



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, March 19, 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, McGonagle, LePage, and Rogers
Assistant City Clerk – Rose Leonard-Flynn
City Clerk – Kaitlin M. Wright

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

Motion by Councilor Lewandowski to approve, second Councilor Toohey

PASSED All in Favor

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councilor Toohey 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:

8.1. City Clerk, Kaitlin M Wright, requests to address the City Council to announce the winners of the 3rd Annual Haverhill Top Dog Contest

Kaitlin Wright, City Clerk, addressed the Council stating just finished the Top Dog contest and winner is Harry a black shepherd, in second was Karma a german shepherd, and in third was Sadie a poodle. There were approximately 30 contestants this year. 17-E

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

10. HEARINGS AND RELATED ORDERS:

10.1. Document 19, CCSP 24-2, application from Attorney Robert Harb for Special Permit Hearing for applicant 38-42 Washington st; LLC for a Major Plan Approval to convert two upper-level floors in the existing building located at 38 Washington st into 8 residential units while maintaining 2 Commercial units on the first floor *Comments from various City Depts are included*

Councilor Toohey recused himself and left the Council Chambers.

President Sullivan opened the hearing.

Attorney Robert Harb, 40 Kenoza Avenue, here this evening with the petitioners and the architect, Jay Mason. Will have Mr. Mason show the slides before the project presentation. Today we spoke with William Pillsbury and Andrew Herlihy. Both are in favor of the project because two of the units will be



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, March 19, 2024 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202
In-Person/Remote Meeting

affordable. We were told in order for those to count towards 40B and 10%, they request certain language be inserted in approval, if the Council sees fit to approve the project. The applicant is in favor and the language will be read into the record. This is a major plan approval. It is located in the Subzone D of the Downtown Smart Growth Overlay District and also located in the WD-A Waterfront District Subzone. It is an allowable use in which the Council needs to approve the plans.

Jay Mason, ACS Architectural Services, appeared before the Council giving a PowerPoint presentation of the project.

Attorney Harb stated the outside work meets the Historic District requirements and has approval; all work is inside the existing building meeting code and all requirements of the city departments. The project will have two commercial units on the first floor. The upstairs will be eight units total with six market rent and two affordable housing that qualify under the Massachusetts code. With the drastic need for low-income housing and the city's need for it we made a decision to give 10% and think it is a benefit to the city. The project meets all the requirements of the downtown waterfront district, and we have the required parking. This is a good project for downtown.

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?

Jared Stewart, Bethany Communities Services, addressed the Council. Not against project but are an abutter to the project. Traffic and parking at Phoenix Row are an issue and trash is also a concern. Would like to know the plan for parking and trash.

Attorney Harb stated the project meets the code for parking. The project has eight leased parking spaces for the residents. The health department requires us to comply with the trash using totes with bi-weekly pickup not a dumpster.

Mr. Stewart stated there is an easement behind the building, legally nothing is allowed to be placed in the easements. Current legal agreements need to be adhered to.

Jay Mason stated there is a 15-foot bay behind the building where we would place the totes there. Andrew, one of the owners, clarified it is a 30-foot-wide right-of-way. There are line parking spaces that both Bethany and the music center parks in. One parking space is for this building and the other space is no parking where the four trash totes will be placed.

President Sullivan closed the hearing.

Motion by Councilor McGonagle for approval with all recommendations of city departments including the language as entered into the record regarding the affordable units meet the state requirements, second Councilor Rogers



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, March 19, 2024 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202
In-Person/Remote Meeting

Councilor comments included concern with parking, due diligence with trash toters including possibly moving them inside, snow removal. All feel a great project for the downtown and addition of needed affordable housing units.

Motion by Councilor Lewandowski for quarterly cleaning of trash toters, second Councilor Jordan
PASSED Yeas 10, Nays 0, Abstain 1 (Toohey)

Motion by Councilor Michitson approval conditional on applicant meeting easement requirements, second Councilor LePage
PASSED Yeas 10, Nays 0, Abstain 1 (Toohey)

Motion by Councilor McGonagle for approval with all city department head conditions and two affordable units that meet all requirements of the State as stated in application, second Councilor Rogers
PASSED Yeas 10, Nays 0, Abstain 1

Motion by Councilor McGonagle to approve special permit with all conditions, second Councilor LePage
PASSED Yeas 10, Nays 0, Abstain 1

11. APPOINTMENTS:

- 11.1. **Confirming Appointments:**
- 11.2. **Non-Confirming to expire December 31, 2024**
- 11.3. **Constables to expire December 31, 2024**
- 11.4. **Resignations:**

12. PETITIONS:

- 12.1. Petition for Special Permit CCSP 24-3 from Glenn Belanger for 145 Elliott st to construct a bedroom addition on this property which is in our watershed
Hearing April 30 2024

Motion by Councilor Michitson, second Councilor Rogers
PASSED Yeas 11, Nays 0

35

- 12.2. **Applications Handicap Parking Sign:** with Police approval
- 12.3. **Amusement/Event Application** - with Police approval
- 12.4. **Auctioneer License:**
- 12.5. **Tag Days:** with Police approval

- 12.6. **One Day Liquor License** – with License Commission & Police approval

12.7. **ANNUAL LICENSE RENEWALS:**

- 12.7.1. **Hawker Peddlers License- Fixed location** – w/Police approval
- 12.7.2. **Coin-Op License Renewals** – with Police approval



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, March 19, 2024 at 7:00 PM

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

In-Person/Remote Meeting

- 12.7.3. **Christmas Tree Vendor** – *with Police approval*
- 12.7.4. **Taxi Driver Licenses for 2023:** *with Police approval*
- 12.7.5. **Taxi/Limousine License** *with Police approval:*
- 12.7.6. **Junk Dealer /Collector License** *with Police approval*
- 12.7.7. **Sunday Pool**
- 12.7.8. **Bowling**
- 12.7.9. **Sunday Bowling**
- 12.7.10. **Buy & Sell Second Hand Articles** *with Police approval*
- 12.7.11. **Buy & Sell Second Hand Clothing**
- 12.7.12. **Pawnbroker license** - *with police approval*
- 12.7.13. **Fortune Teller** *with - Police approval*
- 12.7.14. **Buy & Sell Old Gold** – *with Police approval*
- 12.7.15. **Roller Skating Rink**
- 12.7.16. **Sunday Skating**
- 12.7.17. **Exterior Vending Machines/Redbox Automated Retail, LLC**
- 12.7.18. **Limousine/Livery License/Chair Cars** *with Police approval*

13. MOTIONS AND ORDERS:

- 13.1. Order – Establishing an other post-employment benefits liability trust fund

Mayor Barrett stating this is a bit of financial housekeeping that perhaps should have been done a while back. This is establishing a trust that we will add money into per OPEB, it is good for our bond rating, and it shows we are aware of our obligations and will work to meet them.

Motion by Councilor Jordan, second Councilor Toohey

PASSED

Yeas 11, Nays 0

36

- 13.2. Loan Order – \$2,411,355 to pay for costs of *Moody School Boiler Replacement Project* at 59 Margin st File 10 days

Motion by Councilor McGonagle, second Councilor Toohey

PASSED

Yeas 11, Nays 0

28-B

- 13.3. Loan Order - \$1,471,297 to pay for costs of *Silver Hill School Boiler Replacement Project* at 675 Washington st File 10 days

Motion by Councilor McGonagle, second Councilor Lewandowski

PASSED

Yeas 11, Nays 0

28-C

14. ORDINANCES (FILE 10 DAYS)



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, March 19, 2024 at 7:00 PM

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

In-Person/Remote Meeting

14.1. Ordinance re: Officers and Employees – *Article IV City Solicitor*

File 10 days

Motion by Councilor McGonagle, second Councilor Jordan

PASSED

Yeas 11, Nays 0

37

15. COMMUNICATIONS FROM COUNCILLORS:

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

17. RESOLUTIONS AND PROCLAMATIONS:

17.1. Mayor Barrett requests to present a proclamation for *Irish-American Heritage Month*, March 17 2024

Councilor McGonagle read the Irish-American Heritage Month Proclamation.

Motion by Councilor McGonagle accept and place on file, second Councilor LePage

PASSED Placed on File

Yeas 11, Nays 0

13-C

17.2. Mayor Barrett requests to present a proclamation for *Women's History Month*, March 2024

Councilor Lewandowski read the Women's History Month Proclamation

Motion by Councilor Lewandowski to accept and place on file, second Councilor Rogers

PASSED Placed on File

Yeas 11, Nays 0

13-D

17.3. Mayor Barrett requests to present a proclamation for *Greek Independence Day*, March 25, 2024

Councilor Michitson read the Greek Independence Day Proclamation

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

PASSED Placed on File

Yeas 11, Nays 0

13-E

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

Vice President Jordan announced the Haverhill Education Foundation will have trivia night on Saturday, April 6th at 6:30 PM.

19. DOCUMENTS REFERRED TO COMMITTEE STUDY

20. LONG TERM MATTERS STUDY LIST

21. ADJOURN :

Motion by Councilor Jordan, second Councilor Lewandowski

PASSED

Yeas 11, Nays 0

Adjourned 20:11