



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, August 20, 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, and Rogers
Attending Remotely – Councilor LePage
City Clerk – Kaitlin M. Wright

- 1. OPENING PRAYER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES OF PRIOR MEETING**

Motion by Councilor Basiliere to accept July 23, 2024 minutes, second Councilor McGonagle
PASSED *Yeas 11, Nays 0*

Motion by Councilor Hobbs Everett to accept August 6, 2024 minutes, second Councilor Toohey
PASSED *Yeas 11, Nays 0*

- 4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING**

Councilor Michitson assigned the minutes.

- 5. COMMUNICATIONS FROM THE MAYOR:**

5.1. Mayor Barrett submits an Order to approve the Conservation Restriction for the protection of 35.97 Acres of land off Crystal st; which will protect the conservation, open space and habitat protection and passive recreation 2-Z

5.1.1. Order – Conservation Restriction Approval – Land off Crystal st – Parcel 576-435-21-1, “Creek Brook Conservation Area”

Related communications from Robert Moore, Environmental Health Technician and City Solicitors Lisa Mead and Bethany Raffa

Mayor Barrett stated this is just the continuation of protecting our watershed, adding green space and preserving open space. Rob Moore is available for any technical questions.

Rob Moore, Environmental Health Technician Conservation, stated this is the continuation and conclusion on this piece being the final document to protect this property. All Councilors are required to sign the document.

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

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



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6.1. Councillor McGonagle requests to introduce Dave Michienzi who is seeking a Home Rule Age Waiver petition for the position of firefighter in the City of Haverhill

6.1.1. Home Rule Petition – An Act Authorizing Dave Michienzi to take Civil Service Examination for the position of Firefighter in the City of Haverhill, notwithstanding the maximum age requirement 31-V

Councilor McGonagle introduced Dave Michienzi stating he is the type of individual that we are looking for to serve in a public safety role.

Dave Michienzi addressed the Council stating he wishes to take the civil service test to be a firefighter for the city but needs an age waiver.

*Motion by Councilor McGonagle, second Councilor Jordan
PASSED*

Yeas 11, Nays 0

73-G

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. City Engineer John Pettis submits request and Order to open 17 Passaconaway Avenue, EROM 24-9, for gas disconnect 32-G

8.1.1. Order – grant request to open 17 Passaconaway Avenue for work on underground utilities

*Motion by Councilor Michitson, second Councilor Toohey
PASSED*

Yeas 11, Nays 0

32-GG

8.2. City Assessor, Christine Webb, submits abatement report for the month of July 2024

*Motion by Councilor Jordan, second Councilor Lewandowski
PASSED*

Yeas 11, Nays 0

4-G

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

9.1. Document 81: Petition from National Grid and Verizon for Joint or identical Pole locations for Lake st; Plan 30932099

9.1.1. Document 81-B: Order – grant to National Grid & Verizon joint pole locations on Lake st

President Sullivan opened the hearing.

David Boucher, National Grid 1101 Turnpike Street, North Andover. We have some new homes. The plan is to build eleven of them off of Lake Street in a new development called Lucy Way. The plan to



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provide electricity and all the utilities are stopped by a pole that is in the planned entry way. In order to create the entry way, the way the developer have planned, we need to relocate the pole approximately 15 feet in the northeastern direction then remove the old pole from where it was, pole 27 as shown in the diagram provided. If the City of Haverhill sees fit, it would enable us to go forward with that plan.

President Sullivan asked if anyone would like to speak on the matter before he closes the hearing. No one spoke.

Motion by Councilor Jordan, second Councilor Michitson

PASSED

Yeas 11, Nays 0

10. HEARINGS AND RELATED ORDERS:

- 10.1. Document 53, petition for Special Permit Major Modification from Christos Eliopoulos seeking approval for modification to a residential development (Residences at Kenoza) initially approved by City Council in 2023, located at 7-13 Kenoza av
Continued from August 6, 2024

President Sullivan opened the continued hearing.

Christos Eliopoulos presented the proposed changes based on the Council's requests at the last meeting. Those changes made to the rear of the building include adding a single gable in the middle, added five additional windows which are larger, roof overhangs from the doors, shutters, and nine light windows; changes made to the front of the building include made all the windows larger, added additional ten windows, shutters, nine light windows, and double columns. The tenant issue has been resolved through the court system.

Councilor comments included appreciation of changes made, favor single gable in rear elevation, renderings presented better resemble previously approved rendering, hope will be a good landlord and do neighborhood outreach.

President Sullivan asked for a motion to approve the modified project specific to the rear elevation with one gable. Motion by Councilor McGonagle, second Councilor Michitson.

President Sullivan: Madem Clerk please call the roll on approving the modified design as proposed tonight with one gable in the rear elevation.

City Clerk Kaitlin M. Wright: Vice President Jordan-yes, Councilor Basiliere-yes, Councilor Hobbs Everett-no, Councilor Michitson-yes, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-yes, Councilor Rogers-yes, President Sullivan-yes
Yeas 10, Nays 1 (Hobbs Everett)

President Sullivan: Passed with conditions.



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10.2.Document 7, CCSP 24-9: request from Craig Pascoe to keep an 8'x30' storage container on his property at 2 Woodman av
Dept comments are included

Mr. Pascoe requested to postpone until he meets with City Engineer, John Pettis, to make sure the container is solely on his property.

*Motion by Councilor McGonagle to postpone until September 24, second Councilor Toohey
PASSED to be heard September 24, 2024 Yeas 11, Nays 0*

11. APPOINTMENTS:

11.1. Confirming Appointments:

11.2.*Haverhill Housing Authority Board of Commissioners, Jonathan C Goldfield, 2 West Meadow rd Expires 8/31/2029*

Motion by Councilor Michitson, second Councilor Jordan

PASSED Yeas 11, Nays 0 38-P

11.3.*Haverhill Cultural Council, Michelle Collins, 461 Lake st Expires 8/31/2027
both to be confirmed*

Motion by Councilor Jordan, second Councilor Michitson

PASSED Yeas 11, Nays 0 38-Q

11.4. Non-Confirming

11.5.**Constables to expire December 31, 2024**

11.6. Resignations:

12. PETITIONS:

12.1.CCSP 24-7: Attorney Michael Migliori representing Snow Cassell LLC, requests to construct a three-family residential building at Pilling & Boston st, , Assessors Map 520, Block 314 Lot 3 Hearing Sept 24, 2024

Motion by Councilor Michitson, second Councilor McGonagle

PASSED to be heard September 24 Yeas 11, Nays 0 86

12.2.CCSP 24-8: Attorney Michael Migliori representing Snow Cassell LLC, requests to construct a three-family residential building at Boston st, Assessors Map 520, Block 314, Lot 4A Hearing Sept 24, 2024

Motion by Councilor Michitson, second Councilor McGonagle

PASSED to be heard September 24 Yeas 11, Nays 0 87



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12.3. Applications Handicap Parking Sign: with Police approval

12.4. Amusement/Event Application – with Police approval

12.4.1. EVNT 24-20, James Carbone for Whittier Birthplace requests to hold the 3rd consecutive year of the Dale Roger's Big Dog Show at the Bradford Common, - public art installation and dog show on October 26th from 9 am to 3 pm and also requests any fees but application fee be waived

Jimmy Carbone addressed the Council stating it is the third year for the Big Dog show and the major fundraiser for Whittier Birthplace. It has been great working with the Farmers' Market. To sponsor a dog, it is \$300 and looking for additional 5-10 more dogs. Can contact Kaylee Shaughnessy at kaylee@whittierbirthplace.org.

Motion by Councilor McGonagle, second Councilor Rogers

PASSED with fees waived

Yeas 11, Nays 0

42-Q

12.5. Auctioneer License:

12.6. Tag Days: with Police approval

12.6.1. HHS Wrestling, October 12 & 13

Motion by Councilor Jordan, second Councilor McGonagle

PASSED

Yeas 11, Nays 0

20-K

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

12.7.1. LCDL 24-11; Team Haverhill requests Beer & Wine license for River Ruckus festival, to be held on September 21st from 12 pm to 9pm at the Riverfront Parking lot and adjacent area

Motion by Councilor McGonagle, second Councilor Toohey

PASSED

Yeas 10, Nays 0, Absent 0, Abstain 1 (LePage)

48-D

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

12.8.4. **Taxi Driver Licenses for 2024:** with Police approval

12.8.5. **Taxi/Limousine License** with Police approval

12.8.6. **Junk Dealer /Collector License** with Police approval

12.8.7. **Pool/Billiard**

12.8.8. **Bowling**



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- 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**
- 12.8.18. **Limousine/Livery License/Chair Cars** *with Police approval*

13. MOTIONS AND ORDERS:

- 13.1. Order – pay bills of previous years and further authorize payment from current year departmental appropriations as listed:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
SFE Energy	\$2,503.42	Water Dept
Ring Central (4)	5,225.50	Constituent Services
Comcast Business	11,499.00	Information Technology
Hach Company	18.65	Water Dept
Total:	\$19,246.57	

Motion by Councilor Michitson, second Councilor Rogers

PASSED

Yeas 11, Nays 0

23-E

14. ORDINANCES (FILE 10 DAYS)

- 14.1. Ordinance re: Vehicles and Traffic; *Add Trail Parking Only Hannan Ridge rd – south side, from 265’ east of Parsonage Hill road, Easterly for 62’* File 10 days

Motion by Councilor McGonagle, second Councilor Rogers

PASSED

Yeas 11, Nays 0

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- 14.2. Ordinance re: Vehicles and Traffic; *Delete handicap parking for 103 Portland st and Add Handicap Parking for 12 Observatory av and 109 Cogswell st* File 10 days

Motion by Councilor McGonagle, second Councilor Rogers

PASSED

Yeas 11, Nays 0

11-F

- 14.3. Ordinance re: Vehicles and Traffic; *Add Handicap Parking at 8 Kimball st* File 10 days

Motion by Councilor McGonagle, second Councilor Toohey

PASSED

Yeas 11, Nays 0

11-G



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15. COMMUNICATIONS FROM COUNCILLORS:

15.1. Council President Sullivan requests to discuss the status of Holy Family Hospital in Haverhill 12-T

President Sullivan wanted to cite a rule, rule 10, that says the chair should relinquish the chair when the chair has an item before the body. We do not have to do that. We can waive that requirement; I am just requesting we waive that requirement tonight. The Council has no objection.

When I put this on the agenda last Thursday, we did not know the fate of the hospital. Tonight's discussion was going to be to again urge the powers that be to please save our hospital, and they did it. They did it before we could get here tonight, they did it Friday. We don't know exactly what that means yet. We are hopeful that they will obviously keep it an emergency room. They may get creative with the other uses of the building. Want to thank the Governor, the Lt. Governor, the legislative delegation, and powers that be that pulled this together, and Lawrence General. We were very lucky.

Mayor Barrett thanked the Council for all their support and efforts and echoed President Sullivan's thanks to the Governor, Lt. Governor, Barry Finegold, Pavel Payano, Andy Vargas, and Ryan Hamilton all who of which had the ear of the Governor's workers and Dept. of Public Health. Hopeful and this is a good first step.

Councilor comments included thanking all who advocated, better for the city that the hospital is staying open, challenges for Lawrence General hospital, community hospitals tend to have patients with less insurance and hope changes can be made so it can succeed, and keeps services here for the residents.

15.2. Council President Sullivan requests to discuss the Whittier Regional Vocational Technical High School community agreement 12-U

President Sullivan placed on the agenda as a result of fact that the Council has not weighed in on position of reopening the Whittier Tech host agreement. The Mayor will update on what she's been doing with the other 10 communities and the working group. Basically, we need the pulse of the Council whether we are all on the same page and support the Mayor's position on this.

Mayor Barrett stated shortly after the override vote, there was a meeting of mayors and Newburyport laid out their stance. In my estimation, they want out. Right now, we do get a great value, but we also house the facility, we don't take the taxes on the property, we have SRO's, police and fire that we support there. The smaller towns want to change the formula. If we open the charter, we can't just open it and say we are just going to look at who we are taking in or how we determine who we appoint to the school committee. Have spoken to other council and they have assured if open charter, you open it all. I am voting no every time against opening the charter.

Councilor comments included how the formula is based, how many 911 calls happen yearly to the school, services are being provided by the city of Haverhill, crazy for us to open it up, all students are getting a



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great education at Whittier, conversations should be focused on the students, and if it has been presented to the school committee, transparency on this situation for the citizens is imperative, Councilors support the Mayor's position.

Motion by Councilor Jordan to support the mayor's position to not allow the agreement to be reopened, second Councilor Basiliere

PASSED

Yeas 11, Nays 0

16. UNFINISHED BUSINESS OF PRECEEDING MEETING:

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

Clerk Wright announced early voting for the state primary election this Saturday and Sunday in the early voting room in city hall 10-4; Monday-Wednesday from 8-4Pm; Thursday from 8-8PM and Friday 8-4.

This Saturday is last day to change your party enrollment.

And Monday is last day to request a mail in ballot.

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 8:25 PM