



City of Haverhill  
City Council Minutes  
Tuesday, July 23, 2019  
Theodore A. Pelosi, Jr. Council Chambers, Room 202  
4 Summer Street

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

Absent – Councillor Macek

Assistant City Clerk – Laura Angus

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 McGonagle was assigned the minutes

President Michitson asked for a moment of silence in memory of John Curtin, Jr., former City Councillor who served on the Council for 5 terms.

5. Communications from the Mayor

6. Communications and Reports from City Officers and Employees:

Communication from William Pillsbury Jr, Economic Development and Planning Director, requesting approval to submit key documents related to the redevelopment of the market rate/mixed use project at 2 Washington st – *Resolution – 2 Washington st HDIP – TIF Resolution* authorizing Mayor to submit documents related to TIF Agreement and any related documents required for this project

PLACED ON FILE Yeas 7, Nays 0, Absent 1, Abstain 1 (Bevilacqua) 85

RESOLUTION: Be it Resolved that the City Council of the City of Haverhill:

- (a) Adopts and authorizes the Mayor to approve and execute a TIF agreement, pursuant to Massachusetts General Laws HDIP Program between Lee Properties and the City of Haverhill on the basis of the development of the 2 Washington Street parcel. Haverhill parcel ID 308-1-2; and
- (b) Authorizes the Mayor or his designee to take such other and further actions as may be necessary or appropriate to carry out the purposes of this resolution, or take any other action relative thereto.

RESOLVED Yeas 7, Nays 0, Absent 1, Abstain 1 (Bevilacqua) 39J

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

Document 74; Petition from National Grid and Verizon New England – to relocate an existing pole at 4 Crosby st- approximately 20 feet Northerly away from driveway of customer at 23 Crosby st; Plan 28106688

TABLED TO AUG 6 2019 AS REPRESENTATIVE DID NOT ATTEND Yeas 8, Nays 0, Absent 1 74

ORDERED: Joint pole location for National Grid & Verizon (see document for complete text)

TABLED TO AUG 6 2019 AS REPRESENTATIVE DID NOT ATTEND Yeas 8, Nays 0, Absent 1 74B

8. Hearings and Related Orders

Public Participation- Requests under Council Rule 28

9. Appointments:

Confirming Appointments:

No Schedule

Non-Confirming Appointments:

10. Petitions:

**Councillor McGonagle recused himself and left the Chambers**

On motion of Councillor Daly O’Brien to suspend the rules to establish how special permit hearings will be handled. Yeas 7, Nays 0, Absent 1, Abstain 1 37C

RULES SUSPENDED

Councillor Daly O’Brien read into the record the communication from President Michitson announcing that the City Council meeting on August 20<sup>th</sup> will be held in the Nicholas Ross Auditorium and will start at 7PM.

PLACED ON FILE Yeas 7, Nays 0, Absent 1, Abstain 1 37C

President Michitson asked Solicitor Cox to recommend the order on the August 20<sup>th</sup> agenda for these two different proposals - Haverwell Market, LLC filed April 12, 2019 being LME 19-14 and Mellow Fellows, LLC filed May 21, 2019 being LME 19-15.

Solicitor Cox informed that the best practice is to be consistent with how public hearings have been scheduled for special permits in the past. He recommended that both applicants should request a waiver concerning distance requirements.

Petition from Christopher Edwards, CEO on behalf of Haverwell Market, LLC, 24 R Pleasant st, Newburyport, MA requesting a Special Permit for an Adult Use Marijuana Establishment – LME 19-4 for 399 Amesbury rd – proposing to build a new 6600 s/f structure on a vacant lot  
COUNCIL HEARING AUG 20 2019 Yeas 6, Nays 1 (Bevilacqua), Abstain 1, Absent 1 55F

Petition from Attorney Paul Magliocchetti representing Mellow Fellows, LLC, Haverhill - Managers: Timothy Riley, Haverhill; Charles Emery, Haverhill; and Edward Phillip Brown, Haverhill; requesting a Special Permit for an Adult Use Marijuana Establishment – LME – 19-5 with location to be leased from owner MAC&D Realty, LLC at 330 Amesbury rd  
COUNCIL HEARING AUG 20 2019 Yeas 6, Nays 1 (Bevilacqua), Abstain 1, Absent 1 55G

### Councillor McGonagle returned to Chambers

#### Applications Handicap Parking Sign

Blair Taylor 42 Allen st – *new*  
REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 16S

John Woolf 207 Groveland st – *renewal*  
GRANTED Yeas 8, Nays 0, Absent 1 16S

### 11. AMUSEMENT/EVENT APPLICATIONS:

Application from Joseph LeBlanc for Team Haverhill requesting permit to hold River Ruckus with several related requests, Saturday, September 21st with rain date of September 22nd; 9AM to 9PM at Riverfront Park, Washington Street Historic District and also requests the event permit fee, police/fire details fees and blanket vendor fees be waived

*Has approval from Health, Fire & Police Depts with conditions*

GRANTED WITH CONDITIONS & ALL FEES WAIVED Yeas 8, Nays 0, Absent 1 86

Application from Jennifer Matthews for L'Arche Boston North requesting permit to hold "The Longest Table", dinner on Wingate st for fundraising event with related requests on Thursday, August 22nd with rain date of August 23rd; 6PM to 9PM and also requests event fee be waived

*Has approval from Health, Fire & Police Depts*

GRANTED WITH CONDITIONS & FEES WAIVED Yeas 8, Nays 0, Absent 1 87

#### One Day Liquor License:

Team Haverhill for One Day Beer & Wine license for "River Ruckus" Saturday, Sept 21st with rain date of Sunday, Sept 22nd; 9AM to 9PM at Riverfront Park

*Has conditional approval from Police Dept & License Commission*

GRANTED Yeas 8, Nays 0, Absent 1 6I

L'Arche Boston for One Day Beer & Wine license for "The Longest Table" dinner on Wingate st; August 22nd with rain date of August 23rd; 6PM to 9PM

*Has conditional approval from Police Dept & License Commission*

GRANTED Yeas 8, Nays 0, Absent 1 6J

Peter Doyle for One Day All Alcohol license for wedding at Winnekenni Castle, Saturday, August 31st; 4:30PM to 11:00PM; *Has approval from Police Dept & License Commission*

GRANTED Yeas 8, Nays 0, Absent 1 6K

#### Annual License Renewals

Coin-Op License Renewals 2019:

*Ari's Pizza, 402 South Main st; 2 Coin-ops – new*

GRANTED Yeas 8, Nays 0, Absent 1 7L

Taxi Driver Licenses for 2019

Taxi License:

*A Family Cab, 21 White st; 12 Vehicles - renewal*

GRANTED Yeas 8, Nays 0, Absent 1 51B

Limousine/Livery License/Chair Cars :

*Maureen Callahan, 57 Laurel av; Callahan Transportation; 1 Livery Vehicle*

GRANTED Yeas 8, Nays 0, Absent 1 88

*Marcos P.B. Kordula, 18 Christian cir; White Castle Transportation; 1 Livery Vehicle*

GRANTED Yeas 8, Nays 0, Absent 1 88B

*Phil Rice, Central Wheelchair & Van Transportation; 142 Essex st; 7 Chair Cars*

GRANTED Yeas 8, Nays 0, Absent 1 88C

ON MOTION OF COUNCILLOR JORDAN TO SUSPEND THE RULES FOR APPLICATION FOR FIXED LOCATION HAWKER PEDDLER LICENSE FROM LISA WRIGHT.

RULES SUSPENDED Yeas 7, Nays 1 (Bevilacqua) Absent 1 56D

Request for license from Lisa Wright to sell hot dogs, chips, water, soda for 12 mos, Mon-Fri, 9:30AM – 2:30PM at Washington Sq; Also application for employee of Hawker Peddler – Phil Wright.

*Received Health Dept. approval; approval from Police requiring the location not to impede with foot traffic due to current construction in Washington Sq.*

GRANTED FOR BOTH Yeas 7, Nays 1 (Bevilacqua) Absent 1 56D

ON MOTION OF COUNCILLOR BEVILACQUA TO SUSPEND THE RULES FOR APPLICATION FOR  
FIXED LOCATION HAWKER PEDDLER LICENSE FROM MICHELLE CHOUINARD

RULES SUSPENDED Yeas 8, Nays 0, Absent 1 56DD

Request for license from Michelle Chouinard to sell hot dogs, fully cooked alfresco sausages, chips, water,  
soda (bottled & canned) for 12 mos; Thurs, Fri, Sat, Sun, & Mon 10AM-9PM at Winnekenni Area, Rte 110

GRANTED Yeas 8, Nays 0, Absent 1 56DD

12. Motions and Orders:

13. Ordinances (File 10 days)

MUNICIPAL ORDINANCE CHAPTER 240  
50 Howard Street - Establish – Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, §240-1302 – Schedule B:  
Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by  
establishing the following:

LOCATION	REGULATION	HOURS/DAYS	
50 Howard Street (see document for complete text)	No Parking	24 Hours	
PLACED ON FILE for at least 10 days		Yeas 8, Nays 0, Absent 1	29T

MUNICIPAL ORDINANCE CHAPTER 240  
21 Blaisdell Street - Delete – Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, §240-1302 – Schedule B:  
Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by  
deleting the following:

LOCATION	REGULATION	HOURS/DAYS	
21 Blaisdell Street (see document for complete text)	No Parking	24 Hours	
PLACED ON FILE for at least 10 days		Yeas 8, Nays 0, Absent 1	29U

MUNICIPAL ORDINANCE CHAPTER 240  
157 Blaisdell Street - Establish – Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, §240-1302 – Schedule B:  
Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by  
establishing the following:

LOCATION	REGULATION	HOURS/DAYS	
157 Franklin Street (see document for complete text)	No Parking	24 Hours	
PLACED ON FILE for at least 10 days		Yeas 8, Nays 0, Absent 1	29V

14. MONTHLY REPORT

Abatement report from Christine Webb, Assessor for month of June 2019

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

15. RESOLUTIONS and PROCLAMATIONS

16. Communications from Councillors:

Communication was received from President Michitson requesting to recognize the extraordinary efforts  
of Keith Boucher and team

POSTPONED TO AUG 6 2019 Yeas 8, Nays 0, Absent 1 79R

Communication was received from President Michitson requesting to introduce Barbara Donegan to  
announce *Ruth's House Hidden Gem Gala* on September 14<sup>th</sup>

POSTPONED TO AUG 6 2019 Yeas 8, Nays 0, Absent 1 79S

Communication was received from Councillors Sullivan and Barrett requesting a discussion with  
VINFEN and the Haverhill Police Dept regarding a serious incident that occurred in the neighborhood of the  
20 Westland ter group home on July 5 2019 as well as what steps are being taken to better supervise the  
residents and reduce the number of police calls to the residence

CAPT. PISTONE GAVE SUMMARY OF CALLS TO POLICE DEPT. FROM THIS RESIDENCE. HE  
SPOKE ABOUT THE VANDALISM IN THE NEIGHBORHOOD. THIS IS THE FIRST SERIOUS  
CRIME FOR THIS RESIDENTIAL HOME. THE RESIDENT FROM THIS HOME WAS ARRESTED.  
SOPHIE JONES, COO-VINFEN, SPOKE ABOUT THEIR PROGRAMS. THIS IS AN INDEPENDENT  
LIVING RESIDENCE. IT IS NOT STAFFED 24/7. THEY PROVIDE RESIDENTIAL SUPORTS  
SERVICES. THEY FOLLOW THE DEPT. OF MENTAL HEALTH MODEL. MS. JONES AGREED TO  
MEET WITH THE NEIGHBORS AND WILL PROVIDE AN EMERGENCY CONTACT NUMBER.  
DAN ROBERTSON, NEIGHBOR, SUGGESTED MORE SUPERVISION AND MORE INVOLVEMENT  
FROM THE RESIDENCE WITH COMMUNITY EVENTS. LARA WRISLEY, NEIGHBOR,  
REQUESTED CONTACT INFO FROM VINFEN.

ON MOTION OF COUNCILLOR BARRETT TO REFER TO PUBLIC SAFETY COMMITTEE; SEND LETTER TO LEGISLATIVE DELEGATION ASKING FOR UPDATE ON REVIEW OF STATE POLICIES GOVERNING GROUP HOMES; LETTER TO APPROPRIATE STATE AGENCIES & VINFEN  
Yeas 8, Nays 0, Absent 1 79T

**Councillor Daly left the chambers**

Communication was received from Councillors Barrett and Jordan requesting to discuss firefighters staffing and other concerns. (This item was discussed earlier)

TIM CARROLL, PRESIDENT LOCAL 1011, SPOKE ABOUT THEIR PROPOSED PLAN TO ADD 1 FIREFIGHTER PER YR FOR NEXT 3 YEARS TO BRING MANNING TO 19 PER SHIFT AND TO ADD 1 ENGINE; THEY DON'T MEET MINIMUM STANDARD FOR INITIAL FIRE ATTACK  
ON MOTION OF COUNCILLOR BARRETT TO REFER TO PUBLIC SAFETY COMMITTEE

REFERRED TO PUBLIC SAFETY Yeas 8, Nays 0, Absent 1 79U

Communication was received from Councillor Barrett to discuss FCC's proposed order to reduce cable revenues to Cities and Towns

COUNCILLOR BARRETT INFORMED THAT THE MASS MUNICIPAL ASSOCIATION WAS URGING TOWNS & CITIES TO VOICE THEIR OPPOSITION TO THIS FCC INITIATIVE

ON MOTION OF COUNCILLOR BARRETT TO SEND LETTER TO FCC Yeas 7, Absent 2 79V

Communication was received from Councillor Colin LePage requesting a discussion on hemp-derived cannabinoid (CBD) product retail sales in Haverhill

POSTPONED TO AUG 6 2019 Yeas 7, Nays 0, Absent 2 79W

Communication was received from Councillor Michael McGonagle requesting to refer a request from 109 the Gallery Barbershop on Essex st for two 30-minute parking spaces on Locke st to the Traffic & Safety Committee

REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 7, Nays 0, Absent 2 79X

Communication was received from Councillor Macek requesting a discussion regarding lightning rod Legislation

POSTPONED TO AUG 6 2019 Yeas 7, Nays 0, Absent 2 79Y

Communication was received from Councillor Jordan requesting to introduce Gretchen Arntz of Emmaus Inc to discuss Emmaus's Cycle for Shelter being held this Sunday, July 28<sup>th</sup> (This item was discussed earlier) MS. ARNTZ INFORMED THAT THIS IS THEIR 31<sup>ST</sup> YR. AND THANKED COUNCIL FOR THEIR SUPPORT AND ENCOURAGED THE PUBLIC TO PARTICIPATE

PLACED ON FILE Yeas 8, Nays 0, Absent 1 79Z

Communication was received from Councillors Jordan & LePage requesting to discuss the recent Joint Facilities Committee meeting and the need to hire the recently approve HVAC worker with joint responsibilities to the School Department and the City

COUNCILLOR JORDAN GAVE AN UPDATE ON MEETING HELD LAST WEEK. REPAIRS TO CONSENTINO ROOF TO BE COMPLETED BY START OF SCHOOL YR. AND HE INFORMED THAT JG WHITTIER ASBESTOS REMOVAL SHOULD BE COMPLETED BY START OF SCHOOL YR. COUNCILLOR LEPAGE INFORMED CITY WILL RECEIVE AN ADDITIONAL \$1.2M IN CH. 70 MONIES; HE REQUESTED TO BE ON THE SCHOOL BUILDING COMMITTEE FOR THE CONSENTINO SCHOOL. DISCUSSION ABOUT CITY MONEY BEING SPENT ON SCHOOL REPAIRS AND IMPACT TOWARDS MSBA ALLOCATION

LETTER TO STATE DELEGATION FOR ASSISTANCE Yeas 7, Nays 0, Absent 2 89

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding Apollo 11's 50th Anniversary and a challenge opportunity now for the Haverhill

ON MOTION OF COUNCILLOR BEVILACQUA TO ISSUE CHALLENGE TO MASTER PLAN COMMITTEE AND SCHOOL DEPT. TO BENEFIT CITY IN FUTURE, ASKING WHAT CAN WE DO THAT WILL MAKE HAVERHILL A BETTER PLACE IN THE FUTURE

LETTER TO MASTER PLAN COMMITTEE & SCHOOL DEPT. Yeas 7, Nays 0, Absent 2 89B

Communication was received from Councillor Joseph Bevilacqua requesting to introduce the request of Brenda Connolly for a No Passing Sign on Main st, northbound by Smiley School

REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 7, Nays 0, Absent 2 89C

Communication was received from Councillors LePage, Michitson and Jordan requesting a discussion on reducing the exposure of persons under 21 years of age to outdoor advertising (billboards) of marijuana products as well as zoning regulations pertaining to smoke and/or vapor stores in Haverhill

LETTER TO CITY SOLICITOR FOR BILLBOARDS ORDINANCE  
REFERRED TO ADMINISTRATION & FINANCE COMMITTEE Yeas 7, Nays 0, Absent 2 89D

Communication was received from Councillor Daly O'Brien requesting a discussion regarding sidewalk safety during construction projects downtown

POSTPONED TO AUG 6 2019 Yeas 7, Nays 0, Absent 2 89E

**17. UNFINISHED BUSINESS OF PRECEDING MEETINGS**

Document 29-R

MUNICIPAL ORDINANCE CHAPTER 240

46 Newcomb Street - Delete – Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, §240-1302 – Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by deleting the following:

LOCATION REGULATION HOURS/DAYS

46 Newcomb Street No Parking 24 Hours

PASSED Yeas 7, Nays 0, Absent 2 29R

Document 29-S

MUNICIPAL ORDINANCE

CHAPTER 240

32 Verndale Street - Delete – Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, §240-1302 – Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by deleting the following:

LOCATION	REGULATION	HOURS/DAYS	
32 Verndale Street	No Parking	24 Hours	
PASSED		Yeas 7, Nays 0, Absent 2	29S

Document 59-J

Communication from Councillor Barrett requesting to introduce communication from Legislative Delegation concerning the Bradford Layover Station and seeks Council endorsement  
COUNCILLOR BARRETT REQUESTED TO PLACE ITEM ON FILE SINCE THERE IS NO UPDATE ON THE MATTER

PLACED ON FILE Yeas 7, Nays 0, Absent 2 59J

**18. Council Committee Reports and Announcements**

Councillor McGonagle announced the Public Safety Committee meeting scheduled for July 29 at 7PM in the City Council office.

Councillor Bevilacqua announced the Planning & Development Committee meeting scheduled for Aug. 1 at 7PM in the City Council office

Councillor Lepage announced the Administration & Finance Committee meeting scheduled for Aug. 5 at 7PM in the City Council office.

**19. Documents Referred to Committee Study**

Meeting adjourned 9:42 o'clock P.M.

Yeas 7, Nays 0, Absent 2

Attest: Laura Angus  
Assistant City Clerk