



**CITY OF HAVERHILL  
CITY COUNCIL MINUTES**

**Tuesday, November 30, at 7:00 PM**

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

**In-Person/Remote Meeting**

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Present – President Barrett, Councillors LePage, Bevilacqua, Michitson, Sullivan, Daly O’Brien and Macek.

Absent – Councillor McGonagle

Attending Virtually – Councillor Jordan

City Clerk – Linda L. Koutoulas

Assistant City Clerk – Kaitlin Wright

**Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order temporarily suspending certain provisions of the Open Meeting Law, G.L. c. 30A sec. 18. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means."**

**1. OPENING PRAYER**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF MINUTES OF PRIOR MEETING**

Approval of November 9, 2021 minutes continued to next meeting.

**4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING**

Councillor Daly O’Brien assigned minutes for November 30, 2021 meeting.

**5. COMMUNICATIONS FROM THE MAYOR:**

5.1. Mayor Fiorentini requests to give an update on Haverhill’s efforts regarding the Coronavirus (COVID-19 crisis) *postponed from November 16*

Mayor updates that the city’s new Public Health Department has three new employees, an administrative assistant, a nurse, and a social worker. Public Health Dept. given task to address the two crises, opioid and the pandemic. 83-D

5.2. Mayor Fiorentini requests along with our new Public Health Director, Mary Connolly to update the Council on our new Health Department and its goals and objectives.

Mary Connolly. New public health nurse starting after the first of the year. A social/outreach worker will start in about two weeks, and an administrative assistant who already started. Hoping outreach worker and nurse will work with other communities to address the opioid crisis. No plan in place currently. Doing best to get people vaccinated with weekly clinics. The State will be bringing in clinics, December 13<sup>th</sup> and pop-up clinics throughout the town and Lawrence. Shipping issues seems to be the issue. 83-E

5.3. Mayor Fiorentini requests to address Council concerning the RFP for the downtown parcels and to introduce members of our advisory committee to advise the Council on their preference for the preferred developer. Also, the preferred developer and their team will be here to present their proposal for the redevelopment of downtown Haverhill/Merrimack Street which consists of 5 parcels of City-owned land between Merrimack st and Bailey blvd

83-F

Councillor Bevilacqua recused himself from the meeting.

Mayor Fiorentini addressed the council. Stated the basis of this started many years ago when commissioned a plan by Utile of the redevelopment of Merrimack Street area. Issued an



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RFP for the 5 lots downtown. The goals included finding a developer to replace outdated Goecke deck; reverse errors of urban renewal; and have a transformative development. Appointed an advisory committee comprised of planners, architects, department heads, Councillors, and Utile.

Bill Pillsbury stated five very strong responses were received. All different proposals which created opportunity for committee to evaluate based on conditions of the RFP and marketplace in Haverhill. The process generated questions for each developer to answer and be reviewed by the committee.

Council President Barrett and Councillor Daly O'Brien commented that Lupoli's plan is best possible use of space, had a plan and timeline to best suit the city; the change that we need, the next real step to help the bottleneck of Merrimack Street.

Richard MacDonald, Director of Inspectional Services and Committee member spoke of his positive experience working with the Lupoli Companies. Stated this was clearly the superior developer and project will be a success.

Gerry-Lynn Darci presented Lupoli's proposal. The proposal includes demolition of the Goecke parking deck and replacing it with a 616-space parking garage, 51K sq. ft. of street level retail space, small restaurants, and 370 residential units in five separate buildings.

Councillor Sullivan requested the "Goecke" name remain as part of the new development. Councillors Jordan and LePage questioned the effectiveness of the new garage. Jordan stated he would not support the project without increased staffing fire, police and schools.

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

**7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28**

7.1. Paul Prue requests to discuss opportunity to teach art classes in his home at 21 Salem st – possibly by enacting a change in the zoning code

Paul Prue, 21 Salem Street where his art studio is as well. Building inspector informed he was not allowed to teach arts and crafts out of his house because of zoning regulations. He would like to have zoning changed to keep teaching out of his at home art studio.

Motion by Council President Barrett to send to appropriate departments to have zoning changes, second by Michitson

Richard MacDonald, Inspectional Services Dept. stated that they are sympathetic to Mr. Prue. A complaint was made and must follow the zoning bylaw which states you cannot have students come to your home to give lessons. Also suggests moving to a committee.



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Bill Pillsbury confirmed the Home Occupation section states you can have a limited number of employees, not students. It needs to have a language change.

Councillor Macek suggested not sending to committee but sending a letter to Solicitor Cox to provide a draft ordinance with new language to expedite. Pillsbury states must also go before Planning Board if a zoning change.

Motion by Councillor Sullivan to send to Solicitor Cox and include Planning and Inspectional Services, second by Michitson

PASSED

Yeas 8, Nays 0, Absent 1 (McGonagle) 106

**8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:**

8.1. Communication from Robert E Ward, Deputy DPW Director regarding purchase of Land at 197 Corliss Hill rd and submits proposed Loan Order 9-F

8.1.1. Loan Order – for the purchase of a portion of the parcel of land identified as 197 Corliss Hill Road and Assessor’s Map 462, Block 204, Lot 71 B for the purpose of water supply protection File 10 days

Motion by Councillor Michitson, second Bevilacqua

PASSED Placed on File

Yeas 8, Nays 0, Absent 1 (McGonagle) 26-F

Communication received late afternoon (November 30, 2021) from Attorney Michael Migliori requesting to withdraw his client Sixty-Six Merrimac – HAV LLC petition for a Special Permit flexible development for 66 Merrimac Rd. public hearing scheduled for December 7<sup>th</sup>. We will put this matter on next week’s agenda for action by the city council.

Motion by Councillor Macek, second Daly O’Brien

Just a communication to let neighbors know, no vote needed on this matter. Councillors Macek and Daly O’Brien withdrew their motion.

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

9.1. Document 99: Petition from Mass Electric Co dba National Grid and Verizon NE requesting joint pole location for South Prospect st, Plan 30370926

9.1.1. Document 99-B: Order – joint pole location for South Prospect st

**Council President Barrett opened the Utility Hearing.**

David Boucher, National Grid. 351 South Main Street. The building is asking to upgrade the main service to 1200 Amps. In order to do that we plan on running an ariel wire from existing pole 2 on South Prospect Street across the road to a pole on private property. What we are asking for from the City with this petition is to place a guide wire approximately 5 feet from existing pole 2, sidewalk fixture guide, and if the City see fit it enables us to go forth and do that plan.

Council President Barrett asked if anyone would like to speak in Favor. No one spoke.

Council President Barrett asked if anyone would like to speak in Opposition. No one spoke.



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**Council President Barrett closed the hearing.**

**Motion by Councillor Sullivan, second by Councillor Daly O'Brien**

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor LePage-yes, Councillor Bevilacqua-yes, Councillor Michitson-yes, Councillor Sullivan-yes, Councillor Jordan-yes, Councillor Daly O'Brien-yes, Councillor Macek-yes, President Barrett-yes, 8 yeas, 0 nays, 1 Absent (Councillor McGonagle)

**President Barrett: Passed**

9.2. Document 100-A: Plan 30478084 - Substitution – Petition from Mass Electric Co dba National Grid of North Andover requesting to construct a line of underground electric conduits on Research dr

9.2.1. Document 100-AA: Plan 30478084 – Substitution – Order – underground electric conduit location on Research dr

*Related communication from Dave Johnson, Supervisor, Distribution Design, National Grid*

**Council President Barrett opened the Utility Hearing.**

David Boucher, National Grid. To be clear and reiterate the correct work request number that we are proposing is 30478084 and that is the one we are petitioning for. That has the correct map, the initial one was not what we wanted to present to you. The one that is one this will show Research Drive and it has the correct information on it. Several weeks ago, I was before you asking for temporary polls which is in process right now. I am here tonight for a permanent way we would like to service the business on Research Drive, #51 Research Drive. That would be to go underground from our existing manhole 1 in the drawing as you see in the public way approximately 180 feet in the public way then gradually going into the right side of the driveway go up into the property to a switch gear. We are looking for two 5-inch conduits encased in concrete to have the rights to have them in that public way as shown in the diagram. If the City sees fit, it enables us to continue on our way to get them electricity in a permanent way.

Council President Barrett asked if anyone would like to speak in Favor. No one spoke

Council President Barrett asked if anyone would like to speak in Opposition. No one spoke.

**Council President Barrett closed the hearing.**

**Motion by Councillor Bevilacqua, second by Councillor Sullivan**

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor LePage-yes, Councillor Bevilacqua-yes, Councillor Michitson-yes, Councillor Sullivan-yes, Councillor Jordan-yes, Councillor Daly O'Brien-yes, Councillor Macek-yes, President Barrett-yes, 9 yeas, 0 nays, 1 absent (Councillor McGonagle)

**President Barrett: Passed**

**10. HEARINGS AND RELATED ORDERS:**

10.1. Document 79: Attorneys Johnson and Borenstein submit Special Permit, CCSP 21-12 for Water Street Redevelopment LLC for redevelopment of property at 85 Water st



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consisting of 113 rental units on 1.19 acres. This property is within the Waterfront Zoning District, Sub-Zone D.

*Hearing closed September 28 2021 with motion to continue discussion and vote only*

*Related communication from Attorney Robert W. Lavoie for applicant requesting to withdraw this Special Permit application without prejudice and if at this meeting the request is denied they request to continue the matter until the Council's December 28, 2021 meeting, so that they can appear and address any remaining concerns on being allowed to withdraw this Application without prejudice*

Motion by Councillor Sullivan to approve the withdrawal without prejudice, second by Bevilacqua  
PASSED without Prejudice Yeas 8, Nays 0, Absent 1 (McGonagle)

**11. APPOINTMENTS:**

**11.1. Confirming Appointments:**

**11.2. Non-Confirming Appointments :**

11.2.1. *Director of Public Health, Mary Connolly*

Motion by Councillor Michitson, second Bevilacqua

PASSED Placed on File Yeas 8, Nays 0, Absent 1 (McGonagle) 87-F

**11.3. Resignations:**

**12. PETITIONS:**

**12.1. Applications Handicap Parking Sign: with police approval**

**12.2. Amusement/Event Applications:**

**12.3. Auctioneer License:**

**12.4. Tag Days:**

12.4.1. *HHS Boys Swim & Dive, December 11 & 12* 52-L

Motion by Councillor Bevilacqua, second Macek

PASSED Yeas 8, Nays 0, Abstain 1 (Jordan), Absent 1 (McGonagle)

**12.5. One Day Liquor License:**

**12.6. Annual License Renewals:**

12.6.1. **Hawker Peddlers License 2022 - Fixed location**

12.6.2. **Coin-Op License Renewals 2022**

12.6.2.1. *Papa Gino's, 1 Coin-op 782 River st*

Motion by Councillor Macek, second Daly O'Brien

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

12.6.3. **Drainlayer License for 2022 -with City Engineer approval**

12.6.4. **Christmas Tree Vendor:**

12.6.5. **Taxi Driver Licenses for 2022:**

12.6.6. **Taxi License**

12.6.7. **Junk Dealer License**



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- 12.6.8. **Pool Tables**
- 12.6.9. **Sunday Pool**
- 12.6.10. **Bowling**
- 12.6.11. **Sunday Bowling**
- 12.6.12. **Buy & Sell Second Hand Articles**
- 12.6.13. **Buy & Sell Second Hand Clothing**
- 12.6.14. **Pawnbroker license**
- 12.6.15. **Fortune Teller**
- 12.6.16. **Buy & Sell Old Gold**
- 12.6.17. **Roller Skating Rink**
- 12.6.18. **Sunday Skating**
- 12.6.19. **Exterior Vending Machines**
- 12.6.20. **Limousine/Livery License/Chair Cars:**

**13. MOTIONS AND ORDERS:**

13.1. Order – authorize payment of bills of previous years and to further authorize payment from current year departmental appropriations as listed:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
MCWRS	\$ 75.00	Wastewater Department
Brox Industries	\$ 1358.93	Water Department
	Total: \$1,433.93	

Motion by Councillor Macek, second Daly O’Brien  
PASSED Yeas 8, Nays 0, Absent 1 (McGonagle) 18-G

13.2 Order – appropriate the sum of \$125,388 from Free Cash and transfer said amount to the *Youth Art Program Account*

Motion by Councillor Bevilacqua, second Daly O’Brien  
PASSED Yeas 8, Nays 0, Absent 1 (McGonagle) 10-R

**14. ORDINANCES (FILE 10 DAYS)**

**15. COMMUNICATIONS FROM COUNCILLORS:**

15.1. Council President Barrett requests a discussion about the conditions of catch basins in the City

Council President Barrett would like to postpone to December 14, 2021

Motion by Councillor Macek, second Daly O’Brien  
PASSED Yeas 8, Nays 0, Absent 1 (McGonagle) 92-W

15.2. Councillors Sullivan, Barrett, Jordan and Michitson request to discuss the need for a review of City regulations and enforcement for private dumpsters and trash receptacles throughout the downtown area

Councillor Sullivan stated many complaints received recently regarding dumpsters downtown including the MVRTA parking lot with trash.



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Richard MacDonald confirmed he has received numerous complaints and have responded to every complaint. Letters, fines, etc. have been issued. Working with Board of Health to look at dumpster regulations and enforcement.

Councillor Michitson asked Mr. MacDonald about Pentucket Condominiums losing 7-9 spaces due to construction of Magnavox building. Mr. MacDonald will address immediately. 91-N

**16. UNFINISHED BUSINESS OF PRECEDING MEETING:**

16.1. Document 3-Q: Ordinance re: Vehicles and Traffic – Add Handicap parking for 22  
Hillside st *filed November 4<sup>th</sup>*

Motion by Councillor Bevilacqua, second Daly O'Brien

PASSED Yeas 8, Nays 0, Absent 1 (McGonagle)

16.2. Document 26-E: Bond Order – Appropriate \$430,000 to pay costs of exterior repairs to  
City Hall *filed November 11<sup>th</sup>*

Motion by Councillor Macek, second Daly O'Brien

PASSED Yeas 8, Nays 0, Absent 1 (McGonagle)

**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 Daly O'Brien

Adjourned 22:00 Yeas 8, Nays 0, Absent 1 (McGonagle)