



City of Haverhill
City Council Minutes
Tuesday, September 22, 2020
Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St, Room 202
Virtual and In-Person Meeting

Present – President Barrett, Councillors LePage, Bevilacqua, Michitson, Sullivan, Jordan and Macek.
Councillor McGonagle participated remotely.
Absent – Councillor Daly O’Brien
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 feature public participation.

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 – Since Councillor Daly was absent and she was assigned the minutes, they were tabled to September 29.
4. Assignment of the minutes review for the next Meeting – Councillor Macek 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)
 - 9.1. Hearings and Related Orders:

10. Appointments:

Confirming Appointments:

Aidan Collins, 29 Mount Vernon st to the Council on Youth Needs; appointment effective immediately and will expire September 22, 2021.

AIDAN COLLINS THANKED THE COUNCIL FOR THE APPOINTMENT

CONFIRMED Yeas 8, Nays 0, Absent 1 1L

Non-Confirming Appointments:

11. Petitions:

Petition from Attorney Michael Migliori for applicant Larvanco, LLC requesting Special Permit to construct 9 attached residential condominium units on the lot located at 229 Water st - First Landing Condo Project; Assessor’s Map 402, Block 90, Lot 1; in the WD-D district (waterfront-south side of Water st)
COUNCIL HEARING OCTOBER 20 2020 Yeas 8, Nays 0, Absent 1 93

Application to amend an Inflammable license from Broco Oil at 161 Eight Avenue to 388,000 gallons of fuel oil Above ground storage and 30,000 gallons of propane for a storage total of 418,000 gallons overall
COUNCIL HEARING OCTOBER 27 2020 Yeas 8, Nays 0, Absent 1 94

Petition from the Biggart Family requesting to purchase 2 parcels of land that abuts their property; Assessors Map 409, Block 114, Lot 19 and also Map 409, Block 1A, Lot 1 that also includes conservation land, but only the portion zoned RMD (Residential Medium Density)

REFERRED TO NATURAL RESOURCES & PUBLIC PROPERTY COMMITTEE

Yeas 8, Nays 0, Absent 1 91B

Applications Handicap Parking Sign – Renewals - Both have Police Department approval

Herbert Bergh for 15 Forest Av

GRANTED Yeas 8, Nays 0, Absent 1 4Q

Melissa Howell for 10 Hancock st, 1st floor

GRANTED Limousine/Livery License/Chair Cars Naser Zorrok, 7 MacKenzie Way, 1 Vehicle – *renewal - Has Police Dept approval* Yeas 8, Nays 0, Absent 1 4R
 GRANTED Yeas 8, Nays 0, Absent 1 24E

12. Motions and Orders

ORDERED: That the provisions of ARTICLE XVI-TEMPORARY OUTDOOR of Chapter 222 of the Code of the City of Haverhill are hereby extended from November 1, 2020 to December 1, 2020 (to amend Ordinance)

MAYOR FIORENTINI INFORMED THAT THIS WILL ASSIST RESTAURANTS AND THAT THE STATE WILL ALLOW 4 SIDED TENTS. THEY HAVE TO USE FIRE DEPARTMENT APPROVED HEATERS. THERE WILL BE ADDITIONAL CDGB FUNDS TO HELP WITH THIS AND RETOOLING OF RESTAURANTS AND ASSISTANCE WITH COMMERCIAL RENT.

PASSED Yeas 8, Nays 0, Absent 1 95

ORDERED: That the City transfer \$108,266 from Capital Budget to following Capital Accounts:

DPW - Replace Pickups	\$78,266
Inspection-replace iPads & Phones	\$10,000
City Hall restroom ADA compliance	\$20,000

PASSED Yeas 8, Nays 0, Absent 1 18N

ORDERED: That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bills of previous/current year departmental appropriations as listed:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Matrix Consulting Group	\$3,826.00	Highway Department
Cutting Edge Lawn Service	360.00	Police Department
Bill DeLuca	220.32	Police Department
School Employee Reimbursement	838.41	School Department
Unibank (2)	2,463.00	Treasurer’s Office

PASSED Yeas 8, Nays 0, Absent 1 25H

13. Ordinances (File 10 days)

MUNICIPAL ORDINANCE CHAPTER 240
 AN ORDINANCE RELATING TO PARKING

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by ADDING the following in § 240-88 Schedule E: City Parking Lots:

LOCATION	REGULATION	HOURS/DAYS	
Elliott Place Parking Lot	2 Hr. Parking	24 hours	
PLACED ON FILE for at least 10 days			Yeas 8, Nays 0, Absent 1 31C

BOND

ORDER: That Fifty-Eight Thousand One Hundred Nineteen Dollars (\$58,119) is appropriated to acquire a one ton truck for the Highway Department, including the payment of all 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(1) of the General Laws, or pursuant to any other enabling authority, and to issue bond or notes of the City therefor. (see document for completer text)

PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 26H

14. Communications from Councillors:

Communication was received from Councillor President Barrett and Councillor LePage requesting an update from the Mayor on the potential plans for the redevelopment of the Goecke Parking Deck and Merrimack st as previously presented by Mass Development’s Transformative Development Initiative (TDI) COUNCILLOR LEPAGE GAVE A POWERPOINT PRESENTATION ON THE CURRENT CONDITION AND CAPACITY OF THE GOECKE PARKING DECK AND NEARBY CITY PARKING LOTS. THE MAYOR INFORMED THAT HE IS LOOKING TO PARTNER WITH OTHER EXPERIENCED DEVELOPMENT ENTITIES AND IS LOOKING INTO DISTRICT IMPROVEMENT FINANCING (DIF). HE HAS ASKED UTILE TO DRAFT AN RFP.

LETTER TO MAYOR Yeas 8, Nays 0, Absent 1 86P

Communication was received from Councillor Colin LePage requesting a discussion on homelessness in Haverhill and potential strategies to address it COUNCIL LEPAGE MOTIONED TO HAVE ITEM POSTPONED FOR 5 WEEKS. SPEAKER IS NOT AVAILABLE UNTIL OCT 27

POSTPONED TO OCT 27 Yeas 8, Nays 0, Absent 1 86Q

Communication from Councillor Michitson requesting to refer the matter of traffic control at Amesbury rd/Amesbury Line rd intersection to the Traffic and Safety Committee

MR. ANDREW DENONCOUR SPOKE ABOUT THE TRAFFIC ACCIDENTS AND DAMAGE TO HIS PROPERTY SINCE HE MOVED TO AMESBURY ROAD IN 2015 ESPECIALLY IN LIGHT OF THE RECENT FATALITY OF A BICYCLIST. HE URGEED THE CITY TO MAKE SAFETY IMPROVEMENTS

REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 8, Nays 0, Absent 1 86R

Communication was received from Councillors LePage, Sullivan, and Macek requesting a discussion regarding the process and procedures for approval of development projects located within the Waterfront District, Chapter 255, Article XVI

ON MOTION OF COUNCILLOR SULLIVAN TO POSTPONE FOR 2 WEEKS

POSTPONED TO OCT 6 Yeas 8, Nays 0, Absent 1 86S

Communication was received from Councillors Bevilacqua and Macek requesting to discuss a traffic safety concern at 70 Washington st

COUNCILLOR MACEK INFORMED THAT THIS PROBLEM WAS WORKED ON PREVIOUSLY WITH RESPECT TO EXITING ONTO WASHINGTON STREET FROM THE RAMP

REFERRED TO TRAFFIC & SAFETY COMMITTEE WITH EMAIL FROM CONSTITUENT

Yeas 8, Nays 0, Absent 1 86T

Communication was received from Councillor Bevilacqua proposing to prohibit safe injection sites for illicit drug use in Haverhill

COUNCILLOR BEVILACQUA INFORMED THERE IS A BILL IN STATE LEGISLATURE THAT MAY ALLOW FOR SAFE INJECTION SITES. BEFORE THIS IS IMPOSED ON THE CITY, HE MOTIONED TO SEND LETTER TO SOLICITOR TO DRAFT ORDINANCE TO PROHIBIT USE AND SEND LETTER TO STATE LEGISLATURE. MAYOR FIORENTINI VOICED HIS STRONG OPPOSITION TO A SAFE INJECTION SITE IN HAVERHILL.

LETTER TO SOLICITOR AND LEGISLATURE

Yeas 8, Nays 0, Absent 1 86U

Communication was received from Councillor Bevilacqua proposing to prohibit social consumption of marijuana cafes in Haverhill

Councillor McGonagle recused himself and left the meeting.

ON MOTION OF COUNCILLOR BEVILACQUA TO SEND LETTER TO CITY SOLICITOR ASKING HIM TO DEVELOP ORDINANCE PROHIBITING SOCIAL CONSUMPTION OF MARIJUANA CAFES IN HAVERHILL.

Yeas 7, Nays 0, Abstain 1 (McGonagle) Absent 1 86V

Unfinished Business of Preceding Meeting:

16. RESOLUTIONS and PROCLAMATIONS:

17. Council Committee Reports and Announcements:

Councillor LePage urged the public to complete their census forms.

18. Documents referred to committee study

19. Long term matters study list

Meeting adjourned 8:15 o'clock P.M.

Yeas 7, Nays 0, Absent 2

Attest: Linda Koutoulas
City Clerk