



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, October 25, 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, Rogers, and Toohey
Administrative Assistant – Laurie A. Brown
City Clerk – Linda Koutoulas

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

Motion by Councillor Bevilacqua to accept, second Councillor Toohey

PASSED Accepted and Placed on File All in Favor

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councillor Sullivan assigned the minutes.

5. COMMUNICATIONS FROM THE MAYOR:

5.1. Mayor Fiorentini upon review and recommendation of City Department Heads, recommends the City Council waive the right of first refusal regarding this 0.45 acre parcel 576-436-27 on Crystal st

Motion by Councillor Bevilacqua to accept, second by Councillor Sullivan

PASSED Yeas 9, Nays 0

109-B

*****Solicitor Cox called in stating this item requires a public hearing.**

Motion by Councillor Bevilacqua to withdraw original motion and set hearing for November 29, 2022, second by Councillor Barrett

PASSED to be heard November 29th Yeas 9, Nays 0

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

6.1. President Tim Jordan to introduce Haverhill Rotary Club regarding the Annual Veterans Breakfast and Nominations for their Veterans Service Award

George Moriarty addressed the Council announcing the Haverhill Rotary Annual Veterans Awards Breakfast at the Haverhill Country Club, November 10th from 7:30am to 9:30am. Guest Speaker is Scott Forbes. Accepting nominations. Donations are \$40. Special thanks to Pentucket Bank, Haverhill Bank and Revise Energy for their sponsorship. 98-J

6.2. President Jordan introduces Andrea Watson to speak about lead poisoning prevention week

President Jordan stated Ms. Watson is not feeling well and would like to postpone.

Motion by Councillor Bevilacqua, second Councillor McGonagle

PASSED Postponed to November 1st All in Favor

98-K



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7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. City Tax Assessor, Christine Webb, announces *Tax Classification Hearing* for FY2023 which will be held Tuesday, November 15, 2022 in the Haverhill City Council Chambers at 7:00 PM

Motion by Councillor McGonagle, second Councillor Barrett

PASSED hearing November 15th Yeas 9, Nays 0

125

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

9.1. Document 117: Mass Electric Co d/b/a National Grid requests permission for joint *pole locations* on Tenadel av #30624060

9.1.1. Document 117-B: Order – grant joint pole locations on Tenadel av

President Jordan opened the hearing.

*Technical difficulties with audio, Veasna Eang of National Grid called into meeting and placed on speak phone.

Vazz Eang presenting on behalf of National Grid. Petition for new pole line to provide power to new six homes being built on Tenadel Avenue. First pole will be in the public way at about 224 feet southeast and placed in the public way; then from there the next pole will be roughly 150 feet south from that and next one will be 153 feet south from middle pole.

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 McGonagle, second Councillor Lewandowski

PASSED Yeas 9, Nays 0

10. HEARINGS AND RELATED ORDERS:

10.1. Document 112:CCSP-22-13; Jeffrey Brem for Aaron Orso, *Cedarcrest Homes* requests Hearing for Flexible Development pursuant to Chapter 255, Section 8.4 of the Haverhill Zoning Code; Mohawk Trail; a single family home development at 188 Lake st *Comments from City Departments are included*

City Clerk Koutoulas received comments from Water Department after the agenda was published and put on the city website. Robert Ward stated “the Water and Wastewater Division’s engineer is performing water and sewer system analysis to determine if the existing systems have the capacity to supply the proposed development. The analyses are expected to be complete within one to two weeks. At this time, we can not recommend approval of a special permit for this project”.

Councillor Sullivan: May I speak before we start this hearing? Based on this information that was just presented to us, I am confused as to why we would proceed to have a special permit hearing when we have a department that’s not prepared to weigh in



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and give us an answer one way or another. Wouldn't it be better if we waited for that department's recommendation before we entertain approving a special permit? It doesn't make sense to do it now. I don't understand why we are doing it without the water department's information.

President Jordan: We have not opened the hearing yet. I think he is raising a valid point. Do you have a comment on it?

Jeffrey Brem: I am the Engineer. I am not an attorney, so I do not know the legal ramifications. There is no attorney with us tonight, just me and Aaron Orso.

Councillor Bevilacqua: I would agree that based on this communication with the water department needing two weeks, it would be my opinion to table this to make sure all the city department reports in, so we go forward with all available information not only for the Council but for the abutters and developer as well. That would be my recommendation.

President Jordan: I concur. I am not an attorney either, but Councillor Sullivan is, and Councillor Lewandowski is. As a lay person, comments made by my fellow Councillors I would agree with. Without a recommendation from a department head, we are not going to be able to approve anyway.

Jeffrey Brem: We do not want to start on the wrong foot, so we will do what the Council needs to do.

Motion by Councillor Sullivan to table until November 29th meeting, second Councillor Bevilacqua

Aaron Orso, Cedarcrest Development, asked if the report was available within a week, would there be a possibility to be on the November 1st meeting?

City Clerk Koutoulas said to schedule for November 1st for public announcement and if report is not available by then, would be postponed again. Have 120 days and this was filed on August 8, 2022.

Motion by Councillor Bevilacqua to postpone to November 1st, second Councillor Sullivan

PASSED to be heard November 1 Yeas 9, Nays 0

- 10.2. Document 110; Attorney Paul Magliocchetti requests Eagle av (F.K.A.) Edward st and a portion of Willow av be DISCONTINUED as a Public Way continued from October 4th
Favorable recommendation from Planning Board & Director



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10.2.1 Document 110-B; Order - Eagle av (F.K.A.) Edward Street & a portion of Willow st be DISCONTINUED as a Public Way

Request from Attorney Magliocchetti to postpone until February 7, 2023

Motion by Councillor Bevilacqua, second Councillor McGonagle

PASSED to be heard February 7, 2023 Yeas 9, Nays 0

11. APPOINTMENTS:

11.1. **Confirming Appointments:**

11.2. **Non-Confirming:**

11.3. **Resignations**

12. PETITIONS:

12.1. Lisa Ayres Work Support for *National Grid* requests to withdraw petitions for Sanders rd (30546756 –Hearings for conduit and pole petitions which are scheduled to be heard November 29th – petitions are being cancelled due to work being done on private property

Motion by Councillor McGonagle, second Councillor Rogers

PASSED hearing cancelled Yeas 9, Nays 0

120-BB

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

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

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*

12.7.3.1. John Pandelena – *new*

Motion by Councillor McGonagle, second Councillor Barrett

PASSED All in Favor

16-Q

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**



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

13. MOTIONS AND ORDERS:

14. ORDINANCES (FILE 10 DAYS)

- 14.1. Ordinance re: Vehicles and Traffic – Stop Signs – Kenilworth Lane and
Sussex Court at Sherwood Drive File 10 days

Motion by Councillor Bevilacqua, second Councillor McGonagle

PASSED Placed on File

Yeas 9, Nays 0

96-F

15. COMMUNICATIONS FROM COUNCILLORS:

- 15.1. Councillor Sullivan requests a discussion regarding the State Auditor's Report on 29 state laws that have been passed between 2016-2020 that have a significant impact on cities and towns without sufficient funds to offset costs

Councillor Sullivan stated 5-year fiscal impact report was released by the State Auditor. Funding never increased to cities and towns to meet mandates. Do not know why or how much money is intended to be reimbursed.

Would like to send a letter to legislator delegation asking to investigate the findings of the State Auditor report and see if there is any way to increase funding to Haverhill in the future to meet these standards.

Motion by Councillor Sullivan, second Councillor Bevilacqua

PASSED

Yeas 9, Nays 0

118-E

- 15.2. Council President Jordan and Council Vice President Michitson request from the Mayor a 5-10 year funding plan to address upcoming major projects such as new buildings for Consentino and Whittier Middle Schools and Whittier Vo-Tech, road improvements, updating/complying with federally required water/wastewater/CSO improvements, and fire station improvements/relocation

Vice President Michitson states big projects coming up – schools, roads, wastewater improvements, fire station, etc. – would like Mayor to provide costs, timeframe of when city would need funding commitment and where would money



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come from. Stresses Whittier Tech new building estimated cost of \$247-296 million with Haverhill's portion being \$99-120 million, spring of 2024.

President Jordan spoke with CFO, Angel Perkins, back during budget season who suggested using ARPA money for an outside comprehensive analysis of these upcoming major costs and how they will be paid for.

Motion by Councillor Michitson, second Councillor Bevilacqua

PASSED letter to Mayor

Yeas 9, Nays 0

118-F

- 15.3. Council Vice President Michitson requests to submit to Planning and Development Committee a tasking to address establishment of city policies to incentivize building and business park developers to use sustainable and environmentally-friendly best practices

Vice President Michitson would like to motion to send to the Planning and Development committee an action to develop city policies to incentivize building and business park developers to use sustainable and environmentally friendly best practices.

Motion by Councillor Michitson to send to Planning & Development, second Councillor Lewandowski

PASSED send to P&D Committee

Yeas 9, Nays 0

118-G

Councillor Bevilacqua states a complex issue, will require professional assistance. Councillor McGonagle point of order, going to committee to discuss and appreciates Councillor Bevilacqua's statements but that is why it is going to committee for discussion. Thank Councillor Michitson for bringing this up. The thought process and conversation is never wrong.

Christine Kristoff addressed the Council. She visited Rapid Coating earlier and they installed a filtration system for the air which cycles new air which the company did not have to do. Other companies may be practicing environmentally friendly practices already.

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 Sullivan to adjourn, second Councillor Barrett

PASSED

All in Favor

Adjourned 20:01