



**CITY OF HAVERHILL
CITY COUNCIL AGENDA
Tuesday, April 28, 2020 at 7:00 PM
Remote Meeting**

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
4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING
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:

- 11.1. Confirming Appointments
- 11.2. Non-Confirming Appointments
- 11.3. Resignations

12. PETITIONS:

- 12.1. 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 *postponed from March 24th*

**Refer to Planning Board &
Council Hearing June 16 2020**

- 12.2. Applications Handicap Parking Sign:
- 12.3. Amusement/Event Applications:
- 12.4. Tag Days:
- 12.5. One Day Liquor License
- 12.6. Annual License Renewals:
- 12.6.1. **Hawker Peddlers License 2020 - Fixed locations; renewals**



**CITY OF HAVERHILL
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- 12.6.2. **Coin-Op License Renewals for Weekly/Sunday 2020**
- 12.6.3. **Drainlayer License for 2020; renewals**
- 12.6.4. **Taxi Driver Licenses for 2020**
- 12.6.5. **Taxi License:**
- 12.6.6. **Junk Dealer License**
- 12.6.7. **Pool Tables**
- 12.6.8. **Sunday Pool**
- 12.6.9. **Bowling**
- 12.6.10. **Sunday Bowling**
- 12.6.11. **Buy & Sell Second Hand Articles**
- 12.6.12. **Buy & Sell Second Hand Clothing**
- 12.6.13. **Pawnbroker license**
- 12.6.14. **Fortune Teller**
- 12.6.15. **Buy & Sell Old Gold**
- 12.6.16. **Roller Skating Rink**
- 12.6.17. **Sunday Skating**
- 12.6.18. **Exterior Vending Machines**
- 12.6.19. **Limousine/Livery License/Chair Cars**

13. MOTIONS AND ORDERS

- 13.1. Bond Order – Appropriate \$853,000 for engineering services for plans for road and bridge reconstruction on North Avenue and Treasurer is authorized to file application with appropriate officials of Commonwealth of Mass

File 10 days

14. ORDINANCES (FILE 10 DAYS)

15. COMMUNICATIONS FROM COUNCILLORS:

- 15.1. Communication 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
- 15.2. Communication from Councillors LePage and McGonagle requesting a discussion regarding traffic issues at the *Starbucks* located at the intersection of Main and Rosemont Streets
- 15.3. Communication from Councillor Colin LePage requesting a discussion on allowing restaurants to sell groceries and other household products
- 15.4. Communication 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
- 15.5. Communication 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



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- 15.6. Communication from Councillor Timothy Jordan requesting to discuss the Hope in Haverhill inspirational messaging program in downtown Haverhill
- 15.7. Communication from Councillors Sullivan and President Barrett requesting that City explore refinancing options on all debt including any remaining Hale debt
- 15.8. Communication 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

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

21. ADJOURN

Hearing June 16 2020

April 23, 2020

1211

Thomas Hodgson
Livingstone Dev. Corp.
P.O. Box 50
Tewksbury, MA 01876
978-815-4847

000 43-B

2020APR23AM08:57-419 CITY

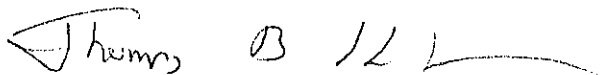
RE: Acceptance of Portion of South Pearson st as a
Public Way
Planning Board Date: May 13 2020
City Council Hearing: June 16 2020

City Clerk, City of Haverhill
4 Summer Street
Haverhill, MA 01830

To whom it may concern,

Please accept my request to move forward the application for 5/13/20 regarding South
Pearson Street. Any questions, please let me know.

Kindly,



Thomas Hodgson, president
Livingstone Dev. Corp.

Street Acceptance, Discontinuance, Naming, Renaming or Alteration

63476

Status: Active

Submitted: Oct 14, 2019

43

Applicant



Thomas Hodgson

978-815-4847

livingstonedev@icloud.com

Hearing April 28, 2020
Hearing June 16, 2020
Thomas Hodgson
1985 Salem St
North Andover, MA
01845

Livingstone Development Corp.

Project Information

Specific Type of Request

Street Acceptance

Proposed Street Name

South Pearson St

Current Street Name

South Pearson St

What is Your Role in this Process?

Developer

Hearing Waiver

Agreement

Yes

Agreement & Signature

Yes

true

Office Use Only

City Council Initial Decision

--

City Council Final Decision

--

Planning Board Decision

--

City Council Meeting Date

--

Planning Board Meeting Date

--

Attachments (4)

pdf **Site Plan**

Oct 09, 2019

docx **Legal Description of Land**

Oct 09, 2019

pdf **"As-Built" Plan**

Oct 09, 2019

pdf **Petition to City Council**

Oct 09, 2019

IN CITY COUNCIL: March 10 2020

REFER TO PLANNING BOARD and

VOTED: that COUNCIL HEARING BE HELD APRIL 28 2020

Attest:

City Clerk

IN CITY COUNCIL: March 24 2020

~~POSTPONED INDEFINITELY~~

Attest:

City Clerk



Document

File 10 days

CITY OF HAVERHILL

In Municipal Council

13.1

Ordered:

That Eight Hundred Fifty Three Thousand Dollars (\$853,000) is appropriated for engineering services for the development of plans and specifications for road and bridge reconstruction on North Avenue, 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(7) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

Further Ordered: That any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Further Ordered: That the Treasurer is authorized to file an application with the appropriate officials of the Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

Bond order



JAMES J. FIORENTINI
MAYOR

**CITY OF HAVERHILL
MASSACHUSETTS**

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@CITYOFHAVERHILL.COM
WWW.CI.HAVERHILL.MA.US

April 24, 2020

City Council President Melinda Barrett and Members of the Haverhill City Council

RE: Order to borrow \$853,000.00 to fund the engineering services for the development of plans and specifications for road and bridge reconstruction on North Avenue

Dear Madame. President and Members of the Haverhill City Council:

Please see attached an order authorizing the Mayor to borrow \$853,000.00 to fund the engineering services for the development of plans and specifications for road and bridge reconstruction on North Avenue. This project will remake North Avenue to the Plaistow Line and make critically needed repairs to the Frye Pond Dam.

The City has selected a designer for the project to reconstruct North Avenue. While the project construction costs would be paid by Federal Highway Association (80%) and MassDOT (20%), it is the City's responsibility to pay for the design. We have gone out to bid for design services, and the low bid was \$853,000. We are still negotiating and it is possible that it will end up at a lower amount.

The City does have some funds from Wingate Nursing Home Expansion to apply to the design costs. We received \$400,000 from the developer, as the council might recall, as part of settlement of their lawsuit. That \$400,000 is part of the reason we are able to proceed with this project. We used a portion of it for preliminary design. There is \$335,983.20 remaining in that account.


Normally I would suggest borrowing only the remaining \$516,916.80. In light of the projected difficulties in next year's budget, I suggest we borrow the entire amount and use the \$335,000 to help balance next year's budget.

This project was slated to begin in 2023. The State has proposed moving it to 2026, which the city strongly opposes. We are attempting to persuade the state to allow us to move the project forward to 2022 so that the critical repairs to the dam can be made.

We cannot move forward unless we have a designer on board and we have the design underway. Allowing this bond authorization will allow us to hire the designer and give us a chance to move forward.

The total construction portion of the project is a little over \$17 million. An investment of \$853,000 to gain \$17 million in construction money is a worthwhile investment. This bond order must be placed on file for two weeks, after which time I recommend approval.

Respectfully submitted,


James J. Fiorentini, Mayor

JJF/lyf

CITY COUNCIL

MELINDA E. BARRETT
PRESIDENT
COLIN F. LEPAGE
VICE PRESIDENT
JOSEPH J. BEVILACQUA
JOHN A. MICHITSON
THOMAS J. SULLIVAN
TIMOTHY J. JORDAN
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MARY ELLEN DALY O'BRIEN
WILLIAM J. MACEK



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

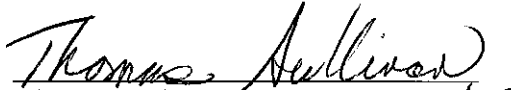
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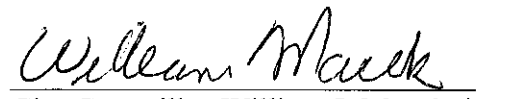
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www.cityofhaverhill.com
citycncl@cityofhaverhill.com

April 20, 2020

TO: President and Members of the City Council:

Councillors Thomas Sullivan and William Macek request a discussion relative to safety, speed, and MassDOT's proposed reconstruction schedule associated with the recent findings and the narrowing of North Avenue Bridge over Snows Brook.


City Councillor Thomas Sullivan


City Councillor William J. Macek

Associated informational email from City Engineer John Pettis:

On Fri, Apr 10, 2020 at 1:12 PM John Pettis <jpettis@cityofhaverhill.com> wrote:

All,

MassDOT performs routine structural inspections and underwater inspections at the North Ave over Snows Brook bridge (bridge H-12-23), and all bridges in the State. The City typically receives a copy of the final reports a couple months after the initial inspection. I have not received any such inspections for this bridge in the last year, so I would anticipate receiving a report soon, the State likely running a little behind in finalizing reports due to Covid-related limited staffing. In conjunction with the inspections MassDOT makes, the City receives notice of any Critical items that need to be addressed. If the recent MassDOT inspections at this bridge determined there were Critical items that needed to be addressed immediately we would have been so informed.

For this bridge the City received notice in 2017 that the deteriorated condition of the bridge rails required that we take action. The City then installed concrete jersey barriers, notified MassDOT, and MassDOT closed out the Critical item. Several months ago the City received word that the concrete jersey barriers were now not considered adequate, and that a more robust barrier was required (we were told this was also the case at the Rosemont Street over Little River bridge (H-12-24). After evaluating several options it was determined that installing steel barriers was the most cost effective option that was approvable by the State. These barriers were put in place at the two bridges this week. The City will be placing sand filled barrels at the four barrier ends at each bridge, and next week the barrier company will be pinning the barriers to the roadway.

Regarding weight limit posting, based on their inspections MassDOT has not required weight posting to date.

The bridge is scheduled to be replaced as part of the North Avenue Reconstruction Project, which is currently on the State TIP list for Construction funding in FFY23. The associated Frye Pond Dam will either be removed or rehabilitated as part of the project. As with all MassDOT funded projects, after the design reaches the 25% stage MassDOT will hold a Public Hearing to inform of the proposed design and solicit input from the City.

Please let me know if you have any other questions.

John

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CITY OF HAVERHILL
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15.2

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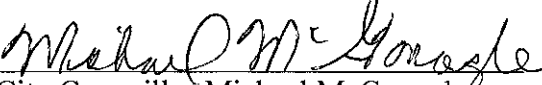
April 22, 2020

TO: President and Members of the City Council:

Councillors LePage and McGonagle request a discussion regarding traffic issues at the Starbucks located at the intersection of Main and Rosemont Streets.



City Councillor Colin LePage



City Councillor Michael McGonagle

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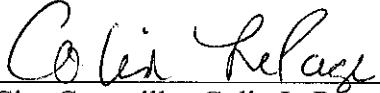
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April 24, 2020

TO: President and Members of the City Council:

Councillor Colin LePage requests a discussion on allowing restaurants to sell groceries and other household products.


City Councillor Colin LePage

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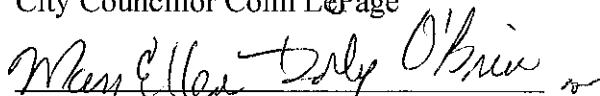
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April 24, 2020

TO: President and Members of the City Council:

Councillors LePage and Daly O'Brien request a discussion on city adoption of the Families First Coronavirus Response Act concerning first responders and healthcare workers


City Councillor Colin LePage


City Councillor Mary Ellen Daly O'Brien

CITY COUNCIL

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15.5

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CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

April 20, 2020

TO: President and Members of the City Council:

Councillors Bevilacqua and Michitson request a discussion regarding CSO from the City of Haverhill and requested confirmation of actual release into Merrimack River.


City Councillor Joseph Bevilacqua


City Councillor John Michitson

RESPONSE FROM ROBERT WARD, DEPUTY DIRECTOR, WATER/WASTEWATER

John,

To answer your question, the numbers in our annual CSO report on the website are accurate. The modeled average CSO volume of 20 million gallons per year is for a typical rainfall year. The last two years have been very wet and resulted in 49.5 million gallons and 43.6 million gallons for 2019 and 2018, respectively. In 2014, we installed flow meters in our CSOs, so the annual reports since then reflect metered, not computer-modeled numbers.

In response to some of the other points in Mr. Taylor's email below, I offer the following information.

He states, "*During heavy rainstorms, the combined volume of this stuff overwhelms the treatment plant....*" CSOs occur out in the sewer system, not at the treatment plant. Combined sewer systems were designed to overflow when the pipes are overwhelmed to avoid flooding streets, basements, etc. I think it is essential to understand that our treatment plant does not discharge any untreated sewage.

I do not understand what Mr. Taylor means by his remark about updating the website "*to accurately describe how much CSO we are, in fact, dumping.*" The overflow numbers we report on the website are from monitoring equipment at each CSO structure. The report on the website lists every CSO activation that occurs over the entire year, including date and time the overflow starts and stops, the rainfall associated with the overflow, and the volume of the overflow. Attached to this email is one page out of our annual CSO report to give you an idea of the level of detail.

It is important to know that the Environmental Protection Agency and the Massachusetts Department of Environmental Protection strictly regulate our activities and reporting. We are required by law to report accurate information, including CSO activations, sewer system overflows, discharge of any untreated sewage of any kind, etc..

When it comes to investing in public works infrastructure, Haverhill has over \$70 million in water and sewer capital projects alone, either completed within the last couple of years or in construction right now. Projects include the water treatment plant upgrade, drinking water system piping improvements, sewer pumping station improvements, Phase 3 CSO program work, wastewater treatment plant improvements, and sewer collection system improvements. The water and sewer 5-year capital program includes additional future work at the wastewater treatment plant, Phase 3 CSO program construction, and pumping station improvements, to name a few. These projects are all funded by the ratepayers.

Please feel free to call me or email me if you need more information.

Bob

Robert E. Ward

Deputy DPW Director

City of Haverhill | 40 South Porter Street | Haverhill, MA 01835

Tel. (978) 374-2382 | Fax (978) 521-4083

Email: rward@haverhillwater.com

From: Michitson, John A. [REDACTED]

Sent: Sunday, April 19, 2020 8:34 AM

To: Robert Ward

Cc: City Council office; mbarrett@cityofhaverhill.com; clepage@cityofhaverhill.com; JBevilacqua@cityofhaverhill.com; tsullivan@cityofhaverhill.com; tjordan@cityofhaverhill.com; Michael McGonagle; medalyobrien@cityofhaverhill.com; 'Mayor'

Subject: RE: [EXT] CSO and the City of Haverhill's website

Bob,

Are the higher numbers accurate? If so, please reflect on CSO web page.

Thanks,

CITY COUNCIL

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April 24, 2020

TO: Madame President and Members of the City Council:

Councillor Timothy Jordan requests to discuss the Hope in Haverhill inspirational messaging program in downtown Haverhill.


City Councillor Timothy Jordan

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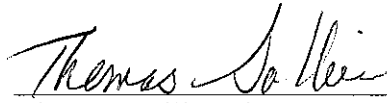
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April 22, 2020

TO: Members of the City Council:

Councillor Sullivan and President Barrett request that the city explore refinancing options on all debt including any remaining Hale debt.



City Councillor Thomas J. Sullivan



Council President Melinda E. Barrett

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TO: President and Members of the City Council:

Councillor Sullivan requests a discussion about the critical importance of obtaining federal funding to offset lost revenues incurred by Haverhill, all cities and towns and the Commonwealth.


City Councillor Thomas J. Sullivan

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DOCUMENTS REFERRED TO COMMITTEE STUDY

38-W	Communication from Councillor Barrett requesting to give an update on response from MBTA/Keolis & US EPA about idling trains in Bradford	Citizen Outreach	4/5/16 1/31/17
10-B	Communication from President Michitson asking to request from Mayor status of facility improvements to public buildings and parks to comply with American w/ Disabilities Act (ADA)	Citizen Outreach	1/3/17 1/31/17, 8/15/17
10-U	Communication from President Michitson requesting discussion on next steps to provide comprehensive long range plan for Haverhill	Citizen Outreach	1/31/17 8/15/17, 4/23/18
38-D	Communication from Councillors Sullivan and Barrett requesting an update on City's emergency management plan and status of working generators in all public building in City	Public Safety	3/20/18 1/23/19
93-L	Communication from President Michitson requesting to introduce Dave Labrode to discuss street tree plantings	NRPP	8/7/18 2/28/19
38-I	Communication from Councillor Macek to refer City's Ch. 255 – Zoning, Article XVIII, Solar Energy Systems, Sec. 255-185 thru 255-194 to Administration & Finance Committee	A & F	3/12/19 4/3/19, 8/5/19
13-Y	Communication from Councillor LePage to discuss accounting of revenue funds received from Licensed Marijuana establishments & their allocation to mitigate costs and impacts to city	A& F	3/12/19 8/5/19
38-J	Communication from Councillor Macek requesting a discussion about reserve parking spaces at City Hall designated for Registry of Motor Vehicles	NRPP	3/19/19
79-F	Communication from Councillor Sullivan requesting to introduce Kathleen Fitts, Gale Park Assoc. to request the city replace the Gale Park Fountain in fiscal year 20	NRPP	6/25/19
79-T	Communication from Councillors Sullivan and Barrett re: discussion with VINFEN & Haverhill Police Dept. regarding incident in neighborhood of 20 Westland Ter. group home on 7/5 and steps being taken to better supervise residents and reduce police calls to residence	Public Safety	7/23/19
89-D	Communication from Councillors LePage, Michitson, Jordan requesting discussion on reducing exposure of persons under 21 yrs. of age to outdoor advertising (billboards) of marijuana products and zoning regulations pertaining to smoke and/or vapor stores in Haverhill	A & F	7/23/19 8/6/19
89-K	Communication from Councillor Macek requesting open discussion relative to the process for Establishing a Charter Commission to review the current City of Haverhill Charter	Citizen Outreach A & F	8/6/19
89-U	Communication from Councillor LePage re: applying for Community Compact Best Practices Program grant for benefit of city and its residents	Citizen Outreach A & F	9/17/19
89-V	Communication from Councillor McGonagle requesting a discussion about school bus safety	Public Safety	9/17/19

DOCUMENTS REFERRED TO COMMITTEE STUDY

11	Communication from Councilor Jordan requesting to introduce Steve Costa of Citizens for Haverhill Fire to discuss Mayor's CIP and occupational cancer	Public Safety	1/7/20
11-S	Communication from Councillor Sullivan requesting a discussion regarding a property owner's request to lease or purchase City land abutting their property at 256 Whittier Rd.	NRPP	2/4/20
34-P	Communication from Councillor Sullivan requesting a discussion regarding the disposal of cremated remains on public property	NRPP	3/17/20
34- O	Communication from Councillor McGonagle requesting to introduce Donald Jarvis to discuss tax reduction for veterans	A & F	4/7/20
58-M	Communication from Councillors LePage and Daly O'Brien re: the possible use of Hale Hospital Trust Funds for ongoing City health care programs and issues	A & F	4/21/20

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CITY OF HAVERHILL
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LONG TERM MATTERS STUDY LIST

- 38-F Communication from Councillors Barrett and LePage requesting to discuss double poles in the City
A & F 3/15/16, 9/6/16, 11/3/16, 1/17/17, 5/11/17, 10/24/17, 3/6/19
- 26E City of Haverhill – Mayor’s Recommendations, Capital Improvement Program – 2016-2020
A & F 5/31/16, 11/3/16, 5/11/2017, 7/25/17, 2/15/18, 3/6/19, 4/17/19
- 82 Ordinance re: Vehicles & Traffic – Amend Ch. 240-108, Article XVI, Central Business District Parking
– Fees, Rate and Terms
A & F 7/10/18
- 82-B Ordinance re: Vehicles & Traffic – Amend Ch. 240-108, Article XVI, Central Business District Parking
- Chart
A & F 7/10/18