



# CITY OF HAVERHILL

## CITY COUNCIL MINUTES

Tuesday, September 19, 2023 at 7:00 PM

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

### In-Person/Remote Meeting

Present – President Jordan, Councilors Barrett, Bevilacqua, Sullivan, Michitson, Rogers, and Toohey

Absent – Councilor Lewandowski and Councilor McGonagle

City Clerk – Kaitlin M. Wright

#### 1. OPENING PRAYER

#### 2. PLEDGE OF ALLEGIANCE

#### 3. APPROVAL OF MINUTES OF PRIOR MEETING

*Motion by Councilor Bevilacqua to approve August 22<sup>nd</sup> minutes, second Councilor Toohey*

*PASSED All in Favor*

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

*Councilor Sullivan assigned the minutes.*

#### 5. COMMUNICATIONS FROM THE MAYOR:

5.1. Mayor Fiorentini submits Salary Ordinances between: City of Haverhill and Administrative & Professional positions and Non-Union groups

5.1.1. Ordinance re: Salaries – Administrative & Professional Positions

File 10 days

*Motion by Councilor Sullivan, second Councilor Rogers*

*PASSED Placed on File All in Favor 35-D*

5.1.2. Ordinance re: Salaries – Non-Union Positions File 10 days

*Motion by Councilor Bevilacqua, second Councilor Barrett*

*PASSED Placed on File All in Favor 35-H*

#### 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. Abatement report from Christine Webb, City Assessor for month of August 2023

*Motion by Councilor Bevilacqua, second Councilor Barrett*

*PASSED Placed on File All in Favor 11-I*

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

9.1. Petition from Verizon New England Inc for underground cables and 2 new manholes on Railroad av Hearing Oct 17, 2023

*Motion by Councilor Bevilacqua, second Councilor Rogers*

*PASSED to be heard October 17<sup>th</sup> All in Favor 86*



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9.2. Petition from Verizon New England Inc and National Grid requesting joint pole location  
on 229 Water st Hearing Oct 17, 2023

*Motion by Councilor Rogers, second Councilor Barrett  
PASSED to be heard October 17<sup>th</sup> All in Favor*

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**10. HEARINGS AND RELATED ORDERS:**

10.1.Document 79; Attorney Robert Harb, for applicant Jared Fish, Trustee of Eight Vine st Realty Trust, requests Special Permit, CCSP 23-6, for property at 8 Vine st, Assessor's Map 108-15-12, to build a new three story, six- unit, multifamily dwelling *Comments from City Depts are included*

Attorney Robert Harb filed a motion to postpone for one week.

*Motion by Councilor Sullivan, second Councilor Barrett*

*PASSED to be heard September 26 Yeas 7, Nays 0, Absent 2*

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10.2.Document 80; Attorney Robert Harb, for applicant *Shoe City Development Corporation* owned by *Haverhill Housing Authority*, requests Special Permit, CCSP 23-9, Assessor's Map 423-151-18A & 423-151-1B, to expand an existing 4-unit multifamily dwelling at 335 Groveland st and 0 Katsaros dr, to an 8-unit multifamily dwelling, in an RH zone *Comments from City Depts are included*

**President Jordan opened the special permit hearing.**

Attorney Robert Harb, offices located at 40 Kenoza Avenue, here representing Shoe City Development Corporation, a wholly owned corporation of the Haverhill Housing Authority. This is a permit to expand and already existing multifamily dwelling. We received all the necessary variances from the board of appeals; nobody was in objection to our petition. Also wanted to draw to your attention, although this is an expansion from a four to an eight, part of the existing structure was already renovated to a living room which was part of one of the units in the front of the building. The building fits into the neighborhood. Behind the building is Kennedy Circle which is already managed by the Haverhill Housing Authority. We need housing, especially senior housing. We are taking an existing rear structure and converting it into four units. There will be no exterior changes to the building which faces Groveland Street. All the changes will be in the rear portion of the building. There is plenty of parking for the units on the HHA land. No objections from the neighbors.

For the record, we meet the requirements for Chapter 255 Section 10.4.2. The structure does not cause any harm to the neighborhood, building out an existing framework in the rear; there are no changes to the exterior; housing needed for seniors; the traffic and parking has been approved; adequate utilities with city water and sewer; it already looks like it belongs in the neighborhood; no impact to the environment; and certainly, will have no adverse impact on city services. Those are our technical requirements under the special permit.



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Department Heads that had comments submitted them. The Planning Director supports this. Conservation had no objections. The Fire Department requirements for sprinklers and alarms will be met. There are provisions on the plans for trash. We believe we meet all the department requirements and would ask for approval.

Angelo Petrozzelli, Design Partnership Architects, presented the drawings. The front building will remain as is but will renovate the existing four units in that building. They are approximately 700 sq. ft. each. The new building will be in the rear. The garage and upper part of the building are already built and will be added onto the end giving four units on the back. The ground floor unit towards Kenndy Circle will have one disabled unit. The second floor will have a continuous porch so each unit will have two egresses. The building will be brought to new codes of today. Will add flower boxes to Groveland Street side of building.

#### **President Jordan asked if anyone would like to speak in favor?**

Ken Quimby, Jr., 48 Goodale Street, he is thrilled and hopes this is a first step for more senior housing because it is desperately needed in the city.

Andrew Herlihy, Community Development, we are very proud to be supporting this on behalf of the city. It represents a couple of important things. It's a renewed partnership between the city and Haverhill Housing Authority, all the board members are here. It is one of the first new HHA units in about four decades. The city needs as many units as possible we can get for 40B. This adds another eight units to our inventory. The only affordable housing money for the city comes from the HUD Home Investment Partner Program. Through the American Rescue Plan, seven million dollars was funded for Essex County where this project was awarded one million of that. We will also be using some Community Development money for improvements to the open space park on Katsaros Drive.

#### **President Jordan asked if anyone would like to speak in opposition? No one spoke.**

#### **President Jordan closed the hearing.**

*Motion by Councilor Bevilacqua to approve, second Councilor Toohey*

Councilor Sullivan loves the flower boxes and the improvements to the public space across the street. The best part of this project is that it will increase affordable senior housing. As stated, it has been decades since we have created a meaningful addition to senior housing. The challenge is where do we go from here and how we get more in the future. Thanked all the board members for the work they do.

Vice President Michitson states it is a very important project. Been working with a resident who is in need of housing and trying to find a location. Bottom line is we desperately need this housing.

Councilor Rogers feels this project is great and fits well in the neighborhood. Only wish more units could be built.



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Councilor Barrett, like her fellow Councilors, thinks it is a great project. It fits in and meets a need which helps. Happy the Haverhill Housing Authority has chosen to proceed with this project.

Councilor Bevilacqua has had many discussions with Chairman Driscoll and the Haverhill Housing Authority. This is a tremendous project. My only regret is that there aren't more units. Urge to continue moving forward. The Haverhill Housing Authority has an excellent record in management and taking care of people. Would like someone to tell me why more units were not added because it seems like it would fit in with the character of the hospital.

Angelo Petrozzelli stated the site is limited. It would have to have many variances to increase height and would have to increase parking. Do not have the available area. Hopefully there will be other sites available through this group that can bring more elderly apartments.

President Jordan agrees with everything colleagues said. It's a wonderful project and fully support it. We all know there is an incredible need for housing, particularly affordable housing for seniors. Thrilled you are doing this project and thrilled the Haverhill Housing Authority is stepping up again. We desperately need more. Great job with the design and fully supports it.

President Jordan: *Motion made by Councilor Bevilacqua to approve subject to the conditions of the city departments, second Councilor Toohey*

**President Jordan: Madam Clerk please call the roll.**

City Clerk Wright: Vice President Michitson-yes, Councilor Barrett-yes, Councilor Bevilacqua-yes, Councilor Sullivan-yes, Councilor Lewandowski-absent, Councilor McGonagle-absent, Councilor Rogers-yes, Councilor Toohey-yes, President Jordan-yes, 7 Yeas, 0 Nays, 2 Absent

**President Jordan: PASSED with City Department Conditions**

#### 11. APPOINTMENTS:

11.1. **Confirming Appointments:**

11.2. **Non-Confirming:**

11.3. **Resignations**

11.4. **PETITIONS**

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

11.6. **Amusement/Event Application** - *with Police approval*

11.6.1. EVNT 23-28, Indra Cruz, Manager, for *Utec Inc/VIP Haverhill for Walk for Peace*, at *GAR Park*, October 15<sup>th</sup>, 1:00 to 4:00 PM

Eridenia Nieuz appeared before the Council to give details on the Utec/VIP Walk for Peace. Events begin at GAR Park, there will be food, t-shirts, entertainment, etc. all for free and open to all.



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Argenis Marte, Latino Coalition, also appeared before the Council stating after the Walk for Peace, from 2-5 PM they will host Hispanic Heritage Month and invite all to attend.

*Motion by Councilor Bevilacqua, second Councilor Barrett*

*PASSED*

*Yeas 7, Nays, Absent 2*

29-X

11.6.2. EVNT 23-30, Devon Allen, Director, for *Vintage Bazaar New England*, for 2-day vintage and craft event on September 30th and October 1<sup>st</sup>. 8:30 am to 4:00 pm; at *Kimball Farm*, 725 East Broadway

*Motion by Councilor Sullivan, second Councilor Barrett*

*PASSED*

*Yeas 7, Nays 0, Absent 2*

29-Y

#### 11.7. Auctioneer License:

#### 11.8. Tag Days: with Police approval

11.8.1. *HHS Wrestling*, October 7

*Motion by Councilor Bevilacqua, second Councilor Barrett*

*PASSED*

*All in Favor*

3-M

11.8.2. *HHS Girls Volleyball*, October 14 & 15

*Motion by Councilor Barrett, second Councilor Rogers*

*PASSED*

*All in Favor*

3-N

11.8.3. *Haverhill Travel Boys Basketball*, October 21 & 22

*Motion by Councilor Barrett, second Councilor Bevilacqua*

*PASSED*

*All in Favor*

3-O

11.8.4. *HHS Girls & Boys Soccer*, October 27, 28 & 29

*Motion by Councilor Rogers, second Councilor Toohey*

*PASSED*

*All in Favor*

3-P

11.8.5. *Haverhill Travel Girls Basketball*, November 4 & 5

*Motion by Councilor Rogers, second Councilor Barrett*

*PASSED*

*All in Favor*

3-Q

#### 11.9. One Day Liquor License – with License Commission & Police approval

#### 11.10. Annual License Renewals:

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

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

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

11.10.4. Charles Hibbert for 297 Lincoln av, Nov 24<sup>th</sup> to Dec 24<sup>th</sup>; Monday-Sunday, 9 am to 9 pm

*Motion by Councilor Barrett, second Councilor Rogers*

*PASSED*

*All in Favor*

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- 11.10.5. **Taxi Driver Licenses for 2023:** *with Police approval*  
11.10.5.1. TDL 23-26, Laurel Walsh, 59 Lamoille av  
*Motion by Councilor Barrett , second Councilor Rogers*  
*PASSED All in Favor 30-T*
- 11.10.5.2. TDL 23-28, Jayshawn Gomez, 115 Lowell av  
*Motion by Councilor Barrett , second Councilor Rogers*  
*PASSED All in Favor 30-U*
- 11.10.5.3. TDL 23-29, June DeMarco, 21 East rd, Plaistow  
*Motion by Councilor Barrett , second Councilor Rogers*  
*PASSED All in Favor 30-V*
- 11.10.6. **Taxi/Limousine License** *with Police approval:*  
11.10.7. **Junk Dealer /Collector License** *with Police approval*  
11.10.8. **Sunday Pool**  
11.10.9. **Bowling**  
11.10.10. **Sunday Bowling**  
11.10.11. **Buy & Sell Second Hand Articles** *with Police approval*  
11.10.12. **Buy & Sell Second Hand Clothing**  
11.10.13. **Pawnbroker license** - *with police approval*  
11.10.14. **Fortune Teller** *with - Police approval*  
11.10.15. **Buy & Sell Old Gold** – *with Police approval*  
11.10.16. **Roller Skating Rink**  
11.10.17. **Sunday Skating**  
11.10.18. **Exterior Vending Machines/Redbox Automated Retail, LLC**  
11.10.19. **Limousine/Livery License/Chair Cars** *with Police approval*

**12. MOTIONS AND ORDERS:**

- 12.1. Order –Pursuant to the provisions of Massachusetts General Laws Chapter 43, Section 43 the following non-binding question shall be submitted to a vote of the registered voters of the City for adoption or rejection at a City Election to be held on Tuesday, November 7, 2023: **“Shall the following Home Rule Petition providing that no person shall hold the office of Mayor, City Councilor or School Committee member while simultaneously holding any other elected or appointed office of the City, or holding a position with the City for which the salary or compensation is payable out of The City treasury be adopted and forwarded to the General Court for enactment?**  
**\_\_\_\_\_Yes \_\_\_\_\_No**

*Motion by Councilor Bevilacqua, second Councilor Toohey*  
*PASSED Yeas 7, Nays, Absent 2*

14-D

- 12.2. Order –Pursuant to the provisions of Massachusetts General Laws Chapter 43, Section 43 the following non-binding question shall be submitted to a vote of the registered voters of



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the City for adoption or rejection at a City Election to be held on Tuesday, November 7, 2023: **“Shall the following Home Rule Petition providing for limitations as to the number of offices a person may be a candidate for at any preliminary election be adopted and forwarded the General Court for enactment? \_\_\_\_\_Yeas  
\_\_\_\_\_No**

*Motion by Councilor Bevilacqua, second Councilor Toohey*  
**PASSED** *Yeas 7, Nays 0, Absent 2*

14-E

12.3.Order – pay bills of previous years and authorize payment from current year departmental appropriations as listed below:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
UTEC (3)	6,032.00	Highway-Refuse
Ring Central	1,339.78	Constituent Services
Blinn’s Auto Body	3,577.95	Police Department
Durkin Company	3.30	Public Property
Boston Systems & Solutions	672.00	Information Technology

*Motion by Councilor Barrett, second Councilor Rogers*  
**PASSED** *Yeas 7, Nays 0, Absent 2*

23-F

**13. ORDINANCES (FILE 10 DAYS)**

13.1.Ordinance re: Vehicles and Traffic, Amend Stop Streets - Franklin Street , North/South at intersection of John Street and John Street East/West at intersection of Franklin Street  
File 10 Days

*Motion by Councilor Barrett , second Councilor Bevilacqua*  
**PASSED Placed on File** *All in Favor*

69-C

13.2.Loan Order -\_\$1,765,316 Fire Truck Bonds – appropriated to acquire a fire truck  
File 10 Days

*Motion by Councilor Bevilacqua , second Councilor Barrett*  
**PASSED Placed on File** *Yeas 7, Nays 0, Absent 2*

12-I

13.3.Ordinance re: Repair of Private Ways – Amend Chapter 222 of City Code  
File 10 days

*Motion by Councilor Barrett, second Councilor Toohey*  
**PASSED Placed on File** *All in Favor*

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**14. COMMUNICATIONS FROM COUNCILLORS:**

14.1.Councillor Bevilacqua requests to recognize Hispanic Heritage Month and the contributions of the Hispanic people to our city, State and Country

Councilor Bevilacqua recognized Hispanic Heritage Month.

75-E



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**15. UNFINISHED BUSINESS OF PRECEEDING MEETING:**

- 15.1.1. Document 76; Jason Babin, 620 Primrose st, requests Valet Parking Business License, *Shoe City Valet*      *Comments from City Departments are included. Pending receipt by City Clerk's Office of agreement with approved off-street parking facility & pending approval of Downtown Parking Commission \*Related communication from MEVA Transit, Noah Berger, Administrator (continued from August 22nd)*      Pending insurance

Clerk Wright confirmed all necessary documentation has been received in the Clerk's office.

Jason Babin appeared before the Council proposing downtown valet parking with two drop off spots, one at Washington Square, the other across from the former Barking Dog to help businesses with parking downtown.

*Motion by Councilor Rogers, second Councilor Michitson*

*PASSED*

*Yeas 7, Nays 0, Absent 2*

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- 15.1.2. Doc 12-G; Loan Order - \$3,800,000 for modular classrooms at JG Whittier Middle School      *filed 8/16/2023*

*Motion by Councilor Bevilacqua, second Councilor Toohey*

*PASSED*

*Yeas 7, Nays 0, Absent 2*

12-G

- 15.1.3. Document 75-D; Council President Jordan, Council Vice President Michitson, and Councilor Lewandowski propose a non-binding ballot question for this November's municipal election asking the voters if they would like a charter change that would prohibit people from running for more than one elected position (mayor, city councilor, school committee) in the same election cycle  
*continued from 8/23/2023*

Councilor Michitson stated many residents were concerned about how a candidate can run and serve for two offices at the same time. Both are allowed today so folks doing this, are doing this legally. This will not take effect for this election. Brought to the City Council then sent to A&F subcommittee. Will vote on two non-binding questions. Pending results, will seek a home rule petition which will allow a candidate to only run and serve for one office. (See item #12)

- 15.1.4. Document 77-B; Ordinance re: Vehicles and Traffic - Parking Restriction on Sanders Road, which leads to the Plugs Pond Recreation area (45 Sanders Rd) – both sides approximately 620' (note the right of way ends before the parking area)      *filed 8/23/2023*



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*Motion by Councilor Barrett, second Councilor Michitson*

**PASSED**

*Yeas 7, Nays 0, Absent 2*

**77-B**

15.1.5. Document 78-E; Attorney Thomas Fallon, Assistant City Solicitor, submits a proposed amendment to Zoning; 8.3 entitled **INCLUSIONARY ZONING**  
*continued from 8/8/2023*

15.1.5.1. Document 78-F; Ordinance re: Inclusionary Zoning  
*continued from 8/8/2023*

15.1.5.2. Ordinance re: Inclusionary Zoning Chapter 255,8.3

*Motion by Councilor Michitson to postpone one week, second Councilor Barrett*

**PASSED** postponed to September 26 *All in Favor*

#### **16. RESOLUTIONS AND PROCLAMATIONS:**

#### **17. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS**

17.1. Councilor Barrett submits the attached minutes of the Administration and Finance Committee meeting held on August 29, 2023 for acceptance

Councilor Barrett summarized the minutes from the August 29<sup>th</sup> A&F meeting.

*Motion by Councilor Barrett to accept minutes, second Councilor Michitson*

**PASSED** Placed on File

*Yeas 7, Nays 0, Absent 2*

**24-D**

Councilor Sullivan announced that on Friday, September 22, 2023 at 6PM the 59<sup>th</sup> Annual VFW Santa Parade Committee is sponsoring a Santa Sauce and Meatball competition at the Amvets. All proceeds go to sponsoring the parade which costs about \$35-40,000 to run.

President Jordan announced Saturday, September 25<sup>th</sup> is River Ruckus and thanked the MVRTA for free parking at Granite Street garage. Also reminded everyone that portion of Washington Street will be closed.

#### **18. DOCUMENTS REFERRED TO COMMITTEE STUDY**

#### **19. LONG TERM MATTERS STUDY LIST**

#### **20. ADJOURN :**

*Motion by Councilor Sullivan, second Councilor Rogers*

**PASSED**

*All in Favor*

*Adjourned 19:45 PM*