



City of Haverhill
City Council Minutes
Tuesday, December 1, 2020
Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St, Room 202
Virtual and In-Person Meeting

Present – President Barrett, Councillors Bevilacqua, Michitson, Sullivan, Jordan, McGonagle and Macek.
Councillor LePage participated remotely.
Absent – Councillor Daly O’Brien
City Clerk – Linda L. Koutoulas

President Barrett read the following statement: This meeting of the Haverhill City Council is being conducted remotely consistent with Governor Baker’s Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the “COVID-19 Virus”.

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely and live so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. This meeting will have hybrid – in person, virtual and call-in.

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. 20. 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 from November 10th and 17th 2020 meetings
The minutes from November 10 & 17 were approved Yeas 8, Nays 0, Absent 1
4. Assignment of the minutes review for the next Meeting
Councillor Macek was assigned the minutes
5. Communications from the Mayor

Mayor Fiorentini requests to give (COVID-19) crisis update
Mayor Fiorentini reported there were 65 new cases today. The highest we have ever seen in one day and 2 people hospitalized. Effective tomorrow, Dec. 2, City Hall will be open to the public by appointment only. This measure is to protect the city employees and the public. He asked the public to do business on-line or call 311 for assistance. He urged personal responsibility especially with 6’ social distancing, wearing a mask and washing hands. He recognizes that businesses are struggling and is working with the Haverhill Chamber of Commerce to help restaurants. He will use CDBG funds (\$10,000) for restaurants. With respect to testing, there are long lines because there are not enough testing facilities. He’s can’t get the testing back in Haverhill. Good news is that vaccines will start in December with nursing home residents and healthcare providers receiving vaccine. Local mayors have no say in how the vaccine gets distributed. It will be up to the government and CDC. CVS and Walgreens have contracts with federal government. He is concerned about vaccination for non-issued people and those with no cars. The major role of mayors and city council is to tell people about the vaccine and encourage them to get it. He informed that the rental assistance program has assisted 190 families to date. The city has spent \$500,000 thru the CARES ACT/CDBG to assist people pay for rent. The program ends on December 30th. He introduced Aubrie Campbell, program manager, to give highlights of the program.

Mayor Fiorentini submits the following Memorandum of Agreements (MOA) and Salary Ordinances between City of Haverhill and the following Teamster Union Groups - Local #170
PLACED ON FILE 96D

Memorandum of Agreement between the City of Haverhill and
The Water Department Group – Teamsters Local #170
(see document for complete text)

PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 96E

Municipal Ordinance Chapter

<p>An Ordinance Relating to Salaries (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Water Department Group</p> <p>Yeas 8, Nays 0, Absent 1</p>	<p>97D</p>
<p>Memorandum of Agreement between the City of Haverhill and The Library Group – Teamsters Local #170 (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Yeas 8, Nays 0, Absent 1</p>	<p>96F</p>
<p>Municipal Ordinance An Ordinance Relating to Salaries (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Chapter Library Group</p> <p>Yeas 8, Nays 0, Absent 1</p>	<p>97E</p>
<p>Memorandum of Agreement between the City of Haverhill and The City Hall Clerks Group – Teamsters Local #170 (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Yeas 8, Nays 0, Absent 1</p>	<p>96G</p>
<p>Municipal Ordinance An Ordinance Relating to Salaries (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Chapter City Hall Clerks Group</p> <p>Yeas 8, Nays 0, Absent 1</p>	<p>97F</p>
<p>Memorandum of Agreement between the City of Haverhill and The Water/Wastewater Office & Technical Group – Teamsters Local #170 (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Yeas 8, Nays 0, Absent 1</p>	<p>96H</p>
<p>Municipal Ordinance An Ordinance Relating to Salaries (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Chapter Water/Wastewater Office & Technical Group</p> <p>Yeas 8, Nays 0, Absent 1</p>	<p>97G</p>
<p>Memorandum of Agreement between the City of Haverhill and The Engineering Group – Teamsters Local #170 (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Yeas 8, Nays 0, Absent 1</p>	<p>96I</p>
<p>Municipal Ordinance An Ordinance Relating to Salaries (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Chapter Engineering Group</p> <p>Yeas 8, Nays 0, Absent 1</p>	<p>97H</p>
<p>Memorandum of Agreement between the City of Haverhill and The Citizen Center Group – Teamsters Local #170 (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Yeas 8, Nays 0, Absent 1</p>	<p>96J</p>
<p>Municipal Ordinance An Ordinance Relating to Salaries (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Chapter Citizen Center Group</p> <p>Yeas 8, Nays 0, Absent 1</p>	<p>97I</p>
<p>Memorandum of Agreement between the City of Haverhill and The Animal Control Officers/Police Mechanics/Police Craftsman- Custodian/Building Custodian Group – Teamsters Local #170 (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Yeas 8, Nays 0, Absent 1</p>	<p>96K</p>
<p>Municipal Ordinance An Ordinance Relating to Salaries Mechanics/Police Building Craftsmen/Custodian and Public Property Building Custodian Group (see document for complete text)</p> <p>PLACED ON FILE for at least 10 days</p>	<p>Chapter Animal Control Officers/Police Mechanics/Police Building Craftsmen/Custodian and Public Property Building Custodian Group</p> <p>Yeas 8, Nays 0, Absent 1</p>	<p>97J</p>

Municipal Ordinance Chapter
An Ordinance Relating to Salaries Non-Union Positions
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 97K

Municipal Ordinance Chapter
An Ordinance Relating to Salaries Administrative & Professional Positions
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 97L

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:

Communication from Haverhill Historical Commission submitting official communication regarding Hannah Dustin Statue

COUNCILLOR SULLIVAN INFORMED THAT THIS MATTER WOULD BE TAKEN UP IN EARLY 2021.

ON MOTION OF COUNCILLOR SULLIVAN TO PLACE ON FILE

PLACED ON FILE Yeas 8, Nays 0, Absent 1 64C

City Auditor, Charles Benevento submits preliminary financial reports for the month of September 2020

PLACED ON FILE Yeas 8, Nays 0, Absent 1 19G

City Auditor, Charles Benevento submits preliminary financial reports for the month of October 2020

PLACED ON FILE Yeas 8, Nays 0, Absent 1 19H

9. Utility Hearing(s) and Related Order(s)

Hearings and Related Orders:

Document 78A – Petition from City Engineer, John Pettis, requesting that the City accept the following 5 streets as public ways: Amy Lynne Lane, Ryan Patrick Way, Cortland Road, Pear Tree Road And Russett Hill Road

Planning Board voted to send a conditional favorable recommendation to Council – Conditions were requested by Conservation & City Engineer and were to be resolved by the Council meeting- status of the conditions has been met by the applicant & will be confirmed by the City Engineer at the meeting

HEARING OPENED

Mr. Pettis informed this is a continuing effort to accept roads as public ways. All these roads went to the Planning Board for hearings and each had favorable recommendation. He is asking that all roads be accepted. Amy Lynne Lane was built in the 1990's. There are a couple of items associated with stormwater structures that are contracted to work thru. No one was in favor or opposed.

HEARING CLOSED 78

ORDERED: It appearing that the common convenience and necessity require it, it is hereby that the following street herein described be accepted as a Public Way – Amy Lynne Lane (see document for complete text)

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR SULLIVAN TO ACCEPT AMY LYNNE LANE AS A PUBLIC WAY

PASSED Yeas 8, Nays 0, Absent 1 78B

Ryan Patrick Way

HEARING OPENED

Mr. Pettis informed that this is in the same subdivision as Amy Lynne Lane and that there are a couple of items associated with stormwater structures that are contracted to work thru and then will we receive certificate of compliance from DEP. No one was in favor or opposed.

HEARING CLOSED 79

ORDERED: It appearing that the common convenience and necessity require it, it is hereby that the following street herein described be accepted as a Public Way – Ryan Patrick Way (see document for complete text)

ON MOTION OF COUNCILLOR SULLIVAN WITH SECOND FROM COUNCILLOR MACEK TO ACCEPT RYAN PATRICK WAY AS A PUBLIC WAY

PASSED Yeas 8, Nays 0, Absent 1 79B

Cortland Road

HEARING OPENED

Mr. Pettis informed that Cortland Road is part of Pear Tree Estates subdivision built in the mid 1990's. There is a little bit of cleaning to be done as suggested by Rob Moore and the work is contracted to be done. No one was in favor or opposed.

HEARING CLOSED 80

ORDERED: It appearing that the common convenience and necessity require it, it is hereby that the following street herein described be accepted as a Public Way – Cortland Road (see document for complete text)

ON MOTION OF COUNCILLOR BEVILACQUA WITH SECOND FROM COUNCILLOR MACEK TO ACCEPT RYAN CORTLAND ROAD AS A PUBLIC WAY

PASSED Yeas 8, Nays 0, Absent 1 80B

Pear Tree Road

HEARING OPENED

Mr. Pettis informed that Pear Tree Road is part of Pear Tree Estates subdivision built in the mid 1990's.

No one was in favor or opposed.

HEARING CLOSED

81

ORDERED: It appearing that the common convenience and necessity require it, it is hereby that the following street herein described be accepted as a Public Way – Pear Tree Road (see document for complete text)

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR JORDAN TO ACCEPT PEAR TREE ROAD AS A PUBLIC WAY

PASSED

Yeas 8, Nays 0, Absent 1

81B

Russett Hill Road

HEARING OPENED

Mr. Pettis informed that Russett Hill Road is part of Pear Tree Estates subdivision built in the mid 1990's.

No one was in favor or opposed.

HEARING CLOSED

82

ORDERED: It appearing that the common convenience and necessity require it, it is hereby that the following street herein described be accepted as a Public Way – Russett Hill Road (see document for complete text)

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR JORDAN TO ACCEPT RUSEETT HILL ROAD AS A PUBLIC WAY

PASSED

Yeas 8, Nays 0, Absent 1

82B

10. Appointments:

Confirming Appointments:

Non-Confirming Appointments:

Constables for 2020-2021:

Ronald Bertheim, 116 Lenox av, Methuen

David E Hall, 73 East Broadway

Gerald A Sewell, 264 Broadway

Scott Wood, 93 Lawrence st

Steven Ring, 90 Linwood st

Christian Sewell, 61 So Central st

Jose G Garcia, 9 Westminster av

Alan Lau, 11 New Hampshire av

GRANTED

Yeas 8, Nays 0, Absent 1

111

Appointment contingent upon payment of annual fee to the City:

Rudy Emmanuel, 103 Lowell av

MOTION TO APPROVE CONTINGENT UPON PAYMENT OF ANNUAL FEE TO THE CITY

GRANTED

Yeas 8, Nays 0, Absent 1

111

11. Petitions:

Applications Handicap Parking Sign - renewals

Carole DeBlois for 30 Bellevue av

RENEWAL GRANTED

Yeas 8, Nays 0, Absent 1

112

Deborah Condo for 51 Bellevue av

RENEWAL GRANTED

Yeas 8, Nays 0, Absent 1

112B

Drainlayer License for 2020

Joseph Gauthier - new

GRANTED

Yeas 8, Nays 0, Absent 1

46S

12. Motions and Orders

ORDERED: That Authorize payment of bills of previous years from current year departmental appropriations as listed:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Brox Industries Inc	\$1,226.33	Water Dept
Brox Industries Inc	223.60	Highway Dept
Leocadio Lora-Transportation	3,195.00	Water Dept
Benevento Concrete Corp	447.98	Water Dept

PASSED

Yeas 8, Nays 0, Absent 1

17C

13. Ordinances (File 10 days)

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Parking

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by DELETING the following in §240-85, Schedule B: Parking Restrictions and Prohibitions:

LOCATION	REGULATION	HOURS/DAY	
Lawrence Street In front of No. 60 Lawrence St, Except for 1-24 hour handicap parking Space at No. 60 Lawrence Street PLACE ON FILE for at least 10 days	No Parking	24 hours	9J
	Yeas 8, Nays 0, Absent 1		

14. Communications from Councillors:

Communication was received from Councillor Michael McGonagle requesting a discussion regarding a Home Rule Petition for Trevor J Seaboyer
COUNCILLOR MCGONAGLE ASKED MR. SEABOYER TO INTRODUCE HIMSELF. MR. SEABOYER INFORMED THAT HE IS OVER THE MAXIMUM AGE OF 31, HE IS 32 YEARS OLD AND COMPLETED THE WRITTEN EXAM IN NOVEMBER 2020. HE IS ON CALL ON ENGINE 8.

**HE DISTRIBUTED LETTERS OF REFERENCE*
 LT. KEVIN SWEENEY, HAVERHILL FIRE DEPARTMENT, IS ASSIGNED TO ENGINE 8 AND COMMENDED MR. SEABOYER’S CONTRIBUTIONS TO HIS ON CALL STATUS AND SUPPORTED THE HOME RULE PETITION
 PLACED ON FILE** 101S

ORDERED: That the following Home Rule Petition Be Adopted by the City Council and forwarded to the General Court

HOME RULE PETITION

An Act Authorizing Trevor J Seaboyer to take Civil Service Examination for the position of Firefighter in City of Haverhill notwithstanding the maximum age requirement
 (see document for complete text)

**ON MOTION OF COUNCILLOR MCGONAGLE WITH SECOND FROM COUNCILLOR BEVILACQUA TO PASS THE HOME RULE PETITION
 PASSED** Yeas 8, Nays 0, Absent 1 27F

Communication was received from Councillor Michael McGonagle requesting Traffic & Safety Committee review intersection at Moody st and Golden Hill av to prohibit a right hand turn for trucks and possibility of installing a guard rail at the intersection
REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 8, Nays 0, Absent 1 101T

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding planning for distribution of COVID vaccine to residents
**ITEM DISCUSSED WITH MAYOR’S COVID-19 UPDATE.
 PLACED ON FILE** 101U

15. Unfinished Business of Preceding Meeting:

Document 8-J:

AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by adding the following:

Wilson Street: North side, 23’ in a westerly Direction from driveway of 77-79 Beach Street	No Parking (except for 1 24-hour parking space)	24 hours	
ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR JORDAN TO INSERT THE WORD “HANDICAP” IN FRONT OF THE WORDS PARKING SPACE PASSED		Yeas 8, Nays 0, Absent 1	
PASSED AS AMENED		Yeas 8, Nays 0, Absent 1	8J

Document 86-Q: Communication from Councillor Colin LePage requesting a discussion on homelessness in Haverhill and potential strategies to address it
**ON MOTION OF COUNCILLOR LEPAGE TO POSTPONE TO DECEMBER 8 MEETING TO ALLOW FOR ATTENDANCE OF REPRESENTATIVE TO DISCUSS THIS MATTER
 POSTPONED TO DEC 8 2020** Yeas 8, Nays 0, Absent 1 86Q

Document 89-L: Mayor Fiorentini submits 5 Ordinances regarding Downtown Parking – to amend Code of Central Business District
Councillors Bevilacqua and McGonagle excused themselves and left the chamber

Mayor Fiorentini informed the Central District Parking Commission and the parking consultant, John Burke did extensive work and they have proposed a number of amendments to the parking code. He urged the Council to vote on the increase on the hourly rate from \$.50 to \$1.00. This rate will still be the least expensive in the state. Parking downtown will be free during the holidays. Mr. John Burke informed that 3 studies have been done over a number of years and that the rate has fallen significantly behind market rate. The increase helps break even and replace capital equipment. Mike Stankovich, Public Works Director, identified projects that overall increased fees would be used for.

PLACED ON FILE 89L

Document 8-E:

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Vehicles and Traffic

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240-108, ARTICLE XVI, Parking Fees, Rates and Terms is hereby amended as follows:

By deleting the figure “\$.50” under the heading “Hourly Rate” on the CENTRAL BUSINESS DISTRICT PARKING FEES, RATES AND TERMS chart, and, by inserting the figure and words “\$1.00 for on-street and off-street parking” in place thereof; also, by deleting the figures “\$8.00”, “\$6.00” and “\$2.00” under the heading “Daily Maximum” and inserting in place thereof, respectively, the figures “\$12.00”, “\$12.00” and “\$4.00”; and, by deleting the words and figures “3 hours, 15 minutes” under the “Escalation After” and “\$1.00” under the heading “Escalating Hourly Rate”.

PASSED Yeas 6, Absent 1, Abstain 2 8E

Document 8-F: Ordinance re: Vehicles and Traffic – Amend Hours of Operation

POSTPONED TO DEC 8 2020 Yeas 6, Absent 1, Abstain 2 8F

Document 8-G: Ordinance re: Vehicles and Traffic – Amend Monthly Rate

POSTPONED TO DEC 8 2020 Yeas 6, Absent 1, Abstain 2 8G

Document 8-H: Ordinance re: Vehicles and Traffic – Amend Notes

POSTPONED TO DEC 8 2020 Yeas 6, Absent 1, Abstain 2 8H

Document 8-I:

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Vehicles and Traffic

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, is hereby further amended as follows:

Wherever the words and figures “ A(a)II is shown on the Central Business District Parking Map dated 12/04/2012, as last revised on 06/02/2020, filed in the office of the City Engineer, Plan 2B/3418, a copy of which is also on file with the City Clerk” Shall appear in §84, Schedule A: Service Zones; §85, Schedule b: Parking Restrictions and Prohibitions; and, §88, Schedule E: City Parking Lots, said words and figures shall be deleted and the words and figures “A(a)II as shown on the Central Business District Parking Map dates 08/17/2011, as last revised on 10/02/2020, filed in the office of the City Engineer, Plan 2B/3418, a copy of which is also on file with the City Clerk.”

PASSED Yeas 6, Absent 1, Abstain 2 8I

Councillors Bevilacqua and McGonagle returned to chamber

Document 89-N: Mayor submits the following Memorandum of Agreement (MOA) between City of Haverhill and Haverhill Firefighters Local 1011 Group and also Salary Ordinance

PLACED ON FILE 89N

Document 96-C:

Memorandum of Agreement between
The City of Haverhill and Haverhill Firefighters Local 1011
(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 96C

Document 97-C

ORDERED

MUNICIPAL ORDINANCE
An Ordinance Relating to Salaries

CHAPTER
Firefighters Group (Local #1011)

Be it Ordained by the City Council of the City of Haverhill that Document 51 of 2018 is hereby amended as follows: (see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 97C

16. RESOLUTIONS and PROCLAMATIONS:

17. Council Committee Reports and Announcements:

18. Documents referred to committee study

19. Long term matters study list

Meeting adjourned 8:30 o'clock P.M.

Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas
City Clerk

*Doc 101-S – Handout from Trevor Seaboyer - references