

Present – President Barrett, Councillors LePage, Bevilacqua, Michitson, Sullivan, Jordan, McGonagle, Daly O'Brien and Macek.

City Clerk – Linda L. Koutoulas

Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order temporarily suspending certain provisions of the Open Meeting Law, G.L. c. 30A sec. 18. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means."

- 1. OPENING PRAYER
- 2. PLEDGE OF ALLEGIANCE
- **3.** Approval of minutes of prior meeting July 27, 2021 Motion by Councillor Macek, Second Jordan PASSED PLACED ON FILE YEAS 9, NAYS 0
- **4. Assignment of the minutes review for the next Meeting** Councillor Sullivan assigned minutes.
- 5. COMMUNICATIONS FROM THE MAYOR:
 - 5.1.Mayor Fiorentini requests to give an update on Haverhill's efforts regarding the Coronavirus COVID-19 crisis 5-Y

Mayor update on COVID-129 includes Block party at GAR, St. James Whittier and reaching out to churches for clinics after church; using State provided date for choosing locations for block parties; approached food businesses for testing and vaccinations; 33 vaccinations given at national night out; looking for 100 percent vaccinations

Councillor comments include being concerned with uprising; glad doing block parties, etc. whatever we can do to get the numbers up for vaccinated.

5.2. Mayor Fiorentini requests to address Council regarding SiFi Networks Technical Proposal and also will have Frederic Feit, Telecommunications Consultant here from Tilson Technologies to answer any questions 5-Z

Mayor thinks we should go forward with proposal and commends Councillor Michitson for having brought this before us. He has worked very hard on this. City has hired Tilson Technology who is here tonight. We also wish to hire outside legal counsel. We wish to go forward and negotiate something with SiFi.

Mayor introduced Frederic Feit, Tilson Technology Portland Maine. Hired as the consultant to evaluate proposal in early 2021 from SiFi Networks. Proposal to construct 100% of SiFi's expense an open access fiber to the premise network (broadband internet access network). Treat it as form of a utility. They would own the network and open to multiple service provider companies to retail.

Councillor Michitson states the city and the city council has been looking for over 5 years. Motion by Councillor Bevilacqua, second Jordan

PASSED

Yeas 9, Nays 0



- 5.3. Mayor Fiorentini submits 2 new orders to put proposed Ballot Question Regarding Ward City Councillors and School Committee Members on the ballot in November 2021 as binding referendums
 82
 - 5.3.1. Order Home Rule Petition An Act Providing for the Election of at Large and Ward Councillors in the City of Haverhill 82-B
 - 5.3.2. Order Home Rule Petition An Act Providing for the Election of at Large and Ward School Committee Members in the City of Haverhill 82-C

Items 5.3 and 13.2 related items:

Mayor: Should have been on presidential ballot; trying again tonight. Would like to be put on ballot as a binding referendum not a charter commission. I do not support a charter commission. We need to act before we get sued.

Jim Rurak: Here talk about district representation. Haverhill has changed over the last few decades and its elected leaders should look like the residents. Caution doing any district drawing before the census; meet with lawyers of citizens' rights; find out dates of last day on ballot and when can be removed

Manual Matias, President Latino coalition: Would like to work together to make necessary changes for Haverhill; would like to have open dialog. Manny suggested the city delay placing the question before voters and meet with proponents of the change. Marisol Goris, Assistant Superintendent Lawrence public schools: Asking to consider committee; asking for the "keys to the room"; asking for representation; reconsider ballot initiative.

Alex Veras, resident of Pilings Street: Wary of ballot; change is needed; change has to be done; government needs to change and look likes its citizens.

Councillor comments include: Agrees with Home Rule but doesn't like that Mayor said council put a stop to it; support ballot let the people decide

Councillor Jordan asked Bill Cox, "What does it means if it fails on ballot, letter states current system is illegal?"

Bill Cox: I am not in position to give opinion with regards to what Rurak said. Could pass Home Rule system, send right to legislature and bypass voters

Bill Cox requests amending errors. Error in section one "9 members"; section 4 language wrong "7" be deleted and "5" inserted; number "1" deleted and number "3" inserted in place

President Barrett asking if can change to non-binding vote?

Motion to make both orders non-binding by Councillor Sullivan, second Daly O'BrienPASSED AS AMENDEDYeas 8, Nays 1 (Bevilacqua)

Deadline is September 24 agenda for ballot: all on one November ballot Question on ballot in November for 2023 election; If Home Rule Petition passed goes to clerk courts calendar when taken up; still effective 2023 election



5.4. Mayor Fiorentini requests to address Council regarding housing & rents in the City and submits non-confirming appointments to newly established *Housing Task Force*:

5.4.1. William Pillsbury, Chairman, Economic Development & Planning Director Matthew Hennigan, CDBG Housing Manager Andrew Herlihy, CDBG Block Grant Office, Director Kerry Perry, Community Action Commission Manny Matias, Haverhill Latino Coalition Robert Driscoll, Chairperson, Haverhill Housing Authority
Motion by Councillor Bevilacqua, Second Macek
PLACED ON FILE

Mayor wants the council to send to committee. There is a problem in the city with affordable housing. Introduced an ordinance that 10% of new developments be affordable, not before the council yet. Ask that it be sent to committee where it can be discussed in more detail.

Item 13.2 Introduced since related:

Councillor Jordan states this subject is a major issue in the city. Councillor Michitson and I spoke with Andrew Vargas and Bill Taylor

Councillor Michitson and I were speaking with Representative Andrew Vargas and Bill Taylor about the issue. It's a very complex problem with many layers to it. Some of the aspects from the should be in a public forum with a local panel that can discuss it. Some of the aspects we need to discuss is affordable housing, preservation of open space and finally infrastructure needed to support

*** Technical difficulties connecting with Janine from Emmaus House.

While waiting for Janine at Emmaus, Councillor Michitson wanted to give some notes. First step is to figure the data for showing the shortage of all housing types in the city; every development that comes before us, need to see impact on city services and schools; and would like to recommend a housing forum with experts to go to committee so citizens can come in and state their opinions and needs. Some suggested panelists would be Massachusetts Housing Partnership and Abundant housing of Massachusetts. Michitson asked Superintendent "How we start getting our arms around what the student projection are moving forward so when we evaluate a new housing project that we consider that?"

Superintendent Margaret Morreta: We have projects within the city. MSBA did a series of projections over ten years; don't fully agree; Haverhill would reduce in school age population in the next 10 years but not what we are seeing; believe numbers are more historical; more people moving in with school age children

Councillor Michitson asked if data can be provided to council. Where does the problem start showing in the school system? Classrooms are full already; large group of kids in a single grade or school is where the cost comes from with hiring teachers etc. Jordan asked how it is district wide and school by school.



Daly O'Brien asking mayor what committee you are sending to. Suggest Citizen Outreach Committee.

Macek suggest mayor to balance out committee with property owners, renters, etc. cannot slow down construction without moratorium we need to plan ahead.

Macek would like to motion to move to Citizen Outreach Committee.

Bevilacqua wants to know where are the people coming from? Would like statistics and are we taking care of people of Haverhill? How big do we want Haverhill to get? Mayor states master plan is all about controlling growth. Need to balance the desperate need for housing

with our other needs.

Remote connection established.

Janine Murphy of Emmaus house. Speak about affordable housing and what that needs. Covid brought the need of affordable housing to the fore front. Wide of variety of type of folks and income that can be served. When you bring a project forward can specify Haverhill residents for affordable housing. Suggest making it a part of the permitting process. Community preservation act. It's about looking an existing housing stock as well as new housing being built. Emmaus has done its best to house the extremely poor. We need to create housing for all folks - elders, veterans, low income, etc.

Councillor Sullivan would like Citizens Outreach Committee take lead but include housing authority. Board to be completely separate to Haverhill Housing Authority Motion by Councillor Michitson to send to Citizens Outreach Committee, Second **McGonagle**

Councillor Jordan suggests including Janine Murphy and Jared Stewart on task force PASSED All in Favor

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

6.1. Communication from Councillor Joseph Bevilacqua requesting to introduce Marlene Stasinos of Chris's Farm Stand and to recognize the 50th Anniversary of the Farm Stand located at 436 Salem st

Marlene Stasinos introduced her family farm, Chris' Farm Stand. The farm grows fresh natural food for families. Requesting permission for Pumpkin Festival. Waiting on application and will be heard on August 17th council meeting. Presented Citation. **FILED**

7-V

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. Communication from CDBG Director Andrew Herlihy, on behalf of the Economic Development Department, submitting key documents related to redevelopment occurring at



86 Essex st and asks for approval of the Resolution a Program and TIF 8.1.1. Resolution - authorizing Mayor to approv	4	9-C
Financing) agreement between City of Haverl the 86 Essex st parcel number map 302, block	hill on the basis of the developm	
Motion by Councillor Macek, Second Jordan PASSED Yeas 8, Na	ays 0, Abstain 1 (Bevilacqua)	40-D
8.2.Communication from William D Cox, Jr submitting Memorandum of Agreement by & between City of H Association Inc		
FILED		49-D
 8.2.1. Order – Authorize Mayor execute Memor of Haverhill & Essex County Green Belt Asso 13.3 acre unique parcel of land which is a por Solicitor Cox requests order be amended by d word water and insert the word "Division" in consistent with the agreement Motion by Councillor Macek as amended, See PASSED AS AMENDED 	bociation to purchase, hold & man tion of 97 Corliss Hill rd leleting the word "Department" a place thereof and that would man	veen City nage a after the
PASSED AS AMENDED	Teas 9, Mays 0	1/-Γ
8.3. Communication from John Pettis III, City Engineer s wells within City Right of Way (on sidewalks) adjac <i>Request from NEET included</i> Motion by Councillor Sullivan, Second Macek	ent to the subject parcel at 58 Ke	enoza av
PASSED	Yeas 9, Nays 0	49-E
 9. UTILITY HEARING(S) AND RELATED ORDER(S): 9.1.Mass Electric Co d/b/a National Grid requests pern Drive, Plan 30346085 Heat Motion by Councillor Macek, Second Daly O'Brid PASSED PLACED ON FILE 9.2.Mass Electric Co d/b/a National Grid requests pern conduits for 21-27 Washington st, Plan 29456312 Motion by Councillor Macek, Second McGonagle 	earing Sept 21, 2021 en Yeas 9, Nays 0 mission for underground electri <u>Hearing Sept 21, 2021</u>	84
PASSED PLACED ON FILE	Yeas 9, Nays 0	85

10. HEARINGS AND RELATED ORDERS:

10.1. <u>Document 70</u>; Application for Special Permit, CCSP -21-10 from Beals & Thomas, Inc. (B&T) for client BWC Camp Brook, LLC for installation of a dual use large-scale



ground mounted solar energy facility proposed to be located within the Business Park District (BP) and the Rural Density (RD) district; at 1050 Hilldale av Solar 2

Hearing opened.

Attending the hearing in person are Michael Zhe, Director, Project Development for BlueWave Solar and

Jeffrey R. Murphy, PE Civil Engineer for Beals & Thomas

Michael Zhe introduced himself as the Project Manager for BlueWave Solar representing BWC Camp Brook, LLC and joining remotely would be Michael Zimmer, Project Executive with BlueWave and Thomas R. Reidy, Land Counsel with Bacon Wilson. While setting up, wanted to give quick introduction to BlueWave as well as the project. BlueWave Solar is a Boston based solar energy storage developer. We have developed 130 megawatts solar in operation currently. We strive to build innovative projects in local communities; this being one of them. Proposed dual use solar and farming array which optimizes the generation of electricity as well as the agricultural use of the land at this project site 1050 Hilldale Ave. This would be a second development. There is a current array in operation that BlueWave developed a few years ago. This being different than a standard array again being dual use to ensure effective farming and reduce shade. There is going to be an increase in road distance in between the panels, increased height of the panels and an agricultural fence. Proposed farming plan is mixed vegetables i.e., pumpkin, squash, eggplant etc. as well as sheep grazing for milk and cheese products. In parallel with the special permit application, we filed a Notice of Intent. We had a hearing with Conservation Committee last week on August 5, 2021, that will be out for peer review and continuance on August 26, 2021. Filed pre-determined application on farming plan with UMass Clean Energy Extension and Massachusetts Department of Agriculture, waiting for review and feedback. Lastly regarding the dual use under the SMART program would be the project obligation in order to qualify for the agricultural solar tariff to have continued farming over the 20 years. The project owners would have business agreements in place with an agriculture consultant as well as the farms to ensure that happens. There is also annual reporting that needs to happen with the State to show the productivity.

Jeff Murphy, Civil Engineer with Beals & Thomas here on behalf of the applicant. We prepared the special permit application for the project in accordance with Chapter 255 Section 7.8 of the zoning bylaws for pertaining to large ground mounted solar facilities. We prepared the site plan as well the appropriate engineering storm water calculations and documentation required by Section 7.8 of the zoning bylaw. Brief overview of the project: Located at 1050 Hilldale Ave, Parcel is 88 acres in size; located westerly side of Hilldale Ave.; existing array on property of approximately 16 acres located within a previous area used for farming in a hayfield; another existing hayfield to the south; proposal for phase two array is to add two new solar arrays, one within the limits of the existing hayfield just to the south of the array that is there and the second array further to the western end of the property. Existing array is currently accessed by gravel road on Hilldale located north of St. Joseph's Cemetery. Will utilize existing gravel road for both construction and long-term maintenance operations. Directly to the south at main gate of existing array would start construction of new 22-foot-wide gravel roadway in accordance with zoning



requirements for access. New road will follow southern fence line. Due to wetlands area on site in order to gain access to western portion of site, needed to design open bottom box culvert to span over top of the existing stream designed in accordance with Massachusetts stream crossing standards and discussing with Conservation as well. Both arrays will be encircled by 8-foot fencing with access gates into each with lock boxes for fire and emergency personal to access. The panels are oriented in a north south direction and are 10 feet high off the ground and will track the sun; arrays will be interconnected to the electrical grid; timber structure used to house the sheep as part of the dual use as outlined by Michael Zhe.

Councillor Bevilacqua asked who will be doing the farming.

Michael Zhe answered that it is still under determination. We filed an application proposal that is being reviewed by UMass Clean Energy and Massachusetts Department of Agriculture. With that, it is proposed that Pleasant Valley Gardens local farmer for the vegetables and Riverflock Farm LLC for the sheep grazing are the two that are part of the proposal right now.

Councillor Bevilacqua asked how close is the project to the Parsonage Hill Development? Can they see the array from the neighborhood?

Jeff Murphy said there is a 150-foot wooded buffer proposed. Nearest house in the development to the limit of where work is 340 feet. They walked the site with conservation recently. There is a good amount of wooded buffer and undergrowth.

Councillor Bevilacqua asked if buffer will stay? How would houses being shielded from sun reflecting off the panels especially in the fall time?

Mr. Murphy stated buffer would stay. The advantage is this array is located down the hill and the panels are oriented looking at a side like a "T" instead of directly at it.

Councillor asked for clarification on PILOT agreement and what amount would be? Mr. Zhe confirmed PILOT and could add up to approximately \$30K.

Councillor Michitson asked what kind of process have been through with city so far before being in front of the City Council?

Mr. Murphy said they have filed Notice of Intent with Conservation and had a meeting last week with them, provided funding for review process of wetlands consultant as well as another consultant that is going to perform engineering technical review. Mr. Zhe added they met with Department heads for review and feedback.

Councillor Michitson asked if discussed with neighbors?

Mr. Zhe confirmed they sent out a community letter with contact information and a detailed overview of the project. No feedback from neighbors to date.

Councillor Bevilacqua wanted to confirm that abutters were notified? President Barrett confirmed that all abutters were notified.

Councillor President Barrett asked if will plant underneath not cement over?

Mr. Zhe confirmed yes planting underneath.

Councillor Barrett asked if the farmers maintain farm tax rate?

Mr. Zhe stated it is in Chapter 61A and if goes forward would stay in Chapter 61A.

Councillor President Barrett asked if anyone wanted to speak in favor. No one spoke in favor.



Councillor President Barrett asked if anyone wanted to speak in opposition. One resident called in to speak in opposition. Several attempts were made to contact the caller with the phone number provided but was unable to contact caller.

Council President Barrett closed the hearing.

On motion of Councillor Sullivan with second from Councillor Daly O'Brien to approve the special permit.

City Clerk Koutoulas: Councillor LePage-yes, Councillor Bevilacqua-no, Councillor Michitson-yes, Councillor Sullivan-yes, Councillor Jordan-yes, Councillor McGonagle-yes, Councillor Daly O'Brien-yes, Councillor Macek-yes, President Barrett-no, 7 yeas, 2 nays.

- 10.2. **Appointments:**
- 10.3. Confirming Appointments:
- 10.4. Non-Confirming Appointments :
- 10.5. Resignations

11. PETITIONS:

- 11.1. Petition from Andre Colon, True House Cannabis LLC requesting Hearing for a Zoning Amendment for 25 Bond st, an industrial location in the Ward Hill section of City, to include cannabis cultivation, for the production of cannabis not to be sold to the public only to licensed cannabis establishments Refer to Planning Board & Council Hearing Oct 19 2021
 - 11.1.1. Ordinance re: Zoning Licensed Marijuana Establishments Overlay Zone
(LMEOZ) Amend Code to include 25 Bond st to permit Licensed Marijuana
Establishments No Retail SalesFile 10 daysMotion by Councillor Sullivan, Second Daly O'Brien38-CCPASSED PLACED ON FILEYeas 8, Nays 0, Abstain 1 (McGonagle)
- 11.2. Applications Handicap Parking Sign
- 11.3. <u>Amusement/Event Applications:</u>
- 11.4. Tag Day
- 11.5. One Day Liquor License:
- 11.6. Annual License Renewals:
 - 11.6.1. Hawker Peddlers License 2021 Fixed location
 - 11.6.2. Coin-Op License Renewals 2021
 - 11.6.3. Drainlayer License for 2021 with City Engineer approval
 - 11.6.4. Christmas Tree Vendor
 - 11.6.5. Taxi Driver Licenses for 2021
 - 11.6.6. Taxi License/ Limo/Livery
 - 11.6.7. Junk Dealer License:
 - 11.6.8. **Pool Tables**
 - 11.6.9. Sunday Pool



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, August 10, at 7:00 PM

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

In-Person/Remote Meeting	In-	Person	/Remote	Meeting
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In	-Person/Remote Meeting	
11.6.10. B	owling	
11.6.11. Su	nday Bowling	
11.6.12. B u	y & Sell Second Hand Articles	
	y & Sell Second Hand Clothing	
11.6.14. Pa	wnbroker license	
11.6.15. Fo	ortune Teller	
11.6.16. B u	ıy & Sell Old Gold	
11.6.17. R o	oller Skating Rink	
11.6.18. Su	nday Skating	
11.6.19. Ex	terior Vending Machines – 202	1 renewals
11.6.20. Li	mousine/Livery License/Chair (Cars
12. MOTIONS AND ORDERS:		
	\$12,000 from Salary Reserve to	D Library Salaries to fund position
upgrades		
10	or Bevilacqua, Second Sullivan	
PASSED	n Devnaequa, Second Sunivan	Yeas 9, Nays 0 10-K
	\$177 024 from Whittier Ashest	tos Removal capital account into
		se out the Hunking School project
and cover all final c		10-L
	· 1	
•	• • • •	plus not connected with project items
-	ool completed other items that h	-
	ng of \$175K over that the State v	
	moved under budget and comple	ted with surplus of \$177K
	Bevilacqua, Second Sullivan	
PASSED		Yeas 8, Nays 1 (LePage)
12.3 Order- transfer \$	55 000 from the Capital Budget t	to the Capital account: Fire Vehicle
Replacement Plan	e,000 nom me cupital Dauger	10-M
1	or Bevilacqua, Second LePage	
PASSED	n Devinaequa, Second Lei age	Yeas 9, Nays 0
	a payment of hills of pravious/or	irrent year department appropriations
as listed:	e payment of onis of previous/et	intent year department appropriations
	Amount	Account
<u>Vendor</u>	<u>Amount</u>	Account
North Mechanical Services	\$ 712.40	Public Property
North Mechanical Services	\$ 190.00	Police Department
Telelanguage Inc.	\$ 80.11	Police Department
Aramark	\$ 82.75	Police Department
Nardone Electrical Corp.	\$ 275.00	Police Department
Priority Dispatch	\$ 365.00	Police Department
Common Wealth Resource Mg	-	Refuse & Recycling
Common weath Resource Mg	$\psi 2,040.00$	Refuse & Recyching



Covanta Energy	\$82,995.60	Refuse & Recycling	
TOTAL	\$ 87,340.86		
Motion by Councillor McG	-		
PASSED		Yeas 9, Nays 0	18-E
change the current a	DUNCILLORS: t Barrett and Councillors LePage t-large electoral voting system for representation along with the cre	or City Council and School (Committee to
	FOR NOTES – RELATED ITEN	AS	
PLACED ON FILE			63-Q
13.2. Councillors Jorda	an & Michitson request to propos	se a Housing Forum to addre	ess
affordable housing c	crisis, preservation of open space	and data-driven impact of p	proposed
residential developm	nents on City's infrastructure and	1 services	
***SEE ITEM 5.4 F	FOR NOTES – RELATED ITEN	AS	

PASSED REFERED TO CITIZENS OUTREACH COMMITTEE 63-R

14. UNFINISHED BUSINESS OF PRECEDING MEETING

- 14.1. <u>Document 5-X</u>; Mayor Fiorentini submits Loan Order regarding MSBA Funding for HHS Gym Roof replacement project *Related communication from John McCarthy, Executive Director of Massachusetts School Building Authority*
- 14.2. Document 26-D; Loan Order appropriate \$1,343,283.00 to pay costs of roof replacement at the HHS Gymnasium, 137 Monument Street <u>filed July 28 2021</u> Motion by Councillor Bevilacqua, Second Macek
 PASSED Yeas 9, Nays 0

15. RESOLUTIONS AND PROCLAMATIONS

- 15.1. Proclamation Recognize the City of Haverhill as a "Purple heart City in the State of Massachusetts"
- Councillor Sullivan read the Proclamation
- Motion by Councillor Bevilacqua to adopt, Second Daly O'Brien ACCEPTED

All in Favor

- **16.** COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS
- **17. DOCUMENTS REFERRED TO COMMITTEE STUDY**
- **18.** LONG TERM MATTERS STUDY LIST
- **19.** Adjourn

MOTION BY COUNCILLOR SULLIVAN, SECOND JORDAN ADJOURNED 11:24 PM

ALL IN FAVOR