



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, December 20, 2022 at 7:00 PM

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

In-Person/Remote Meeting

Present – President Jordan, Councillors Barrett, Bevilacqua, Sullivan, Michitson, Lewandowski, McGonagle, Rogers, and Toohey
Assistant City Clerk – Kaitlin Wright

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

Motion by Councillor Toohey to approve December 13th, second Councillor McGonagle
PASSED All in Favor

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councillor Barrett assigned minutes.

5. COMMUNICATIONS FROM THE MAYOR:

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

- 6.1. Councillors Jordan, Michitson, Lewandowski and McGonagle request to introduce Nate Hartwell, Devan Ferreira, Bill Taylor and Jackie Story to speak in favor of placing a ballot question before the voters to determine if they would like fund the new Consentino School with a debt exclusion 98-N

Council Vice President introduced the residents wishing to speak on the debt exclusion. Each spoke to the Council stressing the importance of placing item on the ballot for citizens to vote on.

Mayor Fiorentini addressed the Council expressing he do not believe a debt exclusion is necessary stating long term plan has always been using retiring Hale debt for the Consentino School then use debt exclusion for next school, JG Whittier. States can use levy reserve and expiring Hale debt to fund the school without a debt exclusion.

Councillor comments received many emails, call, etc. from residents who want to be heard and a ballot question allows that; future requirements are uncertain; three more schools will be needing upgrading/replacing in 5-10 years; asked amount of additional taxes for residents which would be approximately \$700 for three schools; cost of building school has not been yet determined; need to lobby state for fair assessment; vote does not preclude for another vote for other schools; question chances of passes in the future for other schools; should address financial crisis now, not later.

****See item 13.2 for motion**

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:



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

10. HEARINGS AND RELATED ORDERS:

10.1. Document 122; Guy Bresnahan for Broco Oil, requests to Discontinue Hale st from Burke and Norfolk Streets *favorable conditional recommendation from Planning Board and Director*

10.1.1. Document 122-B; Order – Discontinue a portion of Hale st as a public way

President Jordan opened the hearing.

Guy Bresnahan, representing Broco Energy, appeared before the Council to urge consideration for street discontinuance petition and to make aware of things happened last week in respect to that. Day of Planning Board meeting received call from Paul Jessell stating couldn't approve because of 6" water main installed within the subject property. Told Mr. Jessell would grant an easement. Planning Board decision has this condition. Fire Department commented today that discontinuance may affect access of lots if developed. Lots are only 40 feet wide and are behind office and abutters, do not see any houses being built. Spoke with Solicitor Cox today stating easement paperwork would not be done in time for hearing and suggested that the city should prepare the easement using information provided and Broco will grant it.

Believe tabling this may be the prudent thing to do until the January 10, 2023 Council meeting so have time to meet with the City Solicitor. Solicitor Cox agreed but stated it is common practice for the applicant to prepare the easement and the city would work with them. Both parties will work together. Will notify with a letter if cannot meet January 10th meeting date.

Motion by Councillor Sullivan to table to January 10, 2023, second Councillor Barrett PASSED
Yeas 9, Nays 0

10.2. Document 128; William Pillsbury, *Economic Development & Planning Director*, requests Hearing to *discontinue* the following ways that are within the footprint of the *Goecke Parking Deck*: Haseltine and Academy ct and Pecker st ct, Pecker st, Saltonstall ct, Masonic ct, Fleet st, Court st, City Hall ct and Mechanics ct (*which have been formerly discontinued*) *favorable recommendation from Planning Board and Director*

10.2.1. Document 128-B; Order – discontinue the streets listed as described on the plans submitted

President Jordan opened the hearing.

Councillor Bevilacqua abstained from the hearing and left the chambers.

Solicitor Cox appeared before the Council explained the item is of street discontinuance of very old streets that frankly don't exist anymore and haven't existed



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for over fifty years. Due to the sale of the Goecke Parking Deck and a few of the adjoining lots, the title company was not satisfied that they were sufficiently discontinued when urban renewal took them and reconfirmed that back in the 1980's. In order to satisfy that standard, we are before you tonight asking that those streets be discontinued. The draft submitted was not the correct draft, a few changes have been made which better define where these streets are located and also attached a plan which incorporates all of these streets.

I would ask that someone would make a motion to approve that you amend it to delete the order that was submitted and in place of that order, insert the order and the plan that I sent you this afternoon.

Councillor Barrett will make that motion to adjust the order with order and plan sent this afternoon, second Councillor Lewandowski.

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

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

President Jordan closed the hearing.

Motion by Councillor Barrett to replace the initial wording with the wording provided by the City Solicitor this afternoon, second Councillor Lewandowski

PASSED Yeas 8, Nays 0, Abstain 1 (Bevilacqua) 128-BB

Motion by Councillor Barrett for passage, second Councillor Toohey

PASSED Yeas 8, Nays 0, Abstain 1 (Bevilacqua)

11. APPOINTMENTS:

11.1. Confirming Appointments:

11.1.1. *Rocks Village Historic District Commission, Tyler Kimball, 70 East Broadway expires December 20, 2025*

Motion by Councillor Barrett, second Councillor Rogers

PASSED Yeas 9, Nays 0 6-L

11.2. Non-Confirming:

11.2.1. *Council of Aging, Tippy Missick, 12 Highland st expires January 2, 2025*

Motion by Councillor Bevilacqua, second Councillor Barrett

PASSED Placed on File All in Favor 1-O

11.3. Resignations:

12. PETITIONS:

12.1. Hearing request – CCSP 22-14: from Attorney Paul Magliocchetti for applicant Robert Ferreira, Jr. for a Flexible Development, *Sunset Oaks* – a single family home development at 0 Scotland Hill rd and Snow rd

Hearing Jan 10, 2023



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*Motion by Councillor Michitson, second Councillor Toohey
PASSED to be heard January 10, 2023 Yeas 9, Nays 0 130*

- 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:**
- 12.7. **Annual License Renewals:**
 - 12.7.1. **Hawker Peddlers License 2022 - Fixed location** – *with approvals*
 - 12.7.2. **Coin-Op License Renewals** - *pending Police approvals*
 - 12.7.2.1. AMUS 22-2; Market Basket, 2 Water st, 2 Coin-ops 14-G
 - 12.7.2.2. AMUS 22-6; Market Basket, 400 Lowell av, 1 Coin-op 14-H
 - 12.7.2.3. *With Police Approval:*
 - AMUS 22-7; GLS Associates, 7 Parkridge rd, 8 Coin-ops 14-I

*Motion by Councillor Sullivan, second Councillor McGonagle
PASSED All in Favor*

- 12.7.3. **Drainlayer License Renewals** -*with City Engineer approval*
 - 12.7.4. **Christmas Tree Vendor** – *with Police approval*
 - 12.7.5. **Taxi Driver Licenses for 2022:** *with Police approval*
 - 12.7.6. **Taxi/Limousine License** *with Police approval:*
 - 12.7.7. **Junk Dealer License** *with Police approval*
 - 12.7.7.1. Jarrod Billingsley, 81 Hale st
- Motion by Councillor Sullivan, second Councillor Rogers 45-E
PASSED All in Favor*

- 12.7.8. **Pool Tables**
- 12.7.9. **Sunday Pool**
- 12.7.10. **Bowling**
- 12.7.11. **Sunday Bowling**
- 12.7.12. **Buy & Sell Second Hand Articles** *with Police approval*
- 12.7.13. **Buy & Sell Second Hand Clothing**
- 12.7.14. **Pawnbroker license**
- 12.7.15. **Fortune Teller** - *pending Police approval*
- 12.7.16. **Buy & Sell Old Gold**
- 12.7.17. **Roller Skating Rink**
- 12.7.18. **Sunday Skating**
- 12.7.19. **Exterior Vending Machines**
- 12.7.20. **Limousine/Livery License/Chair Cars** *with Police approval*



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13. MOTIONS AND ORDERS:

- 13.1. Order – Special City Election be held in the City Tuesday, May 2, 2023 to vote on the following Question: Shall the City of Haverhill be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to pay costs of constructing a new Dr. Albert B Consentino Middle School located at 685 Washington st in Haverhill , Massachusetts including the payment of all costs related to designing the project, demolishing the existing building, equipping and furnishing the school, site improvements, and all other costs incidental and related thereto?

Related communication from William D Cox Jr., City Solicitor

Motion by Councillor Barrett, second Councillor Lewandowski

PASSED Yeas 6, Nays 3 (Bevilacqua, Rogers, Toohey) 131

Motion by Councillor Sullivan to send letter to State leaders in support of increasing the reimbursement for the Consentino project, second Councillor Michitson

PASSED Yeas 9, Nays 0

- 13.2. Order – Authorize Mayor to enter into and execute a contract with Patriot Properties, Inc for provisions of various assessment services to the Board of Assessors for fiscal years 2024-2028. The term of the contract exceeding 3 years, City Council authorization is required by MGL c.30B, section 12(b).

Motion by Councillor Michitson, second Councillor Sullivan

PASSED Yeas 9, Nays 0 123-B

- 13.3. Loan Order - \$750.000 to finance a lead water service program

Related communication from Robert E Ward, DPW Director

File 10 days

Motion by Councillor Sullivan, second Councillor Barrett

PASSED Placed on File Yeas 9, Nays 0 42-H

14. ORDINANCES (FILE 10 DAYS)

15. COMMUNICATIONS FROM COUNCILLORS:

- 15.1. Councillor Lewandowski and Council Vice President Michitson request a discussion on funding resources for mental health services, including local preventative and addiction treatment services

Councillor Lewandowski asked to postpone to the January 10, 2023 meeting.

Motion by Councillor McGonagle, second Councillor Rogers

PASSED to be heard January 10, 2023 Yeas 9, Nays 0 118-H



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- 15.2. Council Vice President Michitson requests to announce and discuss the Merrimack Valley CHIPS Integration Alliance objectives

Council Vice President asked to move item to be placed on file.

118-I

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

Councillor Barrett announced A&F Meeting for ADU's will be held in the Chambers on Wednesday, January 4, 2023 at 6 PM

19. DOCUMENTS REFERRED TO COMMITTEE STUDY

20. LONG TERM MATTERS STUDY LIST

21. ADJOURN

Motion by Councillor Sullivan, second Councillor Rogers

PASSED

All in favor

Adjourned 20:47 pm