



City of Haverhill  
City Council Minutes  
Tuesday, June 15, 2021  
4 Summer Street  
Theodore Pelosi Jr. City Council Chambers, Room 202  
In Person and Remote

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

City Clerk – Linda L. Koutoulas

President Barrett read the following statement: This meeting of the Haverhill City Council is being conducted remotely consistent with Governor Baker’s Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the “COVID-19 Virus”.

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely and live so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. This meeting will have public comment.

**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  
The minutes for May 25, 2021 approval postponed to June 22, 2021 meeting      Yeas 9, Nays 0  
Motion by Councillor Jordan and seconded by Councillor Macek
4. Assignment of the minutes review for the next Meeting  
Councillor McGonagle was assigned the minutes.
5. Communications from the Mayor:
  - 5.1 Mayor Fiorentini submits order regarding license agreement for *Plum Island Kayak*  
File and Order Passed      5-S
  - 5.1.1 Order – authorize Mayor to execute a Boardwalk/Dock/Booth License Agreement with *Plum Island Kayak, Inc.* for use of the Boardwalk and Dock adjacent to Riverfront Park and Phoenix Row Parking Lot and exclusive use of the portable ticket/storage booth located in Riverfront Park  
Motion by Councillor Daly O’Brien and seconded by Councillor Jordan  
PASSED      Yeas 9, Nays 0      17-B

**5.2** Mayor Fiorentini submits Resolution requesting vote to authorize Superintendent to submit to the Mass School Building Authority the SOI – Statement of Interest Form dated June 10, 2021 for the J.G. Whittier School located at 256 Concord st under the following categories: Priority 1 – Replacement or renovation of a building Priority 2 – Elimination of existing severe overcrowding Priority 4 – Prevention of server overcrowding expected to result from increased enrollments and Priority 7 – Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and local requirements  
Correct “server” to “severe”  
Motion by Councillor Bevilacqua and seconded by Councillor Daly O’Brien  
PASSED Yeas 9, Nays 0 64

**5.3** Mayor Fiorentini submits Order to extend the *Covanta Solid Waste Host Agreement* through June 30, 2026. Attorney Michael Leone will attend the meeting to answer any questions  
FILE AND ORDER PASSED 5-T

**5.3.1** Order – authorize Mayor to enter into and execute agreement entitled “*Solid Waste & Host Agreement*” on behalf of City with *Covanta Haverhill Associates*, for disposal of solid waste for a period from July 1, 2021 to June 30, 2026 with a five (5) year extension to conclude on June 30, 2031  
Attorney Michael Leon explains new contract good for 10 years which locks in a schedule of solid waste disposal costs with the host payments to city from Covanta at our discretion. Five year contract with five year option for renewal, Covanta does not have option to terminate. First year net revenue about 1.25M plus .25M in taxes; Year ten net about 1.9M plus taxes  
Councillor Sullivan asked for clarification on 49.5K annual environmental benefit recyclables support fee. Leone explained 49.5K is earmarked for solid waste management to Public Works to ensure resources to manage solid waste  
Councillor Joran commenting it’s a favorable agreement for the city stating Convanta has been a good citizen to the city  
Leone also stated the land fill portion is closing in the next 12-18 months  
President Barrett asked for confirmation that the agreement doesn’t punish the city for composting. Leone stated no minimum cap on solid waste disposal  
Councillor Bevilacqua pleased the financial impact is minimal to the city in terms of cost per ton.  
President Barrett questioned trucking routes for hauling. Haulers have been on local roads which is a problem. Leone stated that this is prohibited the regional location route is 495 only. Annual permits are issued to haulers by the Board of Health. They should be contacted for enforcement. Leone will inform Convanta.  
Motion by Councillor Sullivan and seconded by Councillor Daly O’Brien  
PASSED Yeas 9, Nays 0 17-C

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

**6.1** Councillors Jordan & Michitson request to introduce Lisa Marzilli, Vice President of Team Haverhill and Chair of Team Haverhill’s Clean and Green Downtown committee, to update the Council on the progress of the Clean & Green Team  
Lisa Marzilli gave presentation on projects completed and future projects by Team Haverhill. Milestone hit – originally started with a list of 60 items and reached 1007 items completed. Lisa thanked all volunteers and sponsors for their support. Looking towards next projects of

improving walkability. Identified 37 brickwork/cracked concrete issues along with the need for more trash barrels, greenspaces, landscaping, seating and dog park would be awesome. Please keep Team Haverhill Clean & Green in mind during this budget season.

Update from Chief of Staff Allison Heartquest: Thanks to Lisa and Team Haverhill for keeping informed of needs with downtown. In addition to full-time employee for downtown, the city is partnering with Leaving the Streets Ministry. Hiring four young men for seasonal work this summer. Will work with Fulltime employee downtown focusing on parks and Goecke garage (which is cleaned every Friday morning.) Also ordered a new sidewalk sweeper which will be coming in soon. We are also fixing the missing bricks outside the Goecke deck next week. Councillors commented on what a great job Lisa and Team Haverhill have done downtown and thank all the volunteers for their hard work. Councillor Sullivan suggested Lisa send an email outlining the most dire places in need of bricks to advocate for this fiscal year.

PLACED ON FILE

7-M

**6.2 Council President Barrett and Councillor Sullivan request to introduce Jesus Ruiz from *Leaving the Streets Ministry* to speak about the work, successes and challenges of their mission of helping at risk youth in the community**

Councillor Sullivan introduced Jesus Ruiz.

Jesus Ruiz, President of Leaving the Streets Ministries, founded the non-profit organization with his wife, Wanda Baez-Ruiz. The organization is a youth re-entry center to help youths find better avenues and have a brighter future so they won't end up becoming a school dropout statistic or choose a life of gangs, drugs and prison. They help with jobs, transportation, food, documentation to be hired, etc. Opened new office in Lafayette Square through their own fundraising. So far have placed 256 at risk members with jobs.

Councillors commend Jesus on his dedication and hard work and offer support from the council and the city.

PLACED ON FILE

7-N

**6.3 Councillor Sullivan requests to recognize Fran Hogan for her many years of service to the disabled community and the City of Haverhill**

Councillor Sullivan recognizes Fran Hogan. Councillors thank Fran for her hard work and dedication to the developmentally disabled community and presented her with a Citation from the City Council and the Mayor.

PLACED ON FILE

7-O

**6.4 Councillor LePage requests to introduce School Physician Dr. John Maddox to present the findings of the Attitudes and Behavior Survey recently conducted in the Haverhill Public Schools**

Dr. Maddox presents the findings of the Attitudes and Behavior Survey. Survey findings will be posted for people to review and study.

Councillors commented on the valuable information obtained and the importance of the survey. Comments include the impact cannabis has on the school community; how to utilize local tax vs. impact fee tax to help serve students; and the mental health of the students.

PLACED ON FILE

7-P

**7 PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28**

**8 COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:**

**8.1 Abatement report from Christine Webb, Assessor for month of May 2021**

Councillor Macek motioned to PLACE ON FILE, Councillor Bevilacqua seconded  
PLACED ON FILE

Yeas 9, Nays 0

11-D

8.2 William Pillsbury Jr., Community Development Director, requests approval of Resolution authorizing Mayor to submit FY 2022 (Program Year 2021) Community Development Block Grant (CDBG) program for the City

FILED AND RESOLUTION ADOPTED 65

8.2.1 **Resolution** – Authorizing Mayor to submit the amended Consolidated Plan for the Community Development Block Grant Program

Motion by Councillor Bevilacqua, seconded by Councillor Macek

PASSED Yeas 9, Nays 0, Abstain 1 (McGonagle) 65-B

8.3 Robert E Ward, Deputy DPW Director submits Proposed Loan Order for Water and Sewer System Improvements 26-C

8.3.1 Loan Order – Appropriate \$6,848,675.00 for improvements to water distribution system and \$7,037,000.00 is appropriated for improvements to sewer system – to meet this appropriation authorize Mayor to borrow \$13,885,675

Motion to PLACE ON FILE by Councillor Macek, seconded by Councillor Bevilacqua

PLACED ON FILE Yeas 9, Nays 0 26-CC

9 **UTILITY HEARING(S) AND RELATED ORDER(S):** File 10 days

9.1 Document 60: Mass Electric d/b/a National Grid of North Andover requests permission for underground electric conduits on Crosby st Ext; Plan 30319017 to provide electric service to 2 new homes

9.1.1 Document 60-B: Order grant permission Mass Electric for underground electric conduits on Crosby st Extension

President Barrett opened hearing, no one spoke in favor or opposition, hearing closed.

Councillor Macek moves for approval to be granted for underground installation and not content of map; previous department approvals are for 16 foot wide common driveway then split to individual homes.

Motion by Councillor Sullivan, seconded by Councillor Daly O'Brien

PASSED WITH CONDITIONS Yeas 9, Nays 0 66

9.2 Petition from Mass Electric d/b/a National Grid of North Andover requests permission for Joint Pole Location on Crosby st Ext; Plan 30319017 for service to 2 new homes

Hearing July 13 2021

Motion by Councillor Macek and seconded by Councillor Jordan

PASSED Yeas 9, Nays 0

10 **HEARINGS AND RELATED ORDERS:**

10.1 Document 32-C: Application from Attorney Robert Harb for client Solar Smart LLC for CCSP-21-8 Solar Energy System Special Permit for Large Scale Ground Mounted Solar Energy System at 139 Amesbury Line rd

Continued to August 24, 2021

10.2 Document 32-D: Application from Attorney Robert Harb for client Solar Smart LLC for CCSP-21-9 Solar Energy System Special Permit for Large Scale Ground Mounted Solar Energy System at 139 Amesbury Line rd; in Water Supply Protection Overlay District (WSPOD)

Attorney Robert Harb requesting continuance to August 24, 2021 to complete open items.

Motion by Councillor Michitson, seconded by Councillor Sullivan for continuance until August 24, 2021 meeting

PASSED Yeas 9, Nays 0

11 APPOINTMENTS:

11.1 Confirming Appointments

11.2 Non-Confirming Appointments

11.2.1 **Police Chief Interview Panel:** Chief William Wrenn, Richard MacDonald, Alan Gould, Attorney William Cox, Kalister Green-Byrd, Lynda Brown, Manuel Matias, Irene Haley, Eliza Espinal and a representative of the School Dept to be named shortly

Motion by Councillor Bevilacqua, seconded by Councillor Macek

PLACED ON FILE

Yeas 9, Nays 0

1-V

11.3 Resignations

12 PETITIONS:

12.1 Attorney Russell Channen representing 42 Lafayette, LLC; owner of property at 0 Lafayette sq, requests administrative correction for Special Permit

Document 84/2020 for this project by identifying the proposed structure as a 4-story building not 3-story

Motion by Councillor LePage, seconded by Councillor Macek

PASSED

Yeas 9, Nays 0

67

12.2 Attorney Michael Migliori requests Special Permit, CCSP -21-4, pursuant to Chapter 255 Section 8.4 Flexible Development, to construct an over 55 Age Restricted Development at 66 Merrimac Road, Map 430 Lots 1-6, in Zone RM and RS for owner/applicant Sixty-Six Merrimac-HAV LLC; consisting of 66 detached residential condominium homes on 47 acres of land Hearing July 27 2021

Motion by Councillor Macek, seconded by Councillor Daly O'Brien

PASSED

Yeas 9, Nays 0

68

12.3 Petition from Jeffrey M. Brown on behalf of Princeton Development LLC ("Princeton") requesting Zoning Amendment to entitle a mixed-use project that will create a Planned Development District under Haverhill Zoning Ordinance 8.5 – to develop the former DiBurro Function Facility at 887 Boston Road and adjacent land totaling approximately 6.5 acres Hearing July 13 2021

Motion by Councillor Macek and seconded by Councillor Daly O'Brien

PASSED

Yeas 9, Nays 0

69

12.3.1 Ordinance: Amend the City Zoning Ordinance, Chapter 255 by adding the following: "Boston Road planned residential Development District, (BRPRD)" as set forth in Section 8.5.A File 10 days

Motion to PLACE OF FILE by Councillor Macek, seconded by Councillor Daly O'Brien

PLACED ON FILE

Yeas 9, Nays 0

69-B

12.4 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 Aug 10 2021

Motion by Councillor Michitson, seconded by Councillor Daly O'Brien

	PASSED	Yeas 9, Nays 0	70
12.5	<b><u>Applications Handicap Parking Sign</u></b>		
	12.5.1 Claire DiBartolomeo for 9 Varnum st		
	GRANTED	Yeas 9, Nays 0	2-N
12.6	<b><u>Amusement/Event Applications:</u></b>		
12.7	<b><u>Tag Days</u></b>		
	12.7.1 Amvets Auxiliary, August 20 & 21		52-C
	12.7.2 HHS Soccer, September 10, 11 & 12		52-D
	12.7.3 NE Elite X Country, September 18 & 19		52-E
	12.7.4 Haverhill Girls Travel Basketball, October 16 & 17		52-F
	12.7.5 Haverhill Boys Travel Basketball, November 13 & 14		52-G
	ALL GRANTED	Yeas 9, Nays 0	
12.8	<b><u>One Day Liquor License:</u></b>		
12.9	<b><u>Annual License Renewals:</u></b>		
	12.9.1 <b>Hawker Peddlers License 2021 - Fixed location</b>		
	12.9.1.1 Michelle Chouinard to sell hot dogs, chips, soda & bottled water at Winnekenni Area, Route 110; May–October; 10:30 am - 7 pm		
	GRANTED	Yeas 9, Nays 0	15-B
	12.9.2 <b>Coin-Op License Renewals 2021</b>		
	12.9.3 <b>Drainlayer License for 2021 - with City Engineer approval</b>		
	12.9.3.1 Jamey Steadman – <i>new</i>		19-U
	12.9.3.2 Shawn Savage – <i>renewal</i>		19-V
	12.9.3.3 Gregory Gullage – <i>renewal</i>		19-W
	ALL GRANTED	Yeas 9, Nays 0	
	12.9.4 <b>Christmas Tree Vendor</b>		
	12.9.5 <b>Taxi Driver Licenses for 2021</b>		
	12.9.5.1 Tia Beliveau – <i>new</i>		51-H
	12.9.5.2 Ross Gazunis – <i>renewal</i>		51-I
	12.9.5.3 Kasey Gordon – <i>new</i>		51-J
	12.9.5.4 Wisvel Joseph – <i>renewal</i>		51-K
	12.9.5.5 Monique Lefebvre – <i>renewal</i>		51-L
	12.9.5.6 Steve Pefine – <i>new</i>		51-M
	ALL GRANTED	Yeas 9, Nays 0	
	12.9.6 <b>Taxi License/ Limo/Livery:</b>		
	12.9.7 <b>Junk Dealer License</b>		
	12.9.8 <b>Pool Tables</b>		
	12.9.9 <b>Sunday Pool</b>		
	12.9.10 <b>Bowling</b>		
	12.9.11 <b>Sunday Bowling</b>		
	12.9.12 <b>Buy &amp; Sell Second Hand Articles</b>		
	12.9.12.1 Elaine Drinkwater, “Vintage View”, 371 River st Unit 1 <i>pending police approval</i>		
	GRANTED	Yeas 9, Nays 0	16-C
	12.9.13 <b>Buy &amp; Sell Second Hand Clothing</b>		
	12.9.14 <b>Pawnbroker license</b>		

- 12.9.15 **Fortune Teller**
- 12.9.16 **Buy & Sell Old Gold**
- 12.9.17 **Roller Skating Rink**
- 12.9.18 **Sunday Skating**
- 12.9.19 **Exterior Vending Machines – 2021 renewals**
- 12.9.20 **Limousine/Livery License/Chair Cars**
  - 12.9.20.1 *NE Health Transportation, 143 Essex st, 3 Livery Vehicles*  
GRANTED Yeas 9, Nays 0 44-B

**13 MOTIONS AND ORDERS**

- 13.1 Order – Relating to Water and Wastewater Rates; that Document 71-FF of June 30, 2020 be and is hereby deleted in its entirety and new order be inserted in place thereof:  
*Rates for Water & Wastewater Effective July 1, 2021*  
*Related communication from Robert Ward, Deputy DPW Director*  
Motion by Councillor Macek and seconded by Councillor Sullivan  
POSTPONED TO JUNE 22, 2021 MEETING Yeas 9, Nays 0 71
- 13.2 Order – authorize Mayor to enter into and execute a Commercial Lease of Temple Emanu-el Space located at 514 Main st, between them and the City, commencing on July 1 2021 for a period of 3 years with one 2 year renewal option  
*Related communication from City Solicitor William Cox, Jr.*  
Motion by Councillor Bevilacqua and seconded by Councillor Michitson  
PASSED Yeas 9, Nays 0 17-D
- 13.3 Order – that the members of the *Merrimack Street Redevelopment Committee* for the City of Haverhill are hereby designated as “Special Municipal Employees” pursuant to M.G.L. c 268 A.  
Motion by Councillor Macek and seconded by Councillor Daly O’Brien  
PASSED Yeas 9, Nays 0 72

**14 ORDINANCES (FILE 10 DAYS)**

- 14.1 Ordinance re: Vehicles & Traffic, Delete Handicap space 58 Webster st  
File 10 days  
Motion to PLACE ON FILE by Councillor Bevilacqua, Second by Councillor Macek  
PASSED PLACED ON FILE for 10 days Yeas 9, Nays 0 3-M

**15 COMMUNICATIONS FROM COUNCILLORS:**

- 15.1 Councillor Joseph Bevilacqua requests a discussion regarding increased graffiti in and around Haverhill 63-D
- 15.2 Councillor Joseph Bevilacqua requests a discussion regarding PFAs “forever chemicals” in drinking water supply  
Motion to Postpone both items until June 29, 2021 City Council Meeting – Motion by Councillor Bevilacqua, Second by Councillor Macek  
PASSED Yeas 8, Nays 0, Absent 1 (Jordan) 63-F
- 15.3 Councillors Jordan, Michitson, Lepage and Barrett request an update on the status of 97 Corliss Hill rd from the City and Vanessa Johnson-Hall of *Greenbelt*  
Robert Ward update - Property in Chapter 61A. Mayor wants to exercise right of first refusal with Essex Greenbelt proposal. City will own wooded area for water shed protection; Greenbelt will own meadow area. Need to continue to work out details.

Vanessa Johnson-Hall update - Greenbelt supports City preferred option where \$250K towards \$400K purchase; City puts \$150K for 13 acres. Each will have conservation restrictions held by Greenbelt who will grant access to city for use; Neighbor at 297 Corliss Hill will commit their land totaling 40 acres preserved

Councillors comment supporting the plan and pleased that land will be preserved and protect the water shed

Attorney Cox says number of steps to be taken to complete. Will setup meeting with Essex Greenbelt. No action taken tonight but will come back to council at a later date. May require a public meeting he will provide all the details after meeting with Essex Greenbelt keeping in mind the upcoming deadlines.

Councillor Michitson motions to support the proposal from Mr. Ward for partnership between the City and Greenbelt to preserve the land and seconded by Councillor Bevilacqua

PLACED ON FILE

Yeas 9, Nays 0

63-F

#### 16 UNFINISHED BUSINESS OF PRECEDING MEETING:

16.1 Document 7-L; Councillor Jordan, LePage and Michitson to introduce Director of Facilities, Steve Dorrance to give an update on the status of school and City buildings  
*postponed from May 18 2021*

Motion to postpone to June 29, 2021 meeting by Councillor LePage, Second by Councillor Daly O'Brien

PASSED

Yeas 8, Nays 0, Absent 1 (Jordan)

16.2 Document 28-B; Mayor Fiorentini would like to exercise our right of first refusal under M.G.L. Chapter 61 A, Section 14 to purchase the property at 97 Corliss Hill rd. Mr. Moore and Mr. Ward will address the Council regarding this matter Continued from May 18 2021 *continued from May 18 2021*

Postponed to June 29, 2021 meeting

16.3 Document 3-I; Ordinance re: Vehicles and Traffic; Add Handicap parking at 23 Chestnut st *all Ordinances filed May 19 2021*

PASSED

Yeas 8, Nays 0, Absent 1 (Jordan)

16.4 Document 3-J; Ordinance re: Vehicles and Traffic; Delete Handicap parking at 24 Fifth av

PASSED

Yeas 8, Nays 0, Absent 1 (Jordan)

16.5 Document 3-K; Ordinance re: Vehicles and Traffic; Delete Handicap parking at 157 Franklin st and add Parking at 15 Franklin st

PASSED

Yeas 9, Nays 0

16.6 Document 3-L; Ordinance re: Vehicles and Traffic; Add Handicap parking at 180 Summer st

PASSED

Yeas 9, Nays 0

16.7 Document 5-Q; Mayor Fiorentini requests to speak regarding FY22 Budget  
*All Budget items continued from May 25 2021*

*City Council requests all budget items be postponed to June 22 2021*

16.8 Document 62: Order – as part of FY 2022 annual budget \$208,510,412 be and is hereby raised and appropriated within the categories as designated and appropriated as listed and further that said appropriation be funded in the manner listed

16.9 Document 62-B: Order – as part of FY 22 annual budget the sum of \$45,000 be raised and appropriated from the Hospital Trust Funds and transferred in to the General Fund as follows:

Public Health Sals - \$40,000

Public Health Expense - \$5,000

16.10 **Document 62-C:** Order – as part of FY 22 annual budget the sum of \$100,261,618 be appropriated to operate the Water Dept for items marked as appropriation on the attached

16.11 **Document 62-D:** Order – as part of FY 2022 annual budget the sum of \$12,802,632 be appropriated to operate the Wastewater Dept for items marked as appropriation on the attached

16.12 **Document 62-E:** Order- City Council in accordance with City Ordinance Chapter 83 set the annual budget for the following revolving funds:

Recreation & Youth Activities	\$175,000
Veterans' Memorial Skating Rink	456,000
Citizen Center Rental	25,000
Council on Aging Activities	50,000
Wood School Daycare	100,000
Municipal Open Space Management	100,000

All budget items 16.7 to 16.12 postponed to June 22, 2021 meeting

Motion by Councillor Macek, Second by Councillor Bevilacqua Yeas 9, Nays 0

16.13 **Document 63-B:** Council President Barrett and Councillor Michitson request to make remote, virtual participation in public hearings and meetings a permanent fixture of City Government *postponed from May 25 2021*

Councillor Michitson motions to send to Administration and Finance, second by

Councillor Macek

PASSED

Yeas 9, Nays 0

**17 RESOLUTIONS AND PROCLAMATIONS:**

**18 COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:**

**19 DOCUMENTS REFERRED TO COMMITTEE STUDY**

**20 LONG TERM MATTERS STUDY LIST**

**21 ADJOURN**

Motion to Adjourn by Councillor Sullivan, Second by Councillor Jordan Yeas 9, Nays 0

ADJOURNED 10:18 PM

Attest: Linda Koutoulas  
City Clerk