



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, March 24, 2026, at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St, Room 202

In-Person/Remote Meeting: <https://meet.google.com/qmk-cavb-wvn>

Present: Councilors Basiliere, Michitson, Diodati, Sullivan, Ferreira, Lewandowski, Toohey, LePage, McGonagle and Rogers

Remote: None

Absent: President Jordan

City Clerk: Kaitlin M. Wright

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

COUNCILOR TOOHEY STATED HE REVIEWED THE MINUTES AND FINDS THEM IN ORDER, SECOND BY COUNCILOR MCGONAGLE

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

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

VICE PRESIDENT MICHITSON ASSIGNED THE MINUTES TO COUNCILOR MCGONAGLE

5. COMMUNICATIONS FROM THE MAYOR:

5.1. Mayor Barrett submits the following order:

- 5.1.1. Order-** Authorizing Mayor Barrett to accept \$300.00 gift for the St. Patrick's Day Luncheon at the *Citizen's Center* from the Fallon Community Health Plan to the *Council on Aging Department* 4-G

Mayor thanked Fallon Community Health Plan for their generous donation.

MOTION BY COUNCILOR TOOHEY, SECOND BY COUNCILOR BASILIERE

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

5.2. Mayor Barrett submits an order to adopt a new city logo

- 5.2.1. Order-** That the City Council accepts the City Clerk's approval of newly designed City of Haverhill Logo, pursuant to the City Clerk's authority under City of Haverhill Code of Ordinances, Chapter 70, § 70-3 and Chapter 87, § 87-2 1-U

Mayor Barrett addressed the council. She stated Hailey Pearson asked her if there was a different logo that could be used that would be printable on different materials but keep the spirit of our official logo. She noted it will not replace our official seal; it will just be used as fodder for merchandise and signage for different events. Hailey Pearson and the artist Emilio Viscio addressed the council. They noted that this would help attract more people to events. Emilio also discussed the new city logo and outlined the process behind its design. He went through a PowerPoint presentation.

MOTION BY COUNCILOR SULLIVAN TO APPROVE, SECOND BY COUNCILOR DIODATI

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

5.3. Mayor Barrett submits an ordinance to amend Chapter 116 of Article III

- 5.3.1. Ordinance - Amend Chapter 116 of Article III – Improvement and Maintenance of the Waterways** 1-V

File 10 Days

MOTION BY COUNCILOR SULLIVAN, SECOND BY COUNCILOR MCGONAGLE

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)



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6. COMMUNICATIONS FROM COUNCILORS TO INTRODUCE AN INDIVIDUAL(S) TO ADDRESS THE COUNCIL:

- 6.1.1. Councilors Rogers, Sullivan, and Diodati wish to introduce Eileen Duff, *Register of Essex South Registry of Deeds*, to discuss the Property Fraud Watch Program and Homestead Protections Law 5-C

Eileen Duff, Register of Essex South Registry of Deeds, addressed the council. She noted there is free property fraud watch program offered by the registry to help prevent deed and identity fraud, emphasizing community outreach and partnerships with law enforcements. She encouraged all property owners to enroll and report any suspected fraud. Councilors Rogers asked if more than one property can be registered? Ms. Duff confirmed it can be done. She went over the Homestead Act. The Act provides 1M-2M home equity protection from lawsuits for a \$35 fee, now including mobile homes and leased land. She stressed the importance of the Homestead Act.

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28:

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

- 8.1.1. Angel A. Perkins, *City Auditor & Chief Financial Officer*, submits the revenue and expense reports through February 2026 3-F

MOTION BY COUNCILOR SULLIVAN RECEIVED AND PLACED ON FILE, SECOND BY COUNCILOR TOOHEY PASSED YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

9. UTILITY HEARING(S) AND RELATED ORDER(S):

10. HEARINGS AND RELATED ORDERS:

- 10.1. **Doc 13-A - Zoning hearing request from Robert DeNisco on behalf *Leach Street, LLC* for a zoning change of 534-5-135 from Commercial Highway (CH) zone to the abutting Residential Urban (RU) zone**

Favorable recommendation from the Planning Board

Vice President Michitson opened the hearing.

Robert DeNisco (29 Blackstone Street, Peabody, MA) addressed the council. He stated I am here requesting a zoning change from a CH zone to a RU zone at Newburg Street.

Vice President Michitson asked if anyone would like to speak in favor. No one spoke.

Vice President Michitson asked if anyone would like to speak in opposition. No one spoke.

Vice President Michitson closed the hearing.

MOTION BY COUNCILOR SULLIVAN TO APPROVE, SECOND BY COUNCILOR BASILIERE

Councilor Sullivan stated I just want to clarify for the public that is watching according to the records this is being changed for the sole purpose of building (1) two-unit townhouse style condominium. Robert DeNisco confirmed.

MOTION BY COUNCILOR SULLIVAN TO APPROVE, SECOND BY COUNCILOR BASILIERE

Vice President Michitson stated Clerk please call the roll.



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City Clerk Wright: Councilor Basiliere-yes, Councilor Diodati-yes, Councilor Sullivan-yes, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor LePage-yes, Councilor Rogers-yes, Vice President Michitson-yes.

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

10.2. **Doc 21-A - CCSP-26-1;** Jony Perez of *Davinci Mini Apartments, LLC* and *Davinci Child Center, LLC* requesting to convert a currently unoccupied building to a daycare program on first floor (allowed by right in Zoning Code) and 12 apartments units (six two-bedrooms and six one-bedrooms) on the top three floors at 121 Merrimack St in the Waterfront (WD-C) District

Recommendation from Planning Director, Jacki Byerley, to open the hearing and continue to a later date until applicant files for the Site Plan of Section 10.8 and satisfies the comments received

Vice President Michitson opened the hearing.

Vice President Michitson stated I would like to ask the Planning Director, did you say May 19th?
Jacki Byerley (from the audience) yes that is my recommendation.

MOTION BY COUNCILOR TOOHEY TO CONTINUE TO MAY 19, 2026, SECOND BY COUNCILOR DIODATI

Councilor Ferreira stated a point of clarification. Is it possible, Ms. Byerley, to get people in sooner than May. She stated I thought I saw a site plan uploaded yesterday.

Jacki Byerley addressed the council. She stated they haven't submitted the information in accordance with 10.8 for it to be a site plan to come in front of the Planning Board. Should I try to get them in front of the Planning Board the earliest meeting would be in May.

MOTION BY COUNCILOR TOOHEY TO CONTINUE TO MAY 19, 2026, SECOND BY COUNCILOR DIODATI
PASSED TO CONTINUE TO MAY 19TH. YEAS 9, NAYS 0, ABSENT 1 (JORDAN), ABSTENTION 1, (MCGONAGLE)

10.3. Planning Director, Jacki Byerley, requests a hearing for the following Zoning Amendment – Battery Energy Storage Systems

10.3.1. Ordinance: re: Amend Chapter 255 Zoning Ordinance and Zoning Map – Battery Energy Storage Systems Overlay District (BESS)– by inserting a new section 7.9 Battery Energy Storage Systems, amending section 3.1.3 Table of Use and Parking regulations by allowing a Tier 1, Tier 2 and Tier 3 BESS and amending the Zoning Map to include the BESS Overlay District. The overlay district will be creating regulations for the installation and use of free-standing battery energy storage systems (“BESS”), adding to the table the overlay district with the allowed Tiers and updating the zoning map to include the BESS Overlay District, or take any other action related to

21-b

File 14 Days

Refer to Planning Board & Council Hearing May 19th

MOTION BY COUNCILOR MCGONAGLE TO PLACE ON FILE, SECOND BY COUNCILOR BASILIERE
PASSED TO CONTINUE TO MAY 19TH. YEAS 9, NAYS 0, ABSENT 1 (JORDAN), ABSTENTION 1, (ROGERS)



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11. APPOINTMENTS:

11.1. Confirming Appointments: -

11.1.1. Community Affairs Advisory Board (reappointments) –
expires December 31, 2026:

- Sharon Sullivan, Chairman, 20 Westminster Ave
- Anne Vlack, 60 Hancock St
- William Lapierre, 1 Hanscom Ave
- Nomsa Ncube, 67 Washington St 102-P
- Penelope Guerrero, 89-93 Washington St Unit 3B
- Andrew Tarasuk, 88 Race St

24-d

MOTION BY COUNCILOR SULLIVAN FOR PASSAGE, SECOND BY COUNCILOR TOOHEY
PASSED YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

11.2. Non-Confirming Appointments:

11.3. Constables

11.4. Resignations

12. PETITIONS:

12.1. **Doc 100 of 2025 - SPFL-25-2;** John McCann for *Broco Energy* requests to store an additional 30,000 gallons of propane in an above ground storage tank, three additional propane transport trailer trucks with a tank capacity of 12,600 gallons each for a total storage increase of 37,800 gallons of truck storage, and 8,000 gallons in miscellaneous empty customer tanks - the overall propane storage capacity being increased by 75,800 gallons at 168 Hale St

Hearing scheduled for May 5, 2026

MOTION BY COUNCILOR SULLIVAN, SECOND BY COUNCILOR MCGONAGLE
PASSED YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

12.2. Applications Handicap Parking Sign: *with Police approval*

12.3. Amusement/Event Application: *with Police approval*

12.3.1. **EVNT-26-1;** Nicholas DiSalvo for *Boston Boxing Promotions* requests to hold professional boxing event on April 25th from 4 to 9 PM at Haverhill High School gymnasium at 137 Monument St

28-a

MOTION BY COUNCILOR TOOHEY, SECOND BY COUNCILOR MCGONAGLE
PASSED YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

12.4. Auctioneer License:

12.5. Tag Days: *with Police approval*

12.5.1. **TAGD-26-6;** *Knights of Columbus*, May 16 and 17, 2026

14-e



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PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

12.6. One Day Liquor License –with HPD approval

12.7. ANNUAL LICENSE RENEWALS:

12.7.1. **Hawker Peddlers License- Fixed location – w/Police approval**

12.7.2. **FIXD-26-5– Gail Azevedo** for Swasey Park to sell lemonade and steamed hot dogs from 9 AM to 7 PM starting May 1, 2026 17-e

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR DIODATI

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

12.7.3. **Coin-Op License Renewals – with Police approval**

12.7.4. **Christmas Tree Vendor – with Police approval**

12.7.5. **Taxi Driver Licenses: with Police approval**

12.7.6. **Taxi/Limousine License with Police approval**

12.7.7. **Junk Dealer /Collector License - with Police approval**

12.7.8. **Pool/Billiard**

12.7.9. **Bowling**

12.7.10. **Sunday Bowling**

12.7.11. **Buy & Sell Second Hand Articles with Police approval**

12.7.12. **Buy & Sell Second Hand Clothing with Police approval**

12.7.13. **Pawnbroker license - with police approval**

12.7.14. **Fortune Teller with - Police approval**

12.7.15. **Buy & Sell Old Gold – with Police approval**

12.7.16. **Roller Skating Rink**

12.7.17. **Sunday Skating**

12.7.18. **Exterior Vending Machines/Redbox Automated Retail, LLC**

12.7.19. **Limousine/Livery License/Chair Cars with Police approval**

13. MOTIONS AND ORDERS:

13.1.1. Order – Pay bills of the previous years and authorize payment from current year departmental appropriations as listed: 9-f

Vendor	Amount	Account
AI Auto Care, Inc	\$35.00	Police

Total: \$35.00

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR LEPAGE

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14. ORDINANCES (FILE 10 DAYS):

- 14.1. Ordinance re: Vehicles and Traffic; Amend Ch 240, be further amended by **ADDING** the following to § 240-85 schedule B: Parking Restrictions and Prohibitions:

LOCATION REGULATION HOURS/ DAYS

Auburn St:

In front of # 53 No Parking 24-hours

(except for 1 24- hour handicap parking space) 10-g
File 10 Days

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR DIODATI

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

- 14.2. Ordinance re: Vehicles and Traffic; Amend Ch 240, be further amended by **ADDING** the following to § 240-85 schedule B: Parking Restrictions and Prohibitions:

LOCATION REGULATION HOURS/ DAYS

Middlesex St:

In front of # 111 No Parking 24-hours

(except for 1 24- hour handicap parking space) 10-h
File 10 Days

MOTION BY COUNCILOR DIODATI, SECOND BY COUNCILOR LEPAGE

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

- 14.3. Ordinance re: Vehicles and Traffic; Amend Ch 240, be further amended by **ADDING** the following to § 240-85 schedule B: Parking Restrictions and Prohibitions:

LOCATION REGULATION HOURS/ DAYS

Research Drive:

Both sides, between Creek Brook Dr,
& Broadway No Parking 24-hours 10-i

File 10 Days

MOTION BY COUNCILOR ROGERS, SECOND BY COUNCILOR MCGONAGLE

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

15. COMMUNICATIONS FROM COUNCILORS:

- 15.1. Vice President Michitson wishes to announce the Planning and Development Committee meeting on Monday, March 30, 2026, at 6PM in Room 202, City Council Chambers

18-n



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Vice President noted the Planning and Development Committee meeting on March 30th at 6PM. He noted it is a follow-up to the March 2nd meeting.

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

**16.1. Doc 107-A of 2025, - Ordinance re: Boards and Commissions – Article XX
Agricultural Commission *Filed March 11, 2026***

Councilor Lewandowski stated this is in the unfinished business section of our agenda and it shall remain there. She stated the saga continues and I will be moving to table this indefinitely.

MOTION BY COUNCILOR LEWANDOWSKI TO TABLE INDEFINITELY, SECOND BY COUNCILOR TOOHEY
PASSED TO TABLE INDEFINITELY YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

Vice President Michitson asked someone to call a suspension of the rules in order to read in a proclamation for Greek Independence Day.

MOTION BY COUNCILOR SULLIVAN FOR SUSPENSION OF RULES, SECOND BY COUNCILOR BASILIERE

City Clerk Wright: Councilor Basiliere-yes, Councilor Diodati-yes, Councilor Sullivan-yes, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor LePage-yes, Councilor Rogers-yes, Vice President Michitson-yes.

PASSED YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

Vice President Michitson read the proclamation into the record. He asked for a motion to accept and place on file.

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR TOOHEY
PASSED YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

- Councilor Sullivan stated on January 16th National Grid filed for a \$342M increase which is 12% in gas based distribution. If this is approved the company expects an average winter bill increase 8.4% per month (\$24). National Grid is having a public hearing on Tuesday, March 31st at 7PM in the Haverhill High School Auditorium (137 Monument St)
- Councilor Basiliere stated March 27th at 10AM at Mill Brook Park will be the annual celebration of the Vietnam Veterans Memorial Day

19. DOCUMENTS REFERRED TO COMMITTEE STUDY:

20. LONG TERM MATTERS STUDY LIST:

21. ADJOURN:

MOTION BY COUNCILOR SULLIVAN TO ADJOURN, SECOND BY COUNCILOR DIODATI
PASSED YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

ADJOURNED: **19:52**