



City of Haverhill
City Council Minutes
Tuesday, April 21, 2020
Virtual Meeting

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

President Barrett, Vice President LePage and City Clerk Koutoulas participated from the City Council office.

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 so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will not feature 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 8, Nays 0, Absent 1(Michitson)
4. Assignment of the minutes review for the next Meeting
Vice President LePage was assigned the minutes

Councillor Michitson joined the meeting

5. Communications from the Mayor
Communication from Mayor Fiorentini requesting to address the Council to give an update on Haverhill’s efforts regarding the Coronavirus (COVID-19) crisis
Mayor Fiorentini informed there are 327 cases with 1 additional death. Governor Baker has cancelled school to the end of the academic year. School nurses are helping Mary Connelly with tracing/tracking. He thanked our legislative delegation for sharing timely information with the community. He thanked Lightspeed Manufacturing, Richard Breault, for turning scuba masks into highly sophisticated N99 masks which will be distributed all over the country for medical providers and hospitals. He urged everyone to continue to abide by social distancing rules, wash hands, wear masks, call 311 if you need surgical masks. For the elderly who can’t go to store, call the Mayor’s office. It’s too early to return to normal. He hopes to have the highway department drop off area opened by the first Saturday in May. Councillors inquired about the budget. The Mayor informed state is projecting revenue loss of billions of dollars. The Mayor is projecting \$5-\$6M deficit for city. Doesn’t think he can get budget to Council before June because he has to get some idea from the state. He will provide different scenario budgets for Council review and will “preserve vital services”.

6. Communications from Councillors to introduce an individual(s) to address the Council:
Communication from Council President Barrett requesting to introduce our legislative delegation to discuss the COVID-19 pandemic and budgetary concerns
Rep. Vargas introduced all legislators by stating what subject each one would be discussing to avoid repetition and that they communicate with the command center, Secretary Sudders and check in at the federal level with officials. Rep. Campbell spoke about the budget and that going forward the budgets will be smaller; Massachusetts is not going to bounce back like in the past. She gave an update on Holy Family campus and PPE’s. Essex County is third in state for numbers of cases. She is also working on veterans issues, unemployment and small business programs. Sen. DiZoglio informed that the Paycheck Protection Program for small

businesses has run out of funding and that federal government is taking action; they are looking to replenish Economic Injury Disaster loan fund; Pandemic Unemployment Opportunity Assistance is for gig workers. Rep. Minicucci – evictions – renters and small business owners are protected. Owner occupied 1-4 family unit has automatic forbearance. This doesn't cover commercial landowners – renters should call landowner. Rep. Mirra spoke about unemployment benefits with Pandemic Unemployment Assistance for gig workers. Warned people about scams involved with Stimulus payments. The IRS will never call you. The government is looking at mortgage forbearance. There is grant opportunity for manufacturers who want to transition to Personal Protection Equipment. Rep Vargas informed that National Grid will defer payments if need be and to contact them. FEMA will reimburse city at 75%. Telehealth can be accessed from home for mental health issues. Rep. Minicucci informed that this month is Domestic Violence month and that 24-hour hotline is available at 1-877-7852020.

- 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
 - No Schedule
 - Non-Confirming Appointments

12. Petitions:
 Petition from Attorney Robert Harb for applicant James H. Lyons, Trustee of The Dennysville-Lyons Realty Trust, requesting that Catalina Way be accepted as a public way
 REFERRED TO PLANNING BOARD
 COUNCIL HEARING JUNE 30 2020 Yeas 9, Nays 0 59

13. Motions and Orders
 14. Ordinances (File 10 days)
 15. Communications from Councillors:
 Communication was received from Councillors LePage and Daly O'Brien requesting a discussion regarding the possible use of Hale Hospital Trust Funds for ongoing City health care programs and issues
 SOLICITOR COX GAVE A DETAILED SUMMARY/BACKGROUND OF THE ORIGINS OF THE MONIES THAT ARE IN THE HALE HOSPITAL TRUST FUNDS WHICH AMOUNT TO OVER \$603K. WHEN THE HOSPITAL WAS PRIVATELY OWNED, GIFTS/BEQUESTS FROM WILLS WERE MADE. IN 1931 THE CITY TOOK OVER THE HOSPITAL. MONIES WERE IN VARIOUS ACCOUNTS FOR A VARIETY OF PURPOSES. A NUMBER OF YEARS AGO THE CITY PROVIDED THE ATTORNEY GENERAL'S OFFICE WITH INFORMATION ABOUT THE FUNDS. THE ATTORNEY GENERAL'S OFFICE IS SEEKING MORE DETAILED INFORMATION. AT THIS POINT, THE FUNDS ARE NOT AVAILABLE FOR CITY USE. SOLICITOR COX SUGGESTED THE CITY COME UP WITH USES THAT WOULD STAND THE TEST OF TIME.
 REFERRED TO ADMINISTRATION & FINANCE COMMITTEE Yeas 9, Nays 0 58M

Communication was received from Councillor Colin LePage requesting a discussion regarding the City's preparations for in-person and mail-in voting participation in Haverhill
 COUNCILLOR LEPAGE INTRODUCED REP. VARGAS TO SPEAK ABOUT MAIL IN VOTING. REP. VARGAS INFORMED THAT HE HAD CO-SPONSORED A BILL TO IMPLEMENT MAIL IN VOTING. THE BILL ALLOWS VOTERS TO REQUEST A BALLOT BY PARTY DESIGNATION. THERE IS AN ISSUE WITH UNENROLLED VOTERS. REP. VARGAS ALSO MENTIONED FEDERAL LEGISLATION CALLED HAVA (HELP AMERICANS VOTE ACT) WITH FUNDS THAT WOULD ENCOURAGE PEOPLE TO VOTE.
 COUNCILLOR LEPAGE ASKED THE COUNCIL TO SEND A LETTER OF SUPPORT FOR HOUSE BILL H5026 AND SENATE BILL S2912 TO INCLUDE SUPPORT FOR HAVA FUNDS. SINCE COUNCILLORS WERE NOT FAMILIAR WITH BILLS, COUNCILLOR LEPAGE MOTIONED TO POSTPONE TO MAY 5.
 POSTPONED TO MAY 5 2020 Yeas 9, Nays 0 58N

Communication was received from Councillor Joseph Bevilacqua recommending to Mayor and Council that the next budget not include property tax increase
 COUNCILLOR BEVILACQUA MOTION THAT DUE TO THE ECONOMIC DOWNTOWN WE ARE EXPERIENCING THAT A LETTER BE SENT TO THE MAYOR RECOMMENDING THAT THE NEXT BUDGET HE DEVELOPS NOT HAVE A PROPERTY TAX INCREASE. THE MAYOR INFORMED THAT HE WILL PROVIDE DIFFERENT SCENARIOS. AFTER MUCH DISCUSSION WITH THE MAYOR AND COUNCILLORS ABOUT TYPES OF BUDGETS (1/12, 2/12, PRIORITIES) A MOTION WAS MADE BY COUNCILLOR LEPAGE TO TABLE THIS DISCUSSION.
 On motion for passage, the yeas and nays were as follows:
 Yeas – Councillors LePage, Michitson, Sullivan, Jordan, Macek and President Barrett – 6
 Nays – Bevilacqua, McGonagle and Daly O'Brien – 3
 TABLED 58O

Communication was received from Councillor Joseph Bevilacqua recommending that the Council reverse the Council's recent decision to not hold Council meetings the day after a holiday
ON MOTION OF COUNCILLOR BEVILACQUA TO AMEND COUNCIL RULE 2A. NO SECOND
PLACED ON FILE 58P

Communication was received from Councillor Joseph Bevilacqua requesting and recommending that in the absence of actual viewer direct voice and visual engagement, no Council public hearings be held
COUNCILLOR BEVILACQUA WAS REMINDED THAT NO PUBLIC HEARINGS ARE BEING HELD
DUE TO COVID-19 AND UNTIL SUCH TIME THAT VIRTUAL/REMOTE MEETINGS WOULD BE
AVAILABLE TO THE GENERAL PUBLIC.
ON MOTION OF COUNCILLOR LEPAGE TO HAVE CITY INITIATE BANNER NOTIFICATION
ABOUT PUBLIC HEARINGS ON CITY WEBSITE. Yeas 9, Nays 0 58Q

Communication was received from Councillor John Michitson requesting to address the Budget Process for the FY21 Budget Review in light of COVID-19 crisis
COUNCILLOR MICHITSON MOVED TO PLACE THIS ITEM ON FILE SINCE IT WAS ADDRESSED
EARLIER BY MAYOR FIORENTINI Yeas 9, Nays 0 58R

Communication from Councillors Daly O'Brien, Jordan and McGonagle requesting discussion of the fire department's 25-year apparatus replacement plan created by former Chief Parrow in 2016
COUNCILLOR JORDAN INFORMED THAT HE SPOKE WITH CHIEF LALIBERTY WHO SAID THE
RESCUE TRUCK IS BEING BUILT AND WILL BE DELIVERED BY THE END OF SUMMER/FALL;
WE SHOULD HAVE ORDERED ANOTHER TRUCK THIS YEAR. COUNCILLOR DALY O'BRIEN
EXPRESSED HER CONCERNS ABOUT SAFETY AND AGE OF TRUCKS. COUNCILLOR
BEVILACQUA SUGGESTED THE USE OF CDBG FUNDS. MAYOR FIORENTINI INFORMED THAT
THE HANS TRUCK IS USED FOR BACK UP AND THAT AT BUDGET TIME ALL CAPITAL
PROJECTS SHOULD BE PRIORITIZED
ON MOTION OF COUNCILLOR JORDAN WITH SECOND FROM COUNCILLOR DALY O'BRIEN
TO GO FORWARD WITH REPLACING 2 FIRE TRUCKS AS SCHEDULED IN CAPITAL IMPROVE-
MENT PLAN Yeas 8, Nays 0, Abstain 1(Bevilacqua) 58S

16. Unfinished Business of Preceding Meeting:

Councillor Michitson lost his connection

Document 57

MUNICIPAL ORDINANCE CHAPTER 182
AN ORDINANCE RELATING TO NOISE

Be It Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 182, as amended, is hereby further amended by adding the following:

“§ 182-18 Prohibited activities during certain hours of the day.

No person or other legal entity shall operate or allow to be operated an unattended self-service car wash facility except between the hours of 7:00 AM and 9:00 PM. The allowed hours of operation shall be included on every occupancy permit or other permit for such a facility issued by the City.”

COUNCILLOR MACEK REQUESTED AN AMENDMENT FOR ORDINANCE TO BE EFFECTIVE MAY 21 2020 TO ALLOW FOR 3 BUSINESSES TO ALTER SIGNAGE AND EQUIPMENT.
PASSED EFFECTIVE MAY 21 2020 Yeas 8, Nays 0, Absent 1 (Michitson) 57

Councillor Michitson returned to meeting

Document 58-F: Communication from Councillors Jordan, McGonagle and Daly O'Brien requesting a discussion regarding need to move forward now with the new animal shelter
PRESIDENT BARRETT INFORMED THAT RICHARD MACDONALD SENT INSPECTORS TO
SHELTER TODAY AND THEY DIDN'T HAVE TIME TO WRITE A REPORT. THEY WOULD NOT
CONDEMN THE BUILDING. SHAWN REGAN OF THE MAYOR'S OFFICE INFORMED THAT THEY
HIRED A NEW EXTERMINATOR AND WOULD SET NEW TRAPS, SOME TRAPS WILL BE RE-
BAITED AND THEY ARE BAITING SEWER PIPES. A HANDYMAN WILL BE GOING THERE THIS
WEEK FOR A 2 TO 3 WEEK REPAIR JOB. MAYOR FIORENTINI SAID THE PROPOSAL WAS FOR
\$1.7M PROJECT AND THAT FORMER MAYOR OF GLOUCESTER TOLD HIM THEY DID A
PRIVATE FUNDRAISER AND USED GRANTS FOR THEIR SHELTER. COUNCILLOR DALY
O'BRIEN SUGGESTED THEY LOOK AT THE PROJECT FROM A DIFFERENT PERSPECTIVE.
COUNCILLOR LEPAGE RECOMMENDED THAT THE PROJECT BE SHOVEL READY SO THAT AT
THE APPROPRIATE TIME WE COULD MOVE FORWARD
ON MOTION OF COUNCILLOR MCGONAGLE TO TABLE TO MAY 5
TABLED TO MAY 5 2020 Yeas 9, Nays 0 58F

17. RESOLUTIONS and PROCLAMATIONS:

PROCLAMATION - *Remembrance of the Holy Martyrs of the Armenian Genocide* – April 24 2020
ADOPTED Yeas 9, Nays 0 33C

18. Council Committee Reports and Announcements:
19. Documents referred to committee study
20. Long term matters study list

Meeting adjourned 11:15 o'clock P.M.

Yeas 9, Nays 0

Attest: Linda Koutoulas
City Clerk