



City of Haverhill
 City Council Minutes
 Tuesday, April 13, 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 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. 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

The minutes were approved

Yeas 9, Nays 0

4. Assignment of the minutes review for the next Meeting

Councillor McGonagle was assigned the minutes

5. Communications from the Mayor:

Mayor Fiorentini submits the following Memorandum of Agreement (MOA) and salary ordinance between the City of Haverhill and the Haverhill Water Purification Group.

PLACED ON FILE

20B

MUNICIPAL ORDINANCE
 An Ordinance Relating to Salaries
 (see document for complete text)

CHAPTER
 Water Purification Group

PLACED ON FILE for at least 10 days

Yeas 9, Nays 0

21B

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

Councillor Jordan wishes to introduce Hailey Moschella to inform the Council and the community about the upcoming Haverhill Art Walk series which kicks off on Saturday, May 8

MS. HAILEY MOSCHELLA GAVE A POWERPOINT PRESENTATION. HAVERHILL ART WALK IS A SERIES OF EVENTS HELD THE SECOND SATURDAY OF THE MONTH STARTING MAY 8 THRU SEPTEMBER. OPPORTUNITIES FOR MUSICIANS, SKETCHERS, AND ARTISTS TO PERFORM INDOOR AND OUTDOOR IN THE DOWNTOWN AND IMMEDIATE AREA. THEY ARE WORKING WITH CREATIVE HAVERHILL AND HAVE A GRANT FROM HAVERHILL CULTURAL COUNCIL. FOR MORE INFORMATION VISIT creativehaverhill.org/cogswell

PLACED ON FILE

7-F

Councillor Michitson requests to introduce Erin Padilla and Danielle Smida of Creative Haverhill and Cogswell Art Space to address the need for creative outlets and shared public spaces as Haverhill emerges from pandemic into a brighter future

MS. ERIN PADILLA SPOKE ABOUT THE NEED FOR THE COMMUNITY TO OFFER MORE ACCESS TO CREATIVITY FOR KIDS AND THAT WE SHOULD INVEST IN ARTS AND CULTURE. TO DATE, THEY HAVE RAISED OVER \$2MILLION FOR THE COGSWELL ART SPACE AND PLAN TO OPEN

IN THE FALL OF 2022. MS. PADILLA REQUESTED TO BE INVITED TO THE TABLE TO DISCUSS IDEAS FOR SPENDING THE AMERICAN RESCUE PLAN FUNDS.*
PLACED ON FILE

7-G

7. Public Participation- Requests under Council Rule 28

8. Communications and Reports from City Officers and Employees:

Assessor report for month of March 2021

PLACED ON FILE

Yeas 9, Nays 0

53

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

Hearing was held on Document 41, a petition from National Grid for Pole and Wire Location Hearing to place 1 pole & two anchors on Crosby St. Ext. to provide electric service to two new homes on Crosby St. Ext. (Plan # 30319017). With Paulo Sather from National Grid appearing in favor. This pole is to service 2 new homes. Alex and Theresa Zegler were opposed. They expressed concern about pole location and asked if wires could be placed underground. Ms. Zegler indicated that the poles are close to her driveway and wanted to know if they could be relocated. Mr. Sathler informed that they would use the least costly measure to install. If everything is currently overhead then they would do that. He informed that the pole lines required easements from the property owner since they are on private property and they would not install unless easements are in place. Mr. Sather indicated that the developer and National Grid would work with the neighbors. The hearing was not closed.

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR DALY O'BRIEN TO CONTINUE THE HEARING TO MAY 4 2021.

Yeas 9, Nays 0

41

Order – grant Mass Electric Company d/b/a National Grid & Verizon permission for Joint Pole Location on Crosby st Ext

CONTNUED TO MAY 4 2021

Yeas 9, Nays 0

24

10. Hearings and Related Orders:

Document 24: CCSP-21-3; Attorney Paul Magliocchetti submits application for a special permit hearing for the owner/applicant David O'Leary, Boston Haverhill, LLC to create a 7-lot subdivision consisting of 6 lots for Triplex townhouse style condos and 1 lot for the existing single-family home of Mr. O'Leary at 1240 Boston rd; *Comments from various city departments.*

HEARING OPENED

ATTORNEY PAUL MAGLIOCCHETTI GAVE AN OVERVIEW OF THE PROJECT THAT THE OWNER WANTS TO DEVELOP AS A 7 LOT SUBDIVISION CONSISTING OF 6 LOTS FOR TRIPLEX TOWN HOUSE STYLE CONDOMINIUMS AND 1 LOT FOR THE EXISTING SINGLE FAMILY HOME OF MR. O'LEARY. HE STATED THAT THEY HAD MET WITH THE NEIGHBORS ON APRIL 10 TO ANSWER ANY QUESTIONS OR CONCERNS. TJ MELVIN OF MILLENNIUM ENGINEERING SPOKE ABOUT THE LAYOUT OF THE RESIDENTIAL SUBDIVISION. THE EXISTING HOME WILL BE MOVED TO LOT 7. THE ROAD WIDTH WILL BE 28 FEET WIDE WHERE THE STANDARD IS 24 FEET WIDE. THERE WILL BE SIDEWALKS ON ONE SIDE OF THE ROAD. THE DEVELOPER WILL PROVIDE A 6 FOOT HIGH FENCE ALONG 200 FEET OF THE PROPERTY OWNER AT 1234 BOSTON ROAD. KEN CRAM OF BAYSIDE ENGINEERING SPOKE ABOUT THE TRAFFIC STUDY AND TRAFFIC GENERATION. THIS WOULD BE A VERY SMALL IMPACT. HE ADDED THAT WHEN THEY MET WITH THE FARRWOOD FOLKS THEIR CONCERNS WERE TRAFFIC SPEED AND THEY WANTED A TRAFFIC SIGNAL. HE SAID THERE WAS NOT ENOUGH VOLUME TO MEET THE MASS DOT CIRTERIA. STEPHEN PAQUETTE, DEVELOPER, SPOKE ABOUT HIS BACKGROUND AND ADDED THAT THEY HAD A GOOD SITE MEETING WITH THE NEIGHBORS. NO ONE SPOKE IN FAVOR OR AGAINST THE REQUEST.

HEARING CLOSED.

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR DALY O'BRIEN TO MOVE FOR PASSAGE WITH CONDITIONS.

COUNCILLORS SPOKE ABOUT CONCERNS WITH TRAFFIC ON RTE. 125 FROM DIBURRO'S TO THE NORTH ANDOVER LINE. EVEN THOUGH THE TRAFFIC VOLUME MAY NOT WARRANT A TRAFFIC SIGNAL EXCEPTIONS CAN BE MADE. COUNCILLOR SULLIVAN AND OTHERS ARE WORKING ON THIS ISSUE. COUNCILLORS SUPPORTING THE PROJECT FELT THAT AFFORDABLE HOUSING IS NEEDED. PROVIDING A SIDEWALK FOR THIS PROJECT CAN NOT BE DONE AS THIS IS HAS TO BE APPROVED BY THE STATE.

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR DALY O'BRIEN TO INCLUDE WILLIAM PILLSBURY'S LETTER DATED MARCH 26, 2021 TO RECOMMEND APPROVAL OF THE SPECIAL PERMIT WITH THE INCLUSION OF ANY CITY DEPARTMENT COMMENTS AND THE ABOVE STIPULATIONS BEING INCLUDED IN THE SPECIAL PERMIT APPROVAL. ALSO, THE DEVELOPER WILL PROVIDE 200 FOOT LONG SOLID FENCE, 6 FEET HIGH, ALONG THE PROPERTY LINE OF 1234 BOSTON ROAD.

Yeas 8, Nays 1(Bevilacqua)

AMENDMENT PASSED

ON MOTION OF COUNCILLOR BEVILACQUA THAT THE SPECIAL PERMIT BE CONDITIONED THAT LEFT TURN, SOUTHBOUND, NOT BE PERMITTED FROM THE PROJECT – NO SECOND MOTION FAILED

ON MOTION OF COUNCILLOR BEVILACQUA THAT THERE BE A SIDEWALK ALONG THE PROPERTY LINE WITHIN THE DEVELOPMENT TO FARRWOOD DRIVE – NO SECOND MOTION FAILED

VOTE ON MAIN MOTION

On the question of passage the yeas and nays are as follows:

Yeas,-Councillors LePage, Michitson, Jordan, McGonagle, Daly O’Brien and Macek 6

Nays,-Councillors Bevilacqua, Sullivan and President Barrett 3

MOTION PASSED AS AMENDED

24

11. Appointments:

Confirming Appointments

Non-Confirming Appointments

Constable Appointment – Lohan Moreira, 20 Hillside st; Appointment effective immediately and to expire Dec 31 2021

PLACED ON FILE

Yeas 9, Nays 0

13N

Conservation Commission – Jennifer Rubera, 25 Gale ave; Appointment effective immediately and to expire Dec. 31 2021

PLACED ON FILE

Yeas 9, Nays 0

13M

12. Petitions:

Petition from Attorney Michael Migliori representing PE Realty Partners, LLC, submitting application for Site Plan Review (Major) and Special Permit to construct 290 apartment units and approximately 6,500 Sq. ft. of retail space on the existing vacant parcels owned by the City on Railroad ave and the Skateland site also on Railroad ave.; Hearing scheduled for May 18 2021.

CLERK KOUTOULAS INFORMED AT THE REQUEST OF THE CITY COUNCIL, THE APPLICANT AGREED TO MOVE HEARING DATE TO MAY 25.

HEARING RESCHEDULED TO MAY 25 2021

Yeas 9, Nays 0

32B

Petition from Tom Rossi, General Manager of CNA 558 River st requesting amending operating hours in Special Permit to allow them to extend closing from 6PM to 8PM on Monday, Tuesday and Wednesday.

Fire Department, Police Department and Engineering Department approve request

ON MOTION OF COUNCILLOR SULLIVAN WITH SECOND FROM COUNCILLOR DALY O’BRIEN TO PLACE ON FILE

Yeas 7, Nays 1(Bevilacqua) Abstain 1(McGonagle)

38B

Councillor Bevilacqua left the Chambers

Tag Days

Riverside Bradford, Kevin Doody, 57 Eastland Ter, Haverhill, June 26 and 27, 2021 at Heav’nly Donuts, Market Baskets, Dunkins

GRANTED

Yeas 8, Absent 1

52

Annual License Renewals:

Taxi Driver Licenses for 2021

David McLaughlin, 15 Grandview rd – renew; *Police approval received*

GRANTED

Yeas 8, Absent 1

51

Lynn Lassar, 4 I st. – new; *Police approval received*

GRANTED

Yeas 8, Absent 1

51B

13. Motions and Orders

14. Ordinances (File 10 days)

15. Communications from Councillors:

Councillor Bevilacqua returned

Councillor Daly O’Brien would like to recognize Administrative Professionals week, April 19 – 25, as well as Administrative Professional Day, April 21.

PLACED ON FILE

Yeas 9, Nays 0

50C

Councillor Bevilacqua requests discussion regarding the painting of school crosswalks and other street crosswalks.

COUNCILLORS NOTED THAT PAINTING OF CROSSWALKS IS DEPENDENT ON WEATHER CONDITIONS.

ON MOTION OF COUNCILLOR BEVILACQUA WITH SECOND FROM COUNCILLOR JORDAN TO SEND LETTER TO PUBLIC WORKS DIRECTOR ABOUT PAINTING OF CROSSWALKS AND USE OF REFLECTIVE PAINT

On the question of passage, the yeas and nays are as follows:

Yeas,-Councillors LePage, Bevilacqua, Michitson, Sullivan and Jordan 5

Nays,-Councillors McGonagle, Daly O’Brien, Macek and President Barrett 4

LETTER TO PUBLIC WORKS DIRECTOR

50D

Councillor Bevilacqua discussion on proposing additional dumpster cleaning schedule for apparently underserved buildings.

COUNCILLOR BEVILACQUA SHOWED A PHOTO OF 2 DUMPSTERS OVERFLOWING WITH TRASH LEFT BESIDE THE DUMPSTERS. THIS POSES PUBLIC HEALTH PROBLEM AND IS UNSIGHTLY. ON MOTION OF COUNCILLOR BEVILACQUA WITH SECOND FROM COUNCILLOR MICHITSON TO SEND LETTER TO BOARD OF HEALTH AND BUILDING INSPECTOR OFFICES TO REQUIRE THAT DUMPSTERS BE EMPTIED MORE THAN ONCE A WEEK OR EVEN MORE OFTEN IF NEEDED.

Yeas 9, Nays 0 50E

16. Unfinished Business of Preceding Meeting:

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, § 240-85, Schedule B: Parking Restrictions and Prohibitions, as amended, be and is hereby further amended by deleting the following:

Curtis Street: No Parking 24 hours
 In front of #37 (except for 1 24 -hour
 Parking space)

PASSED Yeas 9, Nays 0 3E

17. RESOLUTIONS and PROCLAMATIONS:

Proclamation – Armenian Holy Martyrs’ Day, April 24 2021

COUNCILLOR MACEK READ THE PROCLAMATION INTO THE RECORD

ADOPTED Yeas 9, Nays 0 6I

Proclamation – Holocaust Days of Remembrance, week of April 4 -11

COUNCILLOR JORDAN READ THE PROCLAMATION INTO THE RECORD

ADOPTED Yeas 9, Nays 0 6J

18. Council Committee Reports and Announcements:

There will be no City Council meeting on April 20th.

Councillor LePage informed that there may be an Administration & Finance Committee meeting on April 21.

19. Documents referred to committee study

20. Long term matters study list

Meeting adjourned 9:33 o’clock P.M. Yeas 9, Nays 0

Attest: Linda Koutoulas
 City Clerk

*Doc. 7-G – Handout from Erin Padilla – Reinvent Cogswell brochure