



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, June 4, 2024 at 7:00 PM

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

In-Person/Remote Meeting

Present – President Sullivan, Councilors Basiliere, Hobbs Everett, Michitson, Ferreira, Jordan, Lewandowski, Toohey, LePage, and Rogers

Absent – Councilor McGonagle

City Clerk – Kaitlin M. Wright

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

May 21, 2024 minutes will be approved at the next meeting.

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councilor Lewandowski assigned the minutes.

5. COMMUNICATIONS FROM THE MAYOR:

5.1. Mayor Barrett submits a report on permitting of Accessory Dwelling Units (ADU) 2-Q

Mayor Barrett summarized the ADU report provided in the agenda packet.

President Sullivan stated the House passed a 6.1M housing bond with money for ADU, asking where the state money would be focused.

Mayor Barrett stated received an earmark from Rep. Vargas for ADU's, though a small amount of money, hoping will help with fees.

Andrew Herlihy stated the money from the bond bill still needs to be worked out by the legislature. Following the situation and tracking what is going on.

Councilor Lewandowski asked what the breakdown is in zones. Overriding concern is haven't specified what zones they are allowed in, would like to protect green space. Will include in upcoming P&D meeting for further discussion.

Andrew Herlihy stated most are in single family home neighborhoods with medium density.

5.2. Mayor Barrett wishes to recognize the following Haverhill firefighters for their outstanding response to a horrific motor vehicle accident in May 2023: 2-R

Deputy Greg Roberts

Capt. Richard Shellene

Lt. Keith Baldwin

Lt. Bill Cowl

FF Andrew Hastings

FF Kyle Lepore

FF Pat Taft

Mayor Barrett spoke of the accident in May 2023 and asked Edward Modeen to address the Council. Edward Modeen stated while out riding on his motorcycle with his wife he was struck by a car. His injuries included 10 broken bones and C7 in neck pushed into his spinal cord which



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could have killed or paralyzed him. He wanted to recognize The Haverhill Firefighters for saving his life. Mayor Barrett and President Sullivan presented citations to the firefighters.

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

6.1. Council President Sullivan together with Mayor Melinda Barrett requests to introduce the Disabled American Veterans (DAV) Hannah Dustin Chapter 20 to honor Russell V.J. Chaput for being selected as the *DAV Department of Massachusetts Veteran of the Year*

Mayor Barrett recognized Russell V.J. Chaput as the recipient of the Disabled American Veterans DAV Department of Massachusetts Veteran of the Year. Both the Mayor and the Council presented Mr. Chaput with citations. A message from Senator Ed Markey where he honored Russell was also played. 31-M

6.2. Councilor Basiliere requests to introduce Michael Morales of the *Haverhill Cultural Council* to discuss the *Multicultural Festival* on June 22nd at G.A.R. Park

Michael Morales announced the Multicultural Festival on June 22nd at G.A.R. Park from 12-6PM. The event celebrates diverse cultures that makes Haverhill a vibrant community. The festival will have music, dance, food and art from all over the world and invite everyone to join in the celebration. 31-N

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. Angel Perkins, City Auditor & Chief Financial Officer submits April 2024 revenue and expense reports for the City's general fund operating budget

Motion by Councilor Michitson, second Councilor Rogers
PASSED All in Favor

17-J

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

10. HEARINGS AND RELATED ORDERS:

10.1. Document 43; SPMM 24-1; request from Attorney Connor MacIsaac for applicant Locke st Owner LLC – 40 Locke st (fka) Haverhill Mills requesting an amendment to Plan Approval to reduce the total amount of required parking spaces from 394 spaces to 321 parking spaces by eliminating the parking spaces off site *Continued from April 23 2024* *Related communication from Attorney MacIsaac for applicant requesting to withdraw this application without prejudice*

Motion by Councilor Toohey, second Councilor Rogers



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PASSED without prejudice

All in Favor

10.2. Document 44; CCSP 24-4; request for Flexible Development from Attorney Migliori for applicant JR Builders Inc to develop 50 acres of land at 0 Broadway off Emma Rose Circle to create 26 residential single-family homes on 20 acres of land and provide dedicated open space on land remaining about 30 acres deeded to City of Haverhill
Continued from May 7 2024

President Sullivan opened the special permit hearing.

Attorney Migliori appeared before the Council representing the owner Larry Palmisano of JR Builders who is looking for approval to build a flexible development using 20 of 50 acres with 24 single-family homes. The remaining 30 acres along with a parcel on Amesbury Road would be deeded to the city for deeded open space and conservation. Mr. Palmisano will also donate \$72K to the housing trust fund. The project meets all the criteria for a special permit and density bonus under the flexible development.

President Sullivan asked if anyone would like to speak in favor? No one spoke.

President Sullivan asked if anyone would like to speak in opposition?

John Burns, Edward Schena, Martha Guild, Ryan McCarthy and Lynn Walters all addressed the council in opposition. They stated concerns included increased traffic and visibility issues, large tree blocking site leaving Emma Rose Circle; water pressure issues; no sidewalks and street lights; environmental concerns with no impact on existing homes; walking trails will bring more traffic and who will maintain; school concerns with already overcrowded schools; and public parking for trails is a concern with unmonitored open space.

TJ Melvin stated three spots for public parking for trails; ground water tables about 45-60" and will account for that for the septic systems and storm runoff; flow test for water pressure; sidewalks and street lights for new subdivision but not for the existing subdivision.

Ken Cram, Bayside Engineering, stated the traffic study and counts were done in April 2024 noticing small amount of existing traffic; speed count showed 35mph or less on Broadway; site lines are adequate for that speed limit.

Councilor comments included concern with sidewalks and lighting, landscape design, including the conditions of conservation, neighbor's concerns, rendering of homes to be built not provided, safety, care of the open space, trash collection, and include several conditions if approved.

President Sullivan closed the hearing.

Motion by Councilor Jordan to approve with all conditions and recommendations of all various departments, second Councilor LePage



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Motion by Councilor LePage to remove the three-parking space abutting the trail, second Councilor Michitson

PASSED

Yeas 7, Nays 3 (Basiliere, Ferreira, Rogers), Absent 1 (McGonagle)

Motion by Councilor Ferreria to add language to ensure the look of the new homes to be built will be similar to the current homes on Emma Rose Circle, second Councilor Lewandowski

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

Motion by Councilor Ferreria to add language that the landscape design goes before the Planning Board, second Councilor Jordan

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

Motion by Councilor Michitson to request discussion with National Grid regarding street lights for the original Emma Rose Circle subdivision, second Councilor Ferreira

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

Motion by Councilor Michitson requested a city owned tree be removed at Emma Rose Circle and Route 97, second Councilor Jordan

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

Motion by Councilor Jordan to add a conservation restriction on the land that abuts the development, second Councilor Rogers

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

Motion by Councilor LePage to add condition of any major modification as defined in our zoning that it comes back to the City Council not Board of Appeals or Planning, second Councilor Hobbs Everett

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

Motion by Councilor LePage is lower number of units to 22 from 24

No second on the motion, failed.

Motion by Councilor Rogers to restrict construction traffic to 7:00am-5:00pm Monday-Friday, and 7:00am-12PM on Saturdays, second Councilor Toohey

PASSED

Yeas 7, Nays 3 (Basiliere, Ferreria, Lewandowski), Absent 1 (McGonagle)

Motion by Councilor Jordan to accept the project with all the remaining recommendations and conditions of all the city departments including conservation, economic development, fire, and police, second Councilor LePage

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

11. APPOINTMENTS:



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11.1. Confirming Appointments:

11.2. Non-Confirming

11.2.1. Harbor Commission: Jeremiah McCarthy, 7 Brickett av 5-V

11.2.2. Harbor Commission: Alison Colby-Campbell, 112 Farrwood dr 5-W
both to expire 5/31/2025

Motion by Councilor Toohey, second Councilor Lewandowski

PASSED All in Favor

11.3. Constables to expire December 31, 2024

11.4. Resignations:

12. PETITIONS:

12.1. Petition for Hearing on CCSA 24-1 from Attorney Russell Channen for applicant Dennis Suslavich for approval of a Repetitive Petition for property located at 0 Stanley Drive
Refer to Planning Board Council Hearing July 9, 2024

Motion by Councilor Michitson, second Councilor Jordan

PASSED to be heard July 9th All in Favor 52

12.2. Petition for Hearing on CCSP 24-5 from Attorney Russell Channen for applicant Dennis Suslavich for approval of a Special Permit; to build a single-family home at 0 Stanley Drive which is located in the Watershed Protection Overlay District
Council Hearing July 9, 2024

Motion by Councilor Jordan, second Councilor Lewandowski

PASSED to be heard July 9th All in Favor 52-B

12.3. Petition for Hearing SPMM 24-2; Special Permit Major Modification from Christos Eliopoulos seeking approval for modifications to a residential development (Residences at Kenoza) initially approved by City Council in 2023, located at 7-13 Kenoza av
Council Hearing July 23, 2024

Motion by Councilor Jordan, second Councilor Rogers

PASSED to be heard July 23rd All in Favor 53

12.4. Applications Handicap Parking Sign: with Police approval

12.5. Amusement/Event Application – with Police approval



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12.5.1. Hailey Moschella, for the *Wisteria Montessori School*, requests to hold a *Boardwalk Block Party*, on the lawn area at *Harbor Place*, Merrimack st on Saturday, June 29th, 3 pm to 6 pm

Haley Moschella announced the 4th Annual event will be June 29th from 3-6PM on the boardwalk. Afternoon of free activities for families. Search boardwalk block party on Facebook for more information.

Motion by Councilor Jordan, second Councilor Toohey

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle) 42-L

12.5.2. Tyler Kimball, for *Muddy Princess Corporation* requests to hold an *Obstacle Run*, on Saturday and Sunday; June 15 & 16th, from 8 am to 5 pm at *Kimball Farm*, 791 East Broadway

Tyler Kimball announced the Muddy Princess which is a 5K Women's only mud run. Can register online at muddyprincessmudrunning.com.

Motion by Councilor Jordan, second Councilor Toohey

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle) 42-M

12.5.3. Jennifer Matthews, for *L'Arche Boston North Inc.* requests to hold the *Fifth Annual Longest Table* event being held on Thursday, August 22nd on Wingate st (if it rains event will be held at Bradford County Club) from 5 pm to 10 pm and requests any additional fees be waived

Jennifer Matthews announced 5th year longest table back to Wingate Street where it all began on August 22nd at 5 PM, tickets are \$150 and go on sale June 17th at 9am, menu posted on June 15th.

Motion by Councilor Jordan, second Councilor Michitson

PASSED with fees waived

Yeas 10, Nays 1, Absent 1 (McGonagle) 42-N

12.6. Auctioneer License:

12.7. Tag Days: with Police approval

12.8. One Day Liquor License – with License Commission & Police approval

12.9. ANNUAL LICENSE RENEWALS:

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

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

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



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12.9.4. **Taxi Driver Licenses for 2023:** *with Police approval*

12.9.5. **Taxi/Limousine License** *with Police approval:*

12.9.6. **Junk Dealer /Collector License** *with Police approval*

12.9.7. **Pool/Billiard**

12.9.7.1. *Amvets of Haverhill, 576 Primrose st, 1 Table* 54

12.9.7.2. *RG's Pub, 242 Winter st, 2 Tables* 54-B

Motion by Councilor Toohey, second Councilor Jordan

PASSED

All in Favor

12.9.8. **Bowling**

12.9.9. **Sunday Bowling**

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

12.9.10.1. *Marcus Bunch, for "Krispy Clean Kicks & Cuts", at 400 Lowell
av, Unit 10*

Motion by Councilor Jordan , second Councilor Rogers

PASSED

All in Favor

8-B

12.9.11. **Buy & Sell Second Hand Clothing**

12.9.11.1. *Reverend Christopher Wallace for All Saints Parish, 120
Bellevue st*

Motion by Councilor Rogers, second Councilor Toohey

PASSED

All in Favor

55

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

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

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

12.9.15. **Roller Skating Rink**

12.9.16. **Sunday Skating**

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

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

13. MOTIONS AND ORDERS:

13.1. Order – appropriate \$1,014,535 from Wastewater Retained earnings and transferred to account Rain Storm 8/8/23

Related communication from Robert Ward, DPW Director

Motion by Councilor Michitson, second Councilor Jordan

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

27-E



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14. ORDINANCES (FILE 10 DAYS):

14.1. Ordinance re: Vehicles and Traffic; amend Section 240-98 Schedule P: Heavy
Commercial Vehicles: Truck Exclusions

<u>Street</u>	<u>Location</u>	<u>Type</u>	<u>Times</u>
Downing av	Main st to Primrose st	All vehicles over 2/12/tons	24 Hours 7 days
Sixteenth av	“ “	“ “	“ “
Seventeenth av	“ “	“ “	“ “
Cross rd	Ferry rd to Boston rd	“ “	“ “
Ferry rd	Neck rd to Cross rd	“ “	“ “ <u>File 10 days</u>

Motion by Councilor Michitson, second Councilor Rogers
PASSED *All in Favor*

56

14.2 Loan Order – amended - \$10,600,000 for the Closure of the Northern Mound of the Old
Haverhill Landfill File 10 days

Related communication from Robert Ward, DPW Director

Motion by Councilor Jordan, second Councilor Basiliere
PASSED *All in Favor*

28-F

14.3 Loan Order – amended - \$12,380,000.00 for Phase I Locke Street CSO Separation and
Water System Improvements Project File 10 days

Related communication from Robert Ward, DPW Director

Motion by Councilor Michitson, second Councilor Toohey
PASSED *All in Favor*

28-G

15. COMMUNICATIONS FROM COUNCILLORS:

15.1. Councillors Lewandowski and Michitson request to discuss neighborhood concerns about
excessive truck traffic on Gile st

Councilor Lewandowski stated numerous complaints from neighbors on excessive truck traffic on
Gile Street. Asking to be sent to Traffic and Safety for further assessment.

Councilor Michitson introduced Mark and Kelly Fairbrother who stated Gile Street is extremely busy
with no sidewalks and the added truck traffic makes it a safety concern. They do not understand why
trucks are using Gile when there are two other main streets they can use. Would like the same
consideration for safety and quality of life.

*Motion by Councilor Michitson to send to Traffic and Safety for a possible truck exclusion and other
safety improvements, second Councilor Rogers*

PASSED *send to T&S* *All in Favor*

12-R



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16. UNFINISHED BUISINESS OF PRECEEDING MEETING:

16.1. Document 51; Ordinance re: Playgrounds, Parks, and Recreation Areas: Amend Chapter 193, Article III Swimming *Filed 5/22/24*

Councilor Ferreira requested to separate the swimming piece of the ordinance and send it to committee to be looked into further how other cities and towns have their usage policies for public swimming spaces.

Mayor Barrett recommended pass ordinance today because school is getting out next week and the park will open two days later and would like to have the control over the water and the park.

President Sullivan stated this ordinance simply increases the fees, the other piece in terms of hours or any other issues relative to use of Plug's could be sent to Natural Resource and Public Property Committee for further vetting. This would just set the rates so we could open next week.

Councilor Ferreira stated the article regarding swimming is what she wanted to send to committee, not the fees portion. The part stating "unless staff on duty" believes that was a proposed change to the ordinance.

Mayor Barrett stated the wording was "unless lifeguard on duty" and changed to "staff".

Clerk Wright stated as a resident of Belvidere Road, the increase of cost to enter people chose to park on the street illegally and hope for increased enforcement. Maybe an option for lower Belvidere of no parking.

Mayor Barrett will contact the Police Chief and look at options.

Motion by Councilor Jordan, second Councilor Toohey

PASSED

Yeas 10, Nays 0, Absent 1 (McGonagle)

17. RESOLUTIONS AND PROCLAMATIONS:

17.1. Mayor Melinda Barrett submits *Proclamation for Juneteenth National Independence Day* on June 19th to commemorate the day in 1865 when enslaved people were informed that slavery was over

Councilor Hobbs Everett read the Proclamation into the record.

Motion by Councilor Hobbs Everett to accept and place on file, second Councilor Toohey

PASSED

All in Favor

13-G

Councilor Hobbs Everett announced a Juneteenth family cookout to be held on the Calvary Baptist Church grounds with live music, spoken words, and activities. Can register on FB event page or admin@calvarybaptist-haverhill.org. June 19th from 5-7PM bring a chair or blanket, free for all.

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17.2. Mayor Melinda Barrett submits *Proclamation* to declare June 2024 as *LGBTQ+Pride Month*

Councilor Basiliere read the Proclamation.

Motion by Councilor Basiliere to accept and place on file, second Councilor Jordan

PASSED

All in Favor

13-H

President Sullivan announce Pride Ceremony on Thursday, June 14th at 4 PM front steps of City Hall. A reception to follow at Time Out on Washington Street, sponsored by Pentucket Bank. Family friendly and all are invited.

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

Councilor Basiliere received communication from Positive Impact Ministries thanking for the \$100 donation to the food bank.

Councilor Ferreira announced Art Walk is Saturday downtown, an all-day free event.

19. DOCUMENTS REFERRED TO COMMITTEE STUDY

20. LONG TERM MATTERS STUDY LIST

21. ADJOURN :

Motion by Councilor Jordan, second Councilor Lewandowski

PASSED

All in Favor

Adjourned 22:17