



City of Haverhill  
City Council Minutes  
Tuesday, April 28, 2020  
VIRTUAL MEETING

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Present – President Barrett, Councillors LePage, Bevilacqua, Michitson, Sullivan, Jordan, McGonagle, and Macek.

Absent – Councillor Daly O’Brien

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
4. Assignment of the minutes review for the next Meeting  
Councillor Bevilacqua was assigned the minutes
5. Communications from the Mayor
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:
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 Thomas Hodgson, Livingstone Development Corp., requesting to move forward with application to accept a portion of South Pearson st as a public way  
REFERRED TO PLANNING BOARD  
COUNCIL HEARING JUNE 16 2020 Yeas 8, Nays 0, Absent 1 43

13. Motions and Orders  
BOND ORDER: That Eight Hundred Fifty Three Thousand Dollars (\$853,000) is appropriated for engineering services for the development of plans and specification for road and bridge reconstruction on North Avenue, including the payment of costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount pursuant to Chapter 44, Section 7(7) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. (see document for complete text)  
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 26B

14. Ordinances (File 10 days)

15. Communications from Councillors:

Communication was received from Councillors Thomas Sullivan and William Macek requesting a discussion relative to safety, speed, and MassDOT's proposed reconstruction schedule associated with the recent findings and the narrowing of North Avenue Bridger over Snows Brook; *Related communication from City Engineer, John Pettis*

COUNCILLORS SULLIVAN AND MACEK INFORMED THAT THE CURRENT BARREL CONFIGURATION IS TOO NARROW AND THAT ENGINEER PETTIS IS SEEKING AN ALTERNATIVE WITH MASS DOT. ALSO, THEY ASKED TO HAVE SIGNAGE INSTALLED IN BOTH DIRECTIONS TO NOTIFY MOTORISTS TO PROCEED WITH CAUTION. CONSIDERATION BE GIVEN FOR REVIEW OF SPEED LIMIT AND WEIGHT LIMIT FOR NORTH AVENUE.

LETTER TO MAYOR AND ENGINEER PETTIS AND SEPARATE LETTER TO LEGISLATIVE DELEGATION TO ADVOCATE FOR MASS DOT TO MOVE FORWARD WITH PROJECT PRIOR TO SCHEDULED 2023 TIMEFRAME Yeas 8, Nays 0, Absent 1 58T

Communication was received from Councillors LePage and McGonagle requesting a discussion regarding traffic issues at the Starbucks located at the intersection of Main and Rosemont Streets

COUNCILLOR MCGONAGLE INFORMED THAT HE HAD SPOKEN TO DEPUTY CHIEF HAUGH ABOUT THIS ISSUE AND WAS TOLD THAT STARBUCKS HAS AGREED TO HIRE A FULL TIME TRAFFIC DETAIL TO ENSURE THAT EMERGENCY VEHICLES AND GENERAL TRAFFIC CAN PASS. THE DETAIL WILL HELP WITH MAKING SURE THAT MOTORISTS DO NOT BLOCK DRIVEWAYS. THE SITUATION WILL BE REVIEWED AND STUDIED BY THE POLICE DEPARTMENT 58U

Communication was received from Councillor Colin LePage requesting a discussion on allowing restaurants to sell groceries and other household products

COUNCILLOR LEPAGE INFORMED THAT DISCUSSIONS ARE TAKING PLACE WITH DOUGAN SHERWOOD, GR. HAVERHILL CHAMBER OF COMMERCE & JASON PETROU ABOUT ALLOWING RESTAURANTS TO SELL GROCERIES LIKE OTHER MUNICIPALITIES. ALSO, UNDER CONSIDERATION IS SELLING OF COVERED MIXED DRINKS.

MOTION TO SEND LETTER TO MAYOR AND BOARD OF HEALTH TO SEEK CLARIFICATION ABOUT PROCESS TO ALLOW FOR SALE OF MIXED DRINKS. Yeas 8, Nays 0, Absent 1 58V

Communication was received from Councillors LePage and Daly O'Brien requesting a discussion on City adoption of the Families First Coronavirus Response Act concerning first responders and healthcare workers ON MOTION OF COUNCILLOR LEPAGE TO POSTPONE TO MAY 5

POSTPONED TO MAY 5 Yeas 8, Nays 0, Absent 1 58W

Communication was received from Councillors Bevilacqua and John Michitson requesting a discussion regarding CSO from the City of Haverhill and requested confirmation of actual release into Merrimack River *Related communication from Bob Ward, Deputy Director, Water/Wastewater*

ROBERT WARD GAVE A DETAILED SUMMARY OF THE COMBINED SEWER OUTFLOW (CSO) ISSUE IN HAVERHILL. HE EXPLAINED THE 3 ENGINEERING PHASES THAT THE CITY HAS UNDERTAKEN TO ADDRESS THE ISSUE. WE ARE IN PHASE 3. FLOW METERS WERE INSTALLED IN 2014 IN ALL CSO OUTFALLS. OUR OUTFLOW IS IMPACTED BY ANNUAL RAINFALL. SINCE 2014 THE VOLUME HAS BEEN MEASURED. THE RANGE FROM 2014/2015 WAS 8MILLION GALLONS TO 49MILLION GALLONS IN 2018. COUNCILLORS RAISED CONCERNS ABOUT THE CITY POSTING OF CSO VERSUS THE ACTUAL DISCHARGE INTO THE MERRIMACK RIVER. MR. WARD INFORMED THAT THE ANNUAL REPORT REPRESENTS AVERAGE RAINFALL AND AVERAGE GROUND WATER LEVEL. HE IS TAKING A LOOK AT THE WEBSITE TO SEE HOW IT CAN BE IMPROVED. COUNCILLORS WANTED THE WEBSITE TO REFLECT ACTUAL OUTFLOW. ALL AGREED THAT THE CSO ISSUE IS VERY COSTLY. 58X

Communication was received from Councillor Timothy Jordan requesting to discuss the Hope in Haverhill inspirational messaging program in downtown Haverhill

COUNCILLOR JORDAN INFORMED ABOUT INSPIRATIONAL MESSAGING THAT IS GOING ON DOWNTOWN TO BRIGHTEN LIVES/UPLIFT SPIRITS AND WANTED TO GIVE A SHOUT OUT TO THOSE COMPANIES SUCH AS THE FOTO FACTORY, HARBOR PLACE, UMASS LOWELL, BATTLEFIELDS COFFEE AND PENTUCKET BANK THAT HAVE DECORATED THEIR WINDOWS. CONTACT HAVERHILL CHAMBER OF COMMERCE, MELISSA CERASULO, FOR MORE INFORMATION. BUSINESSES ARE ENCOURAGED TO PARTICIPATE Yeas 8, Absent 1 58Y

Communication was received from Councillors Sullivan and President Barrett requesting that City explore refinancing options on all debt including any remaining Hale debt MOTION TO SEND LETTER TO MAYOR TO EXPLORE REFINANCING Yeas 8, Nays 0, Absent 1 58Z

Communication was received from Councillor Sullivan requesting a discussion about the critical importance of obtaining federal funding to offset lost revenues incurred by Haverhill, all cities and towns and the Commonwealth

COUNCILLOR SULLIVAN INFORMED THAT CONGRESS IS CONSIDERING A CARES ACT 2, 4<sup>TH</sup> FUNDING PACKAGE AND THAT THIS PANDEMIC WILL HAVE SEVERE NEGATIVE IMPACT ON ALL CITIES & TOWNS AND THAT OUR CONGRESSIONAL DELEGATION NEEDS TO VIGOROUSLY ADVOCATE FOR MORE FUNDING ON MOTION OF COUNCILLOR SULLIVAN TO SEND LETTER TO CONGRESSIONAL DELEGATION WITH COPY TO PRESIDENT TRUMP Yeas 8, Nays 0, Absent 1 60

16. Unfinished Business of Preceding Meeting:
17. RESOLUTIONS and PROCLAMATIONS:
18. Council Committee Reports and Announcements:
19. Documents referred to committee study
20. Long term matters study list

Meeting adjourned 8:17 o'clock P.M.

Yeas8, Nays 0, Absent 1

Attest: Linda Koutoulas  
City Clerk