



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, January 30, 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 Flynn Leonard

City Clerk – Kaitlin M. Wright

1. OPENING PRAYER

President Sullivan offered kind words and a moment of silence in memory of Danny Gobbi.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

Motion by Councilor Basiliere to approve January 9th minutes, second Councilor Toohey

PASSED

All in Favor

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councilor Hobbs Everett assigned the minutes.

5. COMMUNICATIONS FROM THE MAYOR:

- 5.1. Mayor Barrett requests to introduce Library Director Sara Moser to provide an update on storm damage to the Library and impact on operations 2-B

Mayor Barrett stated after the recent snow storm there was a rain storm which caused damage to the library. Last two weeks been working on a “Covid protocol” but there is a plan going forward.

Sarah Moser appeared before the Council with an update. There is no date as of yet for reopening. The material on the outside of the building aged and leaked through a wall on the third floor leaking down to the first floor. Had a mediation company in immediately. Unfortunately, there are open walls, etc., which is unsafe for the public. A contractor is in place, and we are working with Richard MacDonald in Inspections. The first floor will be done first, then the second floor and lastly the third. Goal to open the first floor as soon as possible because that is where the most foot traffic and computers are. The estimate for work completed is 30-35 days.

Councilor Michitson asked if there are any other long-term capital fixes needed? Sarah Moser stated they are in the middle of an entire renovation plan which has been going on for two years. It will require fundraising.

Councilor Ferreira stated the library has ripple effects throughout the community and thanked Sarah for the timeline of what is happening to reopen. It goes unstated to how much community work the staff does to welcome people.



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President Sullivan stated there is a woman who wants to donate a sign to the library and would like to do it in the near future and not wait until the renovation project is complete.

- 5.2. Mayor Barrett submits Order to purchase land for the property known as the “Crystal Street/Jericho Road Conservation Project” off Crystal st for the purposes of water supply protection and passive recreational usage by the public. This purchase is being made following our successful application for LAND Grant funding from the State *Related communication from Robert E Moore Jr, Environmental Health Technician, Conservation Dept* 2-C

- 5.2.1. Order – Resolution to apply for, accept and expend a grant from the Commonwealth of Massachusetts executive office of energy and environmental affairs, division of conservation services local acquisitions for natural diversity (Land) grant program 13

Clerk Wright stated an updated communication was received from Rob Moore adding wording “The City of Haverhill will grant Conservation Restriction to Essex County Greenbelt Association over this land in accordance with the Land grant requirements of the EEA”.

Motion by Councilor Michitson, second Councilor Basiliere

PASSED Yeas 11, Nays 0

Motion to accept order by Councilor Jordan, second Councilor Toohey

PASSED Yeas 11, Nays 0

- 5.3. Mayor Barrett submits a Salary Ordinance and a Memorandum of Agreement (MOA) between the City of Haverhill and the Teamsters Water Purification Union Group 2-D

- 5.3.1. Memorandum of Agreement between the City of Haverhill and the Water Purification Group – Teamsters Local #170 14

- 5.3.2. Ordinance relating to Salaries – Water Purification File 10 days 15

Motion by Councilor McGonagle, second Councilor Lewandowski

PASSED All in Favor

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

- 6.1. Councilor Ferreira requests to introduce Sarah Moser, Director of the *Haverhill Public Library* to provide an update on the storm damage to the Library and impact on operations

*addressed with item 5.1.

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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 3rd Annual Haverhill Top Dog Contest 17

Clerk Wright announced the 2024 Dog Licensing with a fun way to advertise and give awareness to the licensing requirement where if you license your dog between now and February 29th and submit a photo, your dog is entered into the contest. On March 1 will do a drawing, first drawn will receive tag #1, then 2 and 3. You can license on-line or in person.

- 8.2. City Clerk, Kaitlin M Wright submits Order *and* requests Council accept provisions of Mass General Law Ch. 53, sec 18B, which would allow the City to print information relating to ballot questions on local elections. Information in such a pamphlet would be prepared by the City Solicitor 3-B

- 8.2.1. Order – That the City Council votes to accept the provisions of Massachusetts General Laws, Chapter 53, Section 18B, as stated 3-C

Motion by Councilor McGonagle, second Councilor Jordan
PASSED Yeas 11, Nays 0

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

- 9.1. Document 6; Petition from Mass Electric Company d/b/a National Grid requesting underground electric conduit location for Bridge st and Main st Plan 30849716

- 9.1.1. Document 6-B; Order – grant underground electric conduit location for Bridge st and Main st Plan 30849716

President Sullivan opened the hearing.

David Boucher, National Grid, appeared before the Council. Here tonight to petition to place underground conduit from Middlesex Street across the bridge down Water Street to our sub-station. It is a large project that we are placing several manholes, conduit, and conductors. The intention is to improve the reliability we have for the city so we can switch back and forth between different circuits. Tonight, I am here before you as a support, actually, to my co-worker a contractor engineer designer, Tim Williamson. He is online and I would like him to introduce himself to the Council and answer any questions you may have.

Tim Williamson, appearing remotely, wanted to make one minor clarification stating the manholes and conduits are going on Middlesex Street and across the bridge and we would just be installing cable on Water Street. We do not need new manholes on Water Street. This is a project to install the manholes and



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conduits. The reason behind it is we actually have cables that feed the Water Street substation down the way some of them run under the Merrimack River which have failed. We need to install new cables to provide feeders to the substation in order to provide reliability. That substation feeds a large portion of Haverhill including the downtown area. We consider it an emergency project to make sure we have cables in place ahead of the upcoming summer max peak temperatures. I will address any questions.

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? No one spoke.

President Sullivan closed the hearing.

Motion by Councilor McGonagle, second Councilor Toohey

Madam Clerk please call the roll.

City Clerk Wright: Vice President Jordan-yes, Councilor Basiliere-yes, Councilor Hobbs Everett-yes, Councilor Michitson-yes, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-yes, Councilor Rogers-yes, President Sullivan-yes
11 Yeas, 0 Nays PASSED

9.2. Document 7; Petition from Mass Electric Company d/b/a National Grid requesting underground electric conduit location for Middlesex st and South Main st Plan 308949716

9.2.1. Document 7-B; Order – grant underground electric conduit location for Middlesex st and South Main st Plan 30849716

President Sullivan opened the hearing.

Tim Williamson addressed the Council stating this is the same project in which the drawing got split between Middlesex Street and the bridge.

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? No one spoke.

President Sullivan closed the hearing.

Motion by Councilor McGonagle, second Councilor Lewandowski

Madam Clerk please call the roll.

City Clerk Wright: Vice President Jordan-yes, Councilor Basiliere-yes, Councilor Hobbs Everett-yes, Councilor Michitson-yes, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-yes, Councilor Rogers-yes, President Sullivan-yes
11 Yeas, 0 Nays PASSED



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10. HEARINGS AND RELATED ORDERS:

- 10.1. Document 113; CCSP -23-17; Tes Mercedat owner and manager of *DM Motors* requests approval to allow *TM Auto Group LLC* to add rental car services on top of selling used cars at 251 Winter st *comments from Depts are included*

President Sullivan opened the hearing.

Tes Mercedat appeared before the Council stating purchased the dealership in 2020 right after the pandemic started. Realized that the used car business with all the problems in the economy, it is very hard to run a used car business and would like to offer rental car services at this location.

Councilor Sullivan asked how many cars you will have there and is there any kind of change in the total? Tes Mercedat stated has 26 cars for sale and five spaces for employees and customers.

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? No one spoke.

President Sullivan closed the hearing.

Motion by Councilor McGonagle, second Councilor Jordan

Councilors comments included feel it is a service that will benefit the citizens while helping his business, has no change in the footprint of the existing location, will need approval from license commission for change of dealer license, and any conditions of city departments.

President Sullivan: *Motion by Councilor McGonagle to approve with department conditions, second Councilor Jordan*

Madam Clerk please call the roll.

City Clerk Wright: Vice President Jordan-yes, Councilor Basiliere-yes, Councilor Hobbs Everett-yes, Councilor Michitson-yes, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-yes, Councilor Rogers-yes, President Sullivan-yes
11 Yeas, 0 Nays

President Sullivan: PASSED with conditions.

11. APPOINTMENTS:

11.1. Confirming Appointments:

11.2. Non-Confirming to expire December 31, 2024

11.2.1. *Chief of Staff to Mayor, Christine Lindberg*

Deputy Chief of Staff to Mayor, Josselyn DeLeon-Estrada

Motion by Councilor Jordan, second Councilor Rogers

PASSED

Yeas 11, Nays 0



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11.3. Resignations:

12. PETITIONS:

- 12.1. Petition from National Grid and Verizon New England for Joint Pole Location at the intersection of Foundation av and Ward Hill av; Plan 30682213
Hearing February 27, 2024

Motion by Councilor Jordan, second Councilor Toohey

PASSED to be heard February 27th Yeas 11, Nays 0 18

- 12.1.1. Application from Attorney Robert Harb for Special Permit hearing CCSP 24-2; 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 rental units while maintaining 2 Commercial Retail Units on the first floor
Hearing February 27, 2024

Motion by Councilor McGonagle, second Councilor Jordan

PASSED All in Favor 19

- 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

- 12.5.1. HHS Boys Crew Team, April 26, 7, 28 20

- 12.5.2. HHS Girls Crew Team, Sept 13, 14, 15 20-B

Motion by Councilor Michitson, second Councilor Jordan

PASSED All in Favor

- 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

- 12.7.1.1. Lisa Wright to sell hot dogs, chips, and soda at 25 Lincoln av,
outside of Haverhil Stadium from 11 am to 4 pm 21

Phil Wright, we would like permission for an enclosed food cart. The weather is challenging so it would be much better to continue to do business.



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Motion by Councilor McGonagle, second Councilor Roger

PASSED

Yeas 11, Nays 0

12.7.1.2. Kenneth Zibolis to sell hot dogs, sausages, burgers, and fries; 10 am to 7 pm at 10 Church st 21-B

Clerk Wright explained the address on the application had 10 Church Street as the location but Mr. Zibolis is actually requesting the location be Winnekenni. Suggest postponing to correct application.

Motion by Councilor Michitson to postpone, second Councilor Toohey

PASSED postponed

Yeas 11, Nays 0

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

12.7.2.1. Market Basket, 400 Lowell av – 1 Coin-op 22

12.7.2.2. Crescent Yacht Club, 30 Ferry st – 2 Coin-ops 22-B

Motion by Councilor McGonagle, second Councilor Rogers

PASSED

Yeas 11, Nays 0

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 – authorize payment of bills of previous years and to further authorize the payment from current year departmental appropriations as listed:



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<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Milestones Inc	517.50	School Dept
Aramark	73.68	Police Dept
Steve Nguyen	498.00	Inspectional Services
Steve Nguyen	498.00	Inspectional Services
Steve Nguyen	622.50	Inspectional Services

Motion by Councilor McGonagle, second Councilor Jordan

PASSED

Yeas 11, Nays 0

23

14. ORDINANCES (FILE 10 DAYS)

14.1. Ordinance re: Vehicles and Traffic – Parking restrictions Bartlett av – West side entire length
File 10 days

Motion by Councilor McGonagle, second Councilor Rogers

PASSED placed on file

All in Favor

24

14.2. Ordinance re: Vehicles and Traffic – Delete Handicap parking 23 Shepherd st
File 10 days

Motion by Councilor McGonagle, second Councilor Rogers

PASSED placed on file

All in Favor

11-B

15. COMMUNICATIONS FROM COUNCILLORS:

15.1. Council Vice President Jordan and Councilor Michitson request City Council discussion on long-term planning to support Mayor Barrett's initiative.

Motion by Councilor Michitson to postpone, second Councilor Jordan

PASSED postponed to February 6th

All in Favor

12-B

15.2. Councilors Lewandowski and Michitson request a discussion about the future of Merrimack Valley Hospital

Councilor Lewandowski stated she put this on the agenda to get this topic on our radar. We all have been reading and hearing news reports on Steward HealthCare's financial issues, closing of hospital and possible catastrophic outcomes for our state's health care system. Our concern at our level is Holy Family and the community, health care workers, and patients will be left vulnerable by whatever the outcome is. There are numerous factors at play and the outcome is unknown.

Councilor Michitson stated some important thoughts including a community hospital is needed in Haverhill, an unsolved structural problem of the payer mix which serves a high number of low-income patients.



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Mayor Barrett stated the state and federal delegations have been working on this matter. Limited on updates but do get them when available. Hoping for more information soon.

Yonnie Collins addressed the Council stating she is a night shift nurse at Holy Family. Clarified that the high service units were closed and told we are not allowed to use a certain number of beds. This has caused backup in services. As nurses we too are patients of Steward as part of our employment benefits.

Kenny Quimby addressed the Council stating the hospital needs to stay open and is willing to help in any way.

President Sullivan is very concerned, and this seems to be a growing trend. Something needs to be done, we do not want to lose our hospital or the network.

Michael Morales addressed the Council stating also a great concern especially as a social worker. Not sure what legal avenues the city has as an option but recommend looking into it.

Councilor Lewandowski stated when we do have answers, I would like for someone to come before us, whether it be the state or federal delegation, to give us a snapshot of what exactly is going on and how we as a community can support that or mend our existing healthcare resources and possibly request funding, working with the NFI Director that we have now in place. A lot of things that we can do once we know what the plan is that Stewart is going to put forward. I just want this to stay on our radar and for us to revisit at regular consistency.

Councilor Rogers asked if we going to give a time frame or are we going to leave it open ended, like a month?

President Sullivan stated as soon as possible.

Councilor Lewandowski stated that doesn't think we can give a time frame. Within a reasonable period of time after they receive information, we would like a report.

Motion by Councilor Lewandowski to send a letter to the state and federal delegation, second Councilor Michitson

PASSED

Yeas 11, Nays 0

12-C

15.3. Councilor Rogers requests a discussion about the recent Whittier Tech election results and the future of public schools funding projects

Councilor Rogers wanted to start the conversation with the no vote on the Whittier Tech school, JG Whittier upcoming, and the 17 other schools needing repairs need to address the state giving less money to the city to help fund these expenses.



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President Sullivan stated we can ask that they look at the formula used to determine their share and ask them to make it based on actual costs as opposed to an estimate cost for any school building project.

Councilor Michitson suggested getting our house in order as well, especially when it comes to long range planning.

Mayor Barrett stated she requested any future building committee whether it be for the repairs suggested or as they go forward that more communities be represented and as a standing portion of the school committee meeting that a representative from Whittier school committee report back and have it as part of the agenda. Also want a closer look at Whittier's budget process.

Councilor Jordan stated he spoke with the Whittier Tech Business Manager, Kara, today and particularly the wastewater treatment plant that they have. That is failing, we have heard about raw sewage in the building so we will be having to pay for that in the very near future and we will not be getting reimbursed by the state. We just need to probably be looking at budget time getting a good estimate from them about what are we going to be looking at for that and what's the timeline and when we are going to be funding that again without reimbursement from the state.

Motion by Councilor Rogers to send a letter to the state delegation asking them to please explore better ways of funding projects, second Councilor Toohey

PASSED

Yeas 11, Nays 0

12-D

16. UNFINISHED BUSINESS OF PRECEEDING MEETING:

16.1. Document 11; Ordinance re: Vehicles and Traffic – Add Handicap Parking at 5 Abbott st
filed 1/11/2024

Motion Councilor Jordan, second Councilor Rogers

PASSED

All in Favor

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

18.1. Councilor LePage submits the attached minutes of the Administration and Finance Committee meeting held on January 16 2024 for acceptance – *Review of the Rules and Regulations of the City Council*



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Councilor LePage read the minutes from the January 16th A&F Meeting with the proposed changes to the rules and regulations into the record.

Motion by Councilor LePage to approve the minutes, second Councilor Rogers
PASSED *Yeas 11, Nays 0*

Councilor Jordan thought there was an agreement for the same deadline for the agenda and the presentations of 9:00 a.m.

Councilor LePage suggested adding the language with an amendment.

Motion by Councilor LePage to approve the rules as they are presented, second Councilor Lewandowski
PASSED *Yeas 11, Nays 0* *25*

Amendments to the rules:

Motion by Councilor Rogers to amend Rule 11, #3 to add "Information and Technology" to Planning and Development Committee, second Councilor Toohey

Motion by Councilor LePage to amend Rule 1 last paragraph remove "calendar year" and replace wording to "new legislator session", second Councilor Toohey

Motion by Councilor Jordan to amend Rule 28E remove the word "ideally" and replace with "documents and PowerPoints presentations would be provided before the agenda closes", second Councilor Toohey

Motion by Councilor LePage to remove in Rule 1 words "through a process of having an agenda item referred to Administration & Finance receiving Administration & Finance recommendation and" and inserting "as also stated in Rule 34 with the majority approval of the full City Council", second Councilor Jordan

PASSED *Yeas 11, Nays 0*

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 20:28