



City of Haverhill
City Council Minutes
Tuesday, March 16, 2021
4 Summer Street
Theodore Pelosi Jr. City Council Chambers, Room 202
In Person and Remote

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

Councillor McGonagle participated remotely.

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 not have public comment.

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 of prior meeting
The minutes were approved Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor Michitson was assigned the minutes

Councillor Sullivan requested a moment of silence in memory of Council President Barrett’s mother, Winnie Barrett, a life-long community member.

5. Communications from the Mayor:

Mayor Fiorentini requests to give an update on Haverhill’s efforts regarding the Coronavirus (COVID-19) crisis along with Councillor Daly O’Brien.

Allison Heartquist, Chief of Staff, gave an update of the vaccine sites in Haverhill sharing the locations, times and how to register. She thanked all the folks involved with administering the vaccine, marketing the vaccine, and partnering with the city. Councillor Daly O’Brien informed that over 8,000 doses of the J&J vaccine are coming to the state this week. Tomorrow, Governor Baker will announce new eligibility criteria. The first confirmed Brazilian variant was detected in Barnstable County. She urged residents to continue masking, washing hands and social distancing.

There will be a Veterans clinic at Consentino School on Sunday, March 21st.

PLACED ON FILE

5H

6. Communications from Councillors to introduce an individual(s) to address the council:

Communication from President Barrett requesting to introduce Christine Soundara and John Cuneo to speak on upcoming forum regarding the Little River dam

CHRISTINE SOUNDARA GAVE A POWER POINT PRESENTATION OF THE LITTLE RIVER DAM PROJECT. THIS IS A COLLABORATION BETWEEN THE CITY AND THE EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS. THERE WILL BE A PUBLIC OPEN FORUM ON LINE ON MARCH 24 AT 6P.M. IN ENGLISH FOLLOWED BY SPANISH FORUM AT 7:30P.M.

PLACED ON FILE

7D

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):

10. Hearings and Related Orders:

11. Appointments:

Confirming Appointments:

Non-Confirming Appointments

12. Petitions:

Application: CCCSP 21-5 from Attorney Robert Harb for Mazraany Construction, LLC, Owner/Applicant for a Special Permit to renovate existing home and convert existing garage to create a three Family Dwelling to be sold as condominiums for property located at 52 Salem st (former funeral home); Assessor's Map 728-704-1A

HEARING SCHEDULED APRIL 27, 2021 Yeas 9, Nays 0 34

Application: CCSP 21-2 from Attorney Michael Migliori for Alain Sfeir, Owner/Applicant for a Site Plan Review (Major) zone WD-F to construct an 18 residential unit building at 15 Middlesex st

HEARING SCHEDULED MAY 4, 2021 Yeas 9, Nays 0 35

13. Motions and Orders

14. Ordinances (File 10 days)

15. Communications from Councillors:

Communication was received from President Barrett requesting to discuss dog waste on the Brian Dempsey boardwalk and James Fiorentini rail trail and fine for violation of City Code

COUNCILLORS SUGGESTED WAYS TO HELP ELIMINATE DOG WASTE ON THE BOARDWALK AND RAIL TRAIL BY PROVIDING WASTE DISPENSERS AND BARRELS. STRICTER ENFORCEMENT OF CITY CODE AND/OR INCREASED FINES. SIGNAGE, CAMERA AND AWARENESS CAMPAIGN.

ON MOTION OF COUNCILLOR DALY O'BRIEN WITH SECOND FROM COUNCILLOR BEVILACQUA TO REFER TO PUBLIC SAFETY COMMITTEE AND LETTER TO MAYOR AND BOARD OF HEALTH.

Yeas 9, Nays 0 27O

Communication was received from Councillors Michitson and Bevilacqua requesting to recognize Greek Independence Day

PLACED ON FILE. SEE ITEM 17. 27P

Communication was received from Councillor Michael McGonagle requesting removal of a handicap parking space at 37 Curtis st, as it is no longer needed

REFERRED TO ENGINEERING Yeas 9, Nays 0 27Q

Communication was received from Councillor Bevilacqua requesting a discussion regarding the availability of off-street parking in the downtown area and confirmation of spaces reserved and remaining open spaces in the MVRTA garage

COUNCILLOR BEVILACQUA SUGGESTED THE USE OF AN ELECTRONIC COUNTER AT THE ENTRANCE OF THE GARAGE TO INFORM USERS OF PARKING SPACES.

ON MOTION OF COUNCILLOR BEVILACQUA WITH SECOND FROM COUNCILLOR MICHITSON TO SEND LETTER TO MAYOR ASKING HIM TO CONTACT MVRTA Yeas 9, Nays 0 27R

COUNCILLOR BEVILACQUA REVIEWED INFORMATION FROM JOE COSTANZO, MVRTA, ABOUT GARAGE PARKING PERMITS AND AVAILABILITY. DPW DIRECTOR STANKOVICH ANSWERED QUESTIONS ABOUT ON AND OFF STREET PARKING.

ALSO, TO SEND LETTER TO MAYOR, DPW DIRECTOR AND PARKING COMMISSION TO REVIEW PERMITS ISSUED, PARKING AVAILABILTY Yeas 9, Nays 0 27R

16. Unfinished Business of Preceding Meeting:

Document 4-Z

Communication from Council President Barrett and Vice President LePage requesting a status update from Mayor regarding ongoing City and School building maintenance projects including the Organizational Roles and Responsibilities of the "newly combined" Facilities Maintenance Dept

STEVE BUCUZZO, INTERIM FACILITIES DIRECTOR CITY SIDE, GAVE AN UPDATE ON CITY HALL IMPROVEMENTS, WATER STREET FIRE STATION WINDOWS, WASTEWATER TREATMENT PLANT ROOF, THE RETAINING WALL IN BACK OF CITY HALL, PENDING REMOVAL OF OLD OIL TANK AT CITY HALL. MR. BUCUZZO INFORMED THAT CITY HALL IS EXEMPT FROM ADA COMPLIANCE LAW.

JOYCE THIBODEAU, MEMBER OF COMMISSION ON DISABILITY ISSUES, INQUIRED ABOUT THE 2014 ADA REPORT DONE BY NILP REGARDING ITEMS HIGHLIGHTED TO BE ADDRESSED.

STEVE DORRANCE, NEWLY HIRED FACILITIES DIRECTOR SCHOOL/CITY, INTRODUCED HIMSELF AND HIGHLIGHTED THE WORK THAT HE HAS UNDERTAKEN AT THE SCHOOLS, POLICE CANOPY PROJECT AND OVERSEEING THE ANIMAL SHELTER PROJECT.

ON MOTION OF COUNCILLOR LEPAGE WITH SECOND FROM COUNCILLOR MICHITSON TO SEND LETTER TO MAYOR AND FACILITY DIRECTORS ASKING FOR AN UPDATED ADA EVALUATION OF ALL CITY BUILDINGS WITH THE COMMISSION ON DISABILITY ISSUES

Yeas 9, Nays 0 4Z

Document 30
MUNICIPAL ORDINANCE
An Ordinance Relating to Vehicles and Traffic

CHAPTER 240

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, § 240-85, Schedule B: Parking Restrictions and Prohibitions, as amended, be and is hereby further amended by deleting the following words and numbers under the heading:

<u>Name of Street Location</u>	<u>Regulation</u>	<u>Hours/Days</u>
“Merrimack Street Parking Lot 3 most westerly spots in the rear row	Veteran’s Clinic Patrons only	Monday through Friday 8:30 a.m. to 4:00 p.m.”
PASSED		Yeas 8, Abstain 1(McGonagle) 30

Document 31
MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Outdoor Dining

BE IT ORDAINED by the City Council of the City of Haverhill that the Chapter 222 of the Code of the City of Haverhill, as amended, be further amended by adding the following:

“ARTICLE XVI
TEMORARY OUTDOOR DINING

222-98 Temporary Provisions.

Notwithstanding any other provisions of the Code of the City of Haverhill, including Article XII Outdoor Dining and Article XIV Parklets of Chapter 222, the following temporary program to allow restaurants, cafes, fast food outlets, coffee shops, and other similar places of public accommodation offering food and beverages, including alcoholic beverages, (“establishments”) for on-premises consumption to operate safely in outdoor settings. Any provision of existing Ordinances which is inconsistent with this Ordinance, such provisions shall be temporarily suspended. The provisions of this ordinance shall be available city-wide.

222-99 Purpose.

The intent of the program is to allow for greater physical distancing and safety for customers when the Commonwealth’s public health orders allow restaurants to resume sit-down service, as outlined in Phase 2 of reopening Massachusetts. This is a temporary program to support our local eateries and residents. It will be available for the duration of the outdoor summer/fall dining season through November 1, 2021, at which time the City may evaluate a potential expansion of the program. The City reserves the right to require the user to remove the street seating if and when it determines it to be necessary, for any reason and at any time. All furnishings and lighting must be easily removed at the end of the program period.

222-100 Eligible Outdoor Areas.

Under this program, eligible businesses may be able to temporarily expand into the following types of outdoor areas:

Private property, including off-street parking lots with the property owner’s consent.

Public right-of-way, including sidewalks, street parking spaces, public parking lots, boardwalks, public parks and any other public areas with the permission of the Mayor, and, possibly closing select streets.”
(See document for complete text)

PASSED Yeas 9, Nays 0 31

17. RESOLUTIONS and PROCLAMATIONS:

PROCLAMATION – *Greek Independence Day*. March 25 2021

COUNCILLOR MICHITSON READ THE PROCLAMATION INTO THE RECORD

ADOPTED Yeas 9, Nays 0 6E

18. Council Committee Reports and Announcements:

Councillor Colin Lepage read into the record the minutes and recommendations of Administration & Finance Committee meeting held on February 16, 2021 for acceptance and discussion as follows: Doc. 4-G-review of Rules and Regulations of City Council; Review of study list documents for disposition Doc. 13-Y/2019 – accounting of revenue funds from Licenses Marijuana Establishments, Doc. 89-D/2019 – outdoor advertising of marijuana products, Doc. 89-K/2019 – process for establishing Charter Commission review, Doc. 89-U/2019 – Community Compact Best Practices Grant

Councillor McGonagle recused himself from the following votes:

On motion of Councillor LePage with second from Councillor Daly O'Brien to approve the Feb. 16, 2021 minutes and place them on file.

PLACED ON FILE

Yeas 8, Abstain 1 36

On motion of Councillor LePage with second from Councillor Daly O'Brien to approve the revised City Council Rules and Regulations.

Yeas 8, Abstain 1 36

Councillor Jordan announced the Exchange Club's Annual Rick Barry St. Patrick's Day Celebration will be held virtually on March 17 at 10a.m. and will be broadcast by HC Media.

President Barrett announced the cancellation of the March 23 City Council meeting due to the Mayor's State of the City Address.

19. Documents referred to committee study list

20. Long term matters study list

Meeting adjourned 9:05 o'clock P.M.

Yeas 9, Nays 0

Attest: James Blatchford
Assistant City Clerk