



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, June 18, 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, Michitson, Ferreira, Jordan, Lewandowski, Toohey, and Rogers

Attending Remotely – Councilors Hobbs Everett, McGonagle, and LePage

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 June 4th minutes, second Councilor Jordan
PASSED Yeas 11, Nays 0

Motion by Councilor Toohey to approve June 10 minutes, second Councilor Jordan
PASSED Yeas 11, Nays 0

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councilor McGonagle assigned the minutes.

5. COMMUNICATIONS FROM THE MAYOR:

5.1. Mayor Barrett requests to recognize the passing of William Klueber with a moment of silence

Mayor Barrett recognized the passing of William Klueber acknowledging his 34 years as the City Auditor, and many years in the Rotary Club, Library Trustee and many other civic events throughout the city.

Councilor Jordan stated in lieu of flowers the family is asking for donations to the Rotary club for a scholarship in his name for those wanted to go into the accounting field.

All joined in a moment of silence. 2-T

5.2. Mayor Barrett submits Salary Ordinances between the City of Haverhill and the Administrative and Professional positions and Non-Union Groups 2-U

5.2.1. Ordinance re: Salaries: Administrative and Professional Positions
File 10 days 15-D

5.2.2. Ordinance re: Salaries – Non-Union Positions File 10 days 15-E

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



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

- 6.1. Council President Sullivan requests to introduce Chief Robert P Pistone who will present the *Merrimack Valley Region Multi-Hazard Mitigation Plan* in conjunction with the Merrimack Valley Planning Commission

Chief Robert Pistone before the Council as Director of Emergency Management to present the Multi-Hazard Mitigation Plan. Following an 18-month planning process Haverhill is nearing the completion of the Hazard Mitigation Plan Update as part of the larger Merrimack Valley Region Multi-Hazard Mitigation Plan Update Process. This is a requirement of the Federal Emergency Management Agency which mandates that all communities in the country establish and maintain a hazard mitigation plan through conducting updates every five years. Hanna Mogensen with the MVPC will give the presentation and share information on the public comment period which is from May 28-June 28, 2024. There is a link to the main plan which has a lot of information, about 300 pages. Hanna has broken down specific mitigation strategies which are provided tonight in section 8.1 which is a road map for the future for our city in terms of planning. We are fortunate to have the MVPC, it is a tremendous resource for the city.

Hanna Mogensen, MVPC 160 Main Street, addressed the Council. Hazard Mitigation plans outline a community's long-term strategy to reduce losses of life and property by minimizing the impacts from natural disasters. It is required by FEMA to be updated every five years. The benefit of the plan is to provide comprehensive assessment of risk, outline a road map to minimize risk and qualifies communities for funding. Hanna gave a PowerPoint presentation of Haverhill's plan. The plan is nonbinding. The full plan can be found at Mvpc.org/natural-hazards-mitigation-planning/ and public comment is open until June 28th.

Councilors thanked all those involved in updating the plan, commented on being able to apply for grant funding with plan in place, commended for moving this forward and not missing out on future funding, and detailed context available in the full plan online.

Motion by Councilor Jordan for suspension of the Rules so Mayor Barrett can give an update on extreme temperatures, second Councilor Michitson

PASSED

Yeas 11, Nays 0

31-O

Mayor Barrett stated it will be incredibly hot, reaching up to 99 degrees Thursday. Police Chief Pistone, Officer Durkee and Vinnie Ouellette met to come up with a plan to help citizens. Citizen Center will be open 8 AM-8 PM as a cooling station Wednesday-Friday. There will be



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no staffing at this time. Water cannons will be 10AM- 8PM, Tuesday -Thursday at Riverside Park and 12th Avenue, the splash pad will be open 10AM-8PM Tuesday – Thursday as well. Find extreme heat safety tips on the Haverhill police webpage. Unhoused individuals can go to the drop-in center, Thursday-Friday. Common Ground Café from 12-3:30PM and Emmaus House opens at 3PM. Can call the non-emergency line for the Haverhill Police for more information.

Chief Pistone updated the Council stating they have conducted 26 checks in the parks for any violators for dog waste and will continue early morning and late afternoon with only one violator.

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. Christine Webb, *City Assessor* submits abatement report for the month of May 2024

Motion by Council Jordan, second Councilor Toohey

PASSED

Yeas 11, Nays 0

4-E

8.2. John Pettis, City Engineer requests to open 8 Vine st for work on underground utilities

8.2.1. Order – Council approve request to open 8 Vine st to work on underground utilities

32-D

Motion by Councilor Michitson, second Councilor Rogers

PASSED

Yeas 11, Nays 0

32-DD

8.3. John Pettis, City Engineer requests to open 43 South Prospect st to work on underground utilities

32-E

8.3.1. Order – Council approve request to open 43 South Prospect st for gas leak repair

Motion by Councilor Michitson, second Councilor Rogers

PASSED

Yeas 11, Nays 0

32-EE

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

10. HEARINGS AND RELATED ORDERS:

11. APPOINTMENTS:

11.1. Confirming Appointments:

11.2. Non-Confirming



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11.3. Constables to expire December 31, 2024

11.4. Resignations:

12. PETITIONS:

12.1. CCSP 24-6: Petition for Special Permit Hearing from Caitlin Masys to construct a 3-story wood framed structure comprised of four separate dwelling units each with their own 2 car garage on 94 Portland st Hearing August 6, 2024

Motion by Councilor Michitson, second Councilor Toohey
PASSED to be heard August 6th Yeas 11, Nays 0

61

12.2. Petition for Hearing from John Pettis for a Right of Way Alteration for Chadwick Road by widening to the south

Refer to Planning Board and
Council Hearing September 10, 2024

Motion by Councilor Michitson, second Councilor Jordan

PASSED to be heard September 10th Yeas 11, Nays 0

62

12.3. Applications Handicap Parking Sign: with Police approval

12.4. Amusement/Event Application – with Police approval

12.5. Auctioneer License:

12.6. Tag Days: with Police approval

12.6.1. *Haverhill Elite Cheer, June 28,29,30*

20-G

12.6.2. *Haverhill Lion's Club, September 21st*

20-H

Motion by Councilor Jordan, second Councilor Rogers

PASSED Yeas 11, Nays 0

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

12.8. ANNUAL LICENSE RENEWALS:

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

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

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



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12.8.4.	Taxi Driver Licenses for 2024: <i>with Police approval</i>	
12.8.4.1.	Wisvel Joseph, 43 Greenough st	63
12.8.4.2.	Windy Smith, 115 Lowell av	63-B
12.8.4.3.	Jayshawn Gomez, 115 Lowell av	63-C
12.8.4.4.	Vicky Gonzalez, 14 Grant st	63-D
12.8.4.5.	Steven Pefine, 52 Washington st	63-E
12.8.4.6.	Daniel Merchant, 103 Freemont st	63-F
12.8.4.7.	David McLaughlin, 15 Grandview rd	63-G
12.8.4.8.	Laurel Walsh, 59 Lamoille av	63-H
12.8.4.9.	Peter Loring, 235 River st	63-I
12.8.4.10.	Rachael Trongeau, 52 Newcomb st	63-J

Motion by Councilor Michitson, second Councilor Jordan
PASSED *Yeas 11, Nays 0*

12.8.5.	Taxi/Limousine/Livery/Chair Cars License <i>with Police approval:</i>
12.8.5.1.	Toni Zoghayb, 20 Ashland st, 1 Limo

Motion by Councilor Michitson, second Councilor Jordan
PASSED *Yeas 11, Nays 0* 42-B

- 12.8.6. **Junk Dealer /Collector License** *with Police approval*
- 12.8.7. **Pool/Billiard**
- 12.8.8. **Bowling**
- 12.8.9. **Sunday Bowling**
- 12.8.10. **Buy & Sell Second Hand Articles** *with Police approval*
- 12.8.11. **Buy & Sell Second Hand Clothing**
- 12.8.12. **Pawnbroker license** - *with police approval*
- 12.8.13. **Fortune Teller** *with - Police approval*
- 12.8.14. **Buy & Sell Old Gold** – *with Police approval*
- 12.8.15. **Roller Skating Rink**
- 12.8.16. **Sunday Skating**
- 12.8.17. **Exterior Vending Machines/Redbox Automated Retail, LLC**

13. MOTIONS AND ORDERS:

- 13.1. Order – transfer \$529,000 from Wastewater Fund to the following Wastewater Capital funds:

<u>Transfer From</u>	<u>Amount</u>
Salaries & Wages-Wastewater	\$200,000.00
Wastewater Capital Outlay	\$100,000.00
Mass Abatement Tr Admin Fee	\$24,000.00
Principal on long term debt	\$182,000.00



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Interest on long term debt \$23,000.00

<u>Transfer to</u>	<u>Amount</u>
Wastewater Capital Outlay	\$100,000.00
Sewer Rehab & Repair	\$429,000.00

Related communication from Robert Ward, PPW Director

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

27-F

13.2 Order – transfer \$708,000 from the listed accounts in the Water Fund to the listed Water Capital Funds:

<u>Transfer From</u>	<u>Amount</u>
Electricity	\$150,000.00
Water Supply Expenditure	\$26,000.00
Water Capital Outlay	\$ 120,000.00
Future Carb Rep Filters	\$70,000.00
Mass Abatement Trust Admi Fee	\$ 35,000.00
Principal on Long Term Debt	\$137,000.00
Interest on Long Term Debt	\$170,000.00

<u>Transfer To</u>	<u>Amount</u>
Water Supply Fee	\$313,000.00
Water Carbon Filters	\$70,000.00
Water Meter Replacement	\$325,000.00

Related communication from Robert Ward, DPW Director

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

27-G

13.3 Order – Transfer \$307,000 from the listed accounts in the General Fund to the listed DPW Capital Funds:

<u>Transfer From</u>	<u>Amount</u>
Highway-Roadway/Sidewalk Mtce	\$105,000.00
Vehicle Maint-Salaries & Wages	\$25,000.00
Outdoor Lighting	\$77,000.00
Refuse-Yard Waste Removal Program	\$40,000.00
Parking – Repairs & Maint	\$30,000.00
Parks – Salaries & Wages	\$30,000.00

<u>Transfer To</u>	<u>Amount</u>
Highway Capital Outlay	\$202,000.00



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Sidewalks Winter & White st \$50,000.00
Sidewalk Repair Projects \$55,000.00
Related communication from Robert Ward, DPW Director

Motion by Councilor Michitson, second Councilor Lewandowski
PASSED Yeas 11, Nays 0 27-H

13.4 Order – Approve and Accept the Conservation Restriction on Land described at Crystal st and Jericho Road
Related communication from Lisa Mead, City Solicitor

Clerk Wright stated received communication from Robert Moore, Environmental Health Technician, asking that we continue this as they are still waiting state language for the item.

Motion by Councilor Michitson to continue TBD, second Councilor Rogers
PASSED continued TBD Yeas 11, Nays 0 64

14. ORDINANCES (FILE 10 DAYS):

14.1. Ordinance re: Vehicles and Traffic; Add Handicap Parking at: 21 Seventeenth av, 75 South Kimball st & 23 Shepherd st File 10 days

Motion by Councilor Michitson, second Councilor Rogers
PASSED placed on file Yeas 11, Nays 0 11-E

14.2. Ordinance re: Disposal of Dog Waste & Penalty for Violations Thereof – Amend Section 137-11 of City Code File 10 days

Motion by Councilor Rogers, second Councilor Toohey
PASSED placed on file Yeas 11, Nays 0 65

15. COMMUNICATIONS FROM COUNCILLORS:

15.1. Councilor Ferreira requests a discussion relative to the City's Swimming Ordinance Chapter 193 Article III and related items at *Lake Saltonstall, aka Plug Pond*

Councilor Ferreira would like to send this to NRPP Committee to look closer at our swimmer ordinance as it exists and compare to other towns and their uses of public swimming areas that might better suit the needs of our community and even acknowledge its current use as well for all of the neighbors.

Motion by Councilor Ferreira to send to NRPP Committee, second Councilor Jordan
PASSED refer to NRPP Committee Yeas 11, Nays 0 12-S

16. UNFINISHED BUISINESS OF PRECEEDING MEETING:



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16.1. Document 56; 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	" "	" "

Filed 6/5/24

John Pettis, City Engineer, addressed the Council stating a truck study was conducted on streets and MassDOT agreed with the study for the exclusion.

Councilor Rogers asked for clarification on if only for through traffic since many trucks including farmers use triaxles trucks.

Councilor Ferreria asked if all appropriate signage comes with exclusions.

John Pettis stated farmers are excluded and so are trucks doing services, exclusion for through traffic. The city has to install the signage.

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

16.2 Document 28-F; Loan Order – amended - \$10,600,000 for the Closure of the Northern Mound of the Old Haverhill Landfill
Filed 6/5/2024
Related communication from Robert Ward, DPW Director

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

Robert Ward stating the amended order will increase the loan to \$10.6 million. Project was deferred twice, northern part of land field. This is for the soccer fields which include parking, amenities, manifold of land fold gassing, fencing, common fill, engineering, permitting, etc. The actual cost of the landfill has been relatively stable, the increase is due to the soccer field. The loan falls under the general fund. Wastewater pays off some of the loans for a fair share of the sludge dumping. We are required for long-term maintenance.

16.3 Document 28-G; Loan Order – amended - \$12,380,000.00 for Phase I Locke Street CSO Separation and Water System Improvements Project
Filed 6/5/2024
Related communication from Robert Ward, DPW Director



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Motion by Councilor Jordan, second Councilor Rogers

PASSED

Yeas 11, Nays 0

Robert Ward stating this is order to amend a loan order previously passed by council one year ago. The loan order increased by \$2M on the wastewater side. It is the Locke Street sewer separation replacing the old water main. The loan passed last year; the project was deferred due to permitting with the MBTA. Applications are done at the beginning with in the conception of the project. The price increase reflects a number of things including increase in quantities of materials, storm water outfalls, storm water drainage rehabilitation, roadway upgrade, demobilization, and MBTA.

Councilor Michitson asked if this was included in the master plan, asking if there would be an impact on future fees.

Robert Ward stated it is covered.

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

President Sullivan asked Deyanarah Gutierrez to address the Council with an announcement. Deyanarah Gutierrez was unable to make the Council meeting last week due to an illness and worked on a piece for the multicultural festival on June 22nd and presented her piece to the Council.

The Multicultural Festival is Saturday, June 22nd from Noon-6PM at GAR Park.

19. DOCUMENTS REFERRED TO COMMITTEE STUDY

20. LONG TERM MATTERS STUDY LIST

21. ADJOURN :

Motion by Councilor Jordan, second Councilor Rogers

PASSED

Yeas 11, Nays 0

Adjourned 20:23