'Reilly's Auto Parts. The final drawings deviated a little bit from the initial concept drawings that were approved. The windows changed. The Building Inspector felt that it warranted your review and approval pursuant to the ordinance just passed regarding major changes. The Building Inspector is in favor of the changes they we are making. The architect, developer, and general contractor are here to answer questions.

Matthew Juros, Fishbrook Design, explained the windows were 4 ft wide, sill height of 2'4" and head height of 8'6". Project approved four years ago, prices higher now. Substituted window units instead of a store front window system.

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 special permit hearing.

Motion by Councillor Sullivan for passage, second Councillor Barrett

Councillor Barrett stated cannot tell what changed, look is still very much the same. Seems the bottom windows look smaller. Confirmed everything else stays the same.

Councillor Toohey feels the Building Inspector could have clearly made the decision rather than waiting and coming back to the Council for a vote. Assumed change was due to cost. Stressed wants to make sure city is open for business and ordinance should read that building department can make such decisions. Confirmed bollards would be installed for safety.

Councillor Sullivan asked timeline of project and when will it be finished; how many units being built? Eager to see this finished, need middle income housing for downtown area to support businesses. Project supervisor stated in process now, have some issues with site work but in next 20 days foundation should be started, should be done Spring of 2024. 27 units, 6 2-bedrooms, balance are 1 bedroom.

Councillor Bevilacqua asked about change on top of roof, original plan was for two units on roof and do number of units remain the same. Mr. Juros stated it is a community room was added, number of units remain the same.

Councillor McGonagle also mentioned roof top change. Agrees it should have come back to Council. Inspectors do a great job and don't want them responsible for this decision especially since this was originally approved several years ago.

President Jordan closed the hearing.

President Jordan: Motion by Councillor Sullivan, second by Councillor Barrett to approve the Special Permit Major Modification



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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-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 9 Yeas, 0 Nays

President Jordan: Passed with Conditions of City Departments.

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

12.3. **Amusement/Event Application** - *pending Police approval*

12.3.1. EVNT 22-23; Marlene Stasinis/*Chris Farmstand* requests to hold festival every weekend in October , 12 noon to 4 pm; with hayrides, corn maze, haunted house for littles, cow train ride, animal display & apple cider donuts
Pending all required approvals

Motion by Councillor Bevilacqua to approve with city requirements, second Councillor McGonagle

PASSED

Yeas 9, Nays 0

66-Q

Marlene Stasinis appeared before the council to ask for permission for our 16th annual pumpkin festival. Will only be 10 days this year opening Columbus Day Weekend.

12.4. **Auctioneer License:**

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

12.6. **One Day Liquor License:**

12.7. **Annual License Renewals:**

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

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

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

12.7.4. **Christmas Tree Vendor** – *with Police approval*

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

12.7.6. **Taxi License:**

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

12.7.8. **Pool Tables**

12.7.9. **Sunday Pool**

12.7.10. **Bowling**

12.7.11. **Sunday Bowling**

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

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

12.7.14. **Pawnbroker license**

12.7.15. **Fortune Teller** - *pending Police approval*



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12.7.16. Priscilla Miller, 163 Turnpike st, No Andover – for *Psychic Readings* at 97 Washington st
Motion by Councillor Michitson, second Councillor Lewandowski
PASSED *Yeas 9, Nays 0* 72-B

- 12.7.17. **Buy & Sell Old Gold**
- 12.7.18. **Roller Skating Rink**
- 12.7.19. **Sunday Skating**
- 12.7.20. **Exterior Vending Machines**
- 12.7.21. **Limousine/Livery License/Chair Cars with Police approval**

13. MOTIONS AND ORDERS:

14. ORDINANCES (FILE 10 DAYS)

15. COMMUNICATIONS FROM COUNCILLORS:

15.1. Councillor Lewandowski and Council Vice President Michitson request a discussion on funding resources and strategies for local preventative and addiction treatment services

Councillor Lewandowski talked about funding sources and strategies for local preventative and additions services. Haverhill’s rates on substance abuse are above average. There are multiple resources available for funding, including the Drug Free Grant.

Motion by Councillor Lewandowski to send a letter to the Mayor for comprehensive plan to address addiction treatment and funding within 30 days, second Councillor Michitson

PASSED *Yeas 9, Nays 0* 61-W

President Jordan asked to add to the motion for the Mayor to respond with a plan within 30 days.

Councillor McGonagle motioned to send a letter to State and Federal Delegations to ask to find a way to take action on our open borders to stop drugs in country, second Councillor Sullivan

PASSED *Yeas 9, Nays 0*

15.2. Councillor Joseph Bevilacqua requests a discussion regarding the need to paint crosswalks throughout the City

Councillor Bevilacqua states crosswalks need painting, matter of safety.

Motion by Councillor Bevilacqua to send letter to Mayor and DPW Director requesting schedule of crosswalk painting, second Councillor Michitson

PASSED *Yeas 9, Nays 0* 61-X



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Councillor Sullivan stated received information on painting process and why it is done spring and fall. It is expensive so try and do groups to save money. Urge residents to call 311 if they have a crosswalk needing painting. Would like letter to also ask which areas are being done in spring and fall. In future would like additional signage.

Councillor Barrett also spoke with Mr. Arpino who stated Broadway would be done once street paving is completed. Agree with grouping for cost savings.

President Jordan read Mr. Arpino's emailed into the record. Also reiterated that it is expensive, so grouping is a cost savings measure for the tax payers of the city. Call 311 if you have a crosswalk needing painting.

15.3. Councillor Joseph Bevilacqua requests recognition of MCB White Cane Awareness Day Virtual Celebration on October 14th

Motion to postpone by Councillor Bevilacqua, second Councillor McGonagle

PASSED To be heard October 4th Yeas 9, Nays 0 61-Y

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

16.1. Document 8-D; Ordinance re: Parking – Delete School Dropoff and Pickup Zones at 26 Broadway

Motion by Councillor Barrett, second Councillor Michitson

PASSED Yeas 9, Nays 0

16.2. Document 19-I; Ordinance re: Parking – Add 4 Handicap parking spaces at 26 Broadway *Both filed Sept 14th*

Motion by Councillor Sullivan, second Councillor Toohey

PASSED Yeas 9, Nays 0

16.3. Document 99-E; Ordinance re: Salaries – Library Group

16.4. Document 105-B; MOA Between City and Teamsters Library Group

Both filed Sept 14th

Motion by Councillor Bevilacqua, second Councillor Barrett

PASSED Yeas 9, Nays 0

16.5. Document 99-F; Ordinance re :Salaries – Inspectional & Nursing Services Group

16.6. Document 105-C; MOA between City and Inspectional Nursing Group

Both filed Sept 14th

Motion by Councillor Bevilacqua, second Councillor Barrett

PASSED Yeas 9, Nays 0

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

19. DOCUMENTS REFERRED TO COMMITTEE STUDY



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20. LONG TERM MATTERS STUDY LIST

21. ADJOURN

Motion by Councillor Sullivan, second Councillor

PASSED

Yeas 9, Nays 0

Adjourned 21:13

ADDITIONAL MATTERS – AMENDED AGENDA

- Mayor requests to introduce Haverhill’s Energy Manager, Orlando Pacheco to discuss Haverhill’s Election Municipal Aggregation Program 4-N

Mayor appeared before the Council to discuss the aggregation program. Did not work out first time, but this time locked rate at 10.8/kw. Households using 1200kw can save up to \$276/month.

Orlando Pacheco, Energy Consultant, addressed the Council. November 2021 implemented second round; rate of 10.8/kw good until November 2023. It is a six-month rate because utility companies have to procure power in six months blocks. Contact either Mayor’s office or 311 for help with program.

- Councillor Barrett wishes to introduce Carol Ireland from VIP to discuss Oct 1, 2022 Community Walk for Peace

Carol Ireland gave information on Walk for Peace, Saturday, Oct 1st from 1-4. The idea is to bring the community together and celebrate and raise awareness; this year will bring back the clothes line project.