



DRAFT
City of Haverhill
City Council Minutes
Tuesday, May 25, 2021
4 Summer Street

Theodore Pelosi Jr. City Council Chambers, Room 202
In Person and Remote

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 were approved with edits to items 13.1 thru 13.5 Yeas 9, Nays 0

4. Assignment of the minutes review for the next Meeting
Councillor Jordan was assigned the 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 along with Councillor Daly O'Brien. Clinics everyday Monday-Friday at the Citizen Center. Walk-ins accepted. Would like the public to get back to some normalcy, there will be fireworks celebration on July 2nd at sundown. We will encourage people to maintain social distancing, stay in cars to view the fireworks show. Councillor Daly O'Brien: 50% of adults in U.S. have been fully vaccinated against COVID-19. Moderna's clinical trial for adolescents is showing 100% coverage in that age group. Governor Baker expanding some of the COVID restrictions, allowing remote public meetings, expand outdoor dining, and the Governor hopes to extend to Jan 2022. Massachusetts is expanding homebound vaccination program. Councillor Bevilacqua asks Mayor Fiorentini if there will be any Memorial Day celebration this year? Mayor Fiorentini answered not this year for the public due to state restrictions. There will be something for Gold Star parents on Thursday morning. The Police Dept will be holding a Police officer's Memorial Day. Flags will be put up as usual, next year celebration will be back.

5-P

- 5.2 Mayor Fiorentini requests to speak regarding the FY22 Budget

5-Q

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 appropriations be funded in the manner as listed:

\$210,581	Water Receipts
624,236	Wastewater Receipts
4,900.00	Free Cash
760,000	Transfer from Special Revenue (ARPA)
\$202,015,595	Taxation and Other Receipts

Document 62-B: Order – as part of FY 2022 annual budget the sum of \$45,000 be raised and appropriated from the Hospital Trust Funds and transferred into the General Fund as follows:
Public Health Salaries \$40,000
Public Health Expense \$5,000

Document 62-C: Order – as part of FY 2022 annual budget the sum of \$100,261,618 be appropriated to operate the Water Dept for items marked as appropriation on the attached:
\$9,415,975 come from Water Revenue
\$2,056,224 come from available Retained Earnings
\$210,581 be appropriated in the General Fund and funded from Water Receipts

Document 62-D: Order – as part of the 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
\$13,392,665 come from Wastewater Revenue
\$34,202 come from available Retained Earnings
\$624,235 be appropriated in the General Fund and funded from Wastewater Receipts

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

Recreation and 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 orders are postponed from May 18 2021

Councillor Bevilacqua motioned to PLACE ON FILE, Councillor Daly O'Brien second.

Mayor- Overall budget is balanced with no cuts in vital services, improve and expand without major tax increase. Speaks of beginning years of Mayorship with the budget being a struggle. As financial situation began to improve over the years, we have been slowly able to improve our services we provide our residences. Total budget \$216M, increase of 2.6% along with the School budget of 2.6% for a total of \$2,474,000 increase. Both budgets do not include the federal relief money coming to the City. The City's federal relief money is called American Rescue Plan which is \$24.5M. Additional \$12.4M for our non-functioning county going to Essex County for a total of \$36,900,000. Not including the \$10M one time money called ESRA. This is a onetime federal money, going to the schools.

Budget with the City Funds will bring us a fully funded library, locks in all 17 new police officers we hired, and increases salaries for police officers. Using the onetime federal money, we will have drug intervention officers, and social workers to go with the police department. We will establish a new department of public health.

-Budget would help promote Mary Connolly.

- Federal money: \$24.5M in government money, and \$12.4M going to the county. 4 years to spend it, but we should treat it as a one time money that can be used for a few things: lost revenue from the pandemic, water services, sewer and broadband. Want to use a big portion of it for water & sewer bills which will be high for the next few years for the residents. Some of this money can be used to conserve water supply for decades to come. Some of this money can expand broadband. Lost revenue money can be used towards the schools to make up for loss medicaid money which is a one time expense. Propose increase funding to fix our roads and sidewalks.

Motion by Councillor Bevilacqua and seconded by Daly O'Brien:

PLACED ON FILE

Yeas 9, Nays 0

5.3 Mayor Fiorentini submits paperwork to be submitted to the Massachusetts School Building Authority Board (MSBA) which is necessary for renovations to the Moody School and a new roof at the Silver Hill School; and requests approvals of the 2 SOIs

-Moody school resolved and Silver Hill elementary school resolved through by laws, charters, and ordinances authorized the superintendent to submit an application to the Massachusetts school building authority on May 20th, 2021 for replacement or modifications to roofs, windows, boilers, heating and ventilation systems to increase conservation decrease energy use. The school building authority does not guarantee acceptance or approval of any given application.

- Motion by Councillor Bevilacqua, Second by Councillor Daly O'Brien Yeas 9, Nays 0
PASSED

5-R

6. Communications from Councillors to introduce an individual(s) to address the council.

6.1 Councillors Jordan, LePage and Michitson to introduce Director of Facilities, Steve Dorrance to give an update on the status of school and city buildings.

- Motion to delay 2 weeks by Councillor Jordan and Second by Councillor Sullivan,
- PLACED ON FILE 2 Weeks.

Yeas 9, Nays 0

7- L

- 7 Public Participation- Requests under Council Rule 28
- 8 Communications and Reports from City Officers and Employees:
- 9 Utility Hearing(s) and Related Order(s):
- 10 Hearings and Related Orders: 37 min mark

- 10.1 Document 32-B: Application for Special Permit CCSP 21-7; 0 Railroad av - Site Plan Review Major; from Attorney Michael Migliori representing PE Partners LLC to construct 290 apartment units and approximately 6,500 S.F. retail space on existing vacant parcels owned by the City on Railroad av; and Skateland site also on Railroad av
Applicant requests on April 13th to move Hearing to May 25 2021
Several related comments/documents are included

Hearing opened. **Attorney Michael Migliori** presented the applicant PE Partners LLC. He gave a quick summary and history of the site. In 2019 the city at the direction of the Mayor drafted an RFP for the site. The RFP that Mike Procopio submitted was deemed to be the best of the all the proposals that the City received. His proposal was the only proposal to successfully incorporate the Skateland and former gas station site. Based upon the results of the RFP, the City Council held a hearing in February 2020. The Council showed its support at the time. The parcel was declared surplus at that time allowing the process to move forward. In June 2020 the City Council approved the sale of the parcel. In July of 2020, the purchase and sales agreement was signed.

The Mayor addressed the Council. He noted this project was that important. the city has made a number of efforts to sell the property all without success. This proposal will give the City a beautiful waterfront park and a beautiful gateway to Bradford. This park will include a public playground, walkway, rest area, benches, a new dog park and an amphitheater. At the time of the RFP the City Council showed concerns with traffic. We heard the concerns and applied for a MASSWORKS grant. We will receive over 2 million dollars to improve traffic at that intersection. John Pettis, City Engineer, went over the traffic plan and it meets his approval. He also noted the city hired an outside traffic to review the plan and you will hear from them tonight. The Mayor discussed social media comments and how he conducted a survey with 78% in favor of this project. A yes for this project will give us a waterfront park, dog park, extension of the rail trail, restaurant along the park and river and a beautiful entrance way into Bradford, MASSWORKS money and improved traffic flow.

Mike Procopio, owner of the company addressed the City Council. He introduced Dan Skolski, project architect. Steve Martorano (company) Civil Engineer, Matt Mira Bohler, civil engineer as well as the landscape architect on the project. Bob Michaud MDM, transit consultant in which we engaged for the MASSWORKS grant application and the overall improvements of Railroad Avenue and South Elm Street. Three key elements we would like to address tonight. They are traffic, congestion and safety issues at Railroad Avenue, South Elm and the lower approach to the Comeau Bridge. We have come up with a comprehensive and long-term plan to improve the traffic flow. The MBTA has committed to move the lay over station in 3-4 months and is a high priority. We designed a park specifically on the public's feedback and what would draw them to visit this park. Mike will be handling the project overview with help from Daniel Skolski DMS, Stephen Martorano, Matt Mira Bohler, and Bob Michaud MDM. Bob Michaud MDM will then speak regarding the traffic/road infrastructure. Plan view of the project, condensed the three apartment buildings down to two buildings, creating the park to be larger. Made the buildings more efficient with the floor plans, stated the amenities offered, increased the studio count to serve the demographics to young professionals commuting to Boston. Wanted a park to create usable space, active space, passive space, and flex space. Splash pad with water feature, for families to engage with in the summertime. There are a lot of wide passive uses lawn spaces, summer games or add an ice rink in the winter. There is an amp theater with seating, we envision the public using in an impactful way. Access way from the rail trail, safe entrance away from the road as well. There is a Dog Park set up for small and larger dogs. When you get to the river, there are series of pathways/rampways to get to the water since it's a steep slope. The rampways are great for kayaks.

The new plan has reduced the number of apartments down to 290 with 30 studios, 169 One Bedrooms and 91 Two Bedroom units. Our goal is people

are going to have less cars, take the train into Boston. Utilize the Bradford T-Stop. 347 parking spaces including 291 garage spaces and 56 surface spaces. 3.2 acre public space, with 1.4 acre public park, 1.8 acre linear and the Riverwalk Park. Seeking to engage with the neighborhood.

\$2,500,000 off-site infrastructure improvements. The bulk is being spent at the Railroad Ave, Comeau bridge South Elm intersection. A significant piece of that is reserved for the signalization updated and controller updates. This will help with flow of traffic at rush hour.

This project has \$19m revenue generating for the City over the next 20 years.

Bob Michaud MDM speak regarding the traffic/road infrastructure.

Bob Michaud of MDM Transportation Consultants received a question a year ago about the location under the MBT overpass. This particular area of town deserves improvement for the safety of the community.

A "Mass Grant Works Program" was applied for, and the state selected the proposal for this intersection. Haverhill being one of the select few communities to be granted a substantial grant of 2 million dollars for infrastructure improvement.

Presentation of new infrastructure plans were shown. Easier for motorist to use with bicycle and pedestrian accommodation. Realignment of road for buses and firetrucks to turn with ease and not impede on the other side of the road in the line of oncoming traffic. Realignment of roads along with traffic lights and stop signs to improve site lines and pedestrian safety.

The simulation model that was shown is a model widely accepted and used by Massachusetts Transportation. It relies on specific traffic inputs that reflect actual traffic counts, truck percentages, pedestrian, and bicycle volumes, roadway geometry, signal time and phasing inputs. Vehicle queues will be properly managed at this location. This signal model would be a queue of 6-10 compared to the current 10-20 vehicles for the bridge. To look at Railroad Ave, we would expect 2-3 vehicles to be queued, and Laurel Ave would be 6-8 vehicles to be queued. The queuing itself does not mean the wait time would be long.

The traffic wait time will be shorter. One out of five of the trips across the bridge will be transit related. In terms of research, it would be an additional of 1 vehicle per minute added to the traffic and would not overall affect the waiting time.

Removing parking spaces along Elm and creating a bike bath. Eliminating the parking spots will free up friction. If they would remain there it would be in direct conflict with objectives of the Mass works grant which is to provide bicycle accommodation features, approve pedestrian accessibility and to allow proper vehicular flow.

Bill Pillsbury speaks of the waterfront zoning that was created for this specific subzone. This project going forward is a City/Developer project, not a state project. There will be no MASS DOT surprises, it will be developed and processed by the City.

Tim Love and Will Cohen from Utile expressed support for the proposal.

Dan Callahan of Laurel Ave spoke in support of the proposal.

John Pettis, City Engineer spoke in support and explained the peer review process

Mike Santos of BSC Group conducted the peer review of traffic study -he stated all traffic issues had been addressed.

Steve Doherty, real estate owner in City, spoke in support.

Mike Gagliardi, business manager for Laborers International Union, spoke in support.

Steve Pascoe, developer, and landlord in city, spoke in support.

Danielle Smida, 17 Lexington St, spoke in support.

Kay Herlihy, 4 Riverdale Ter, spoke in support.

Robert Fournier of 76 Pleasant Ave, spoke in favor of proposal.

Mike Katsoulis of 119 South Elm St spoke in opposition with concerns about increased population, traffic and infrastructure.

Katrina Hobbs Everett of 41 South Central St, was in opposition but impressed by presentation - concerned about housing needs in Haverhill.

Lou Fossarelli, business owner of 297 south Main St, opposed because of traffic concerns.

Paul Abreu, 53 Blossom St. opposed - concerns about school needs and traffic issues.

Hearing closed.

Councillor Daly O'Brien called for the vote. Councillor McGonagle seconded the motion. He made positive comments about the project. Council Daly O'Brien made positive comments - moving of lay over station and preference that will be given to resident workers, and support for the park.

Councillor Jordan asked about barriers being installed to protect children from entering the river. Mike Procopio responded - playground will be fenced in, splash park has its own kind of barrier - secured and gated. Councillor Jordan expressed concerns about school overcrowding and traffic. He said there is a lot he likes about the project and intends to support it.

Councillor Macek spoke next. He asked about installation of electric car charging stations. Mr Procopio responded they would. Councillor Macek asked about bike storage and Mr Procopio responded they would have that. He then answered Councillor Macek's questions about snow storage/removal and trash/storage removal - all trash internal and snow removal may be removed and sent offsite if they cannot come to solution that would work for the Conservation Commission. Mike stated that the project will not really be done in phases. He also stated that regarding the park, the city would be taking it over when completed. Councillor Macek expressed support for the project.

Councillor LePage asked about call boxes on the rail trail. Mr Procopio stated that was not something they thought of but would be willing to install those. Councillor LePage asked about public parking, traffic concerns with workers on the project and Mr Procopio responded. Councillor LePage expressed support for the project.

Councillor Sullivan then spoke in support of project.

Councillor Michitson spoke - he does have some concerns about the traffic issues and asked about Zipcars. Mr Michaud says they are open to such ideas, but it is ultimately up to the companies. He said they would be charging tenants for their parking. They are part of the MVTMA, a regional transportation management association. They will provide transit information to residents. Mr Procopio said they would be exploring bike or scooter sharing. Councillor Michitson expressed support for the proposal.

Councillor Bevilacqua spoke next. He said he did not support bike lanes or scooter sharing. He asked that one of the conditions be that any and all conditions of city departments be included. He spoke in favor of the traffic plan and increased transit usage. He requested adding as a condition that the company take on landscaping of the Wood School. Mr. Procopio agreed. Councillor Bevilacqua's second condition is that all traffic improvements are in place and functional when occupancy permits are issued.

Councillor Bevilacqua made a motion on his conditions with a second from Councillor Jordan. **9 yeas, 0 nays. PASSED**

Motion of Councillor Macek, project meets all conditions of departments, and snow removal be appropriate. Seconded by Councillor Jordan. Vote- **9 yeas, 0 nays. PASSED**

Condition of Councillor LePage, call boxes on rail trail. Seconded by Councillor McGonagle. Vote: **9 yeas, 0 nays. PASSED**

Councillor Jordan condition - \$250,000 for lights on north side of Comeau bridge. Seconded by Councillor Macek. Vote: **9 yeas, 0 nays. PASSED**

Councillor Michitson conditions - Zipcar as a possibility to be installed, commitment by company to join Merrimack Valley TVM, and install a flashing pedestrian crossing light at midpoint of Laurel Ave. at crosswalk. Seconded by Councillor Macek. **9 yeas, 0 nays. PASSED**

William Pillsbury spoke requesting the council bundle all conditions passed to they can be passed through to the development review process.

Councillor LePage made motion to bundle all conditions with vote for approval. Seconded by Councillor Jordan - **vote 9 yeas, 0 nays PASSED**

President Barrett spoke and explained her reason for her nay vote - traffic, burden on schools, question of what happens when Basiliere Bridge be replaced. Believes Bradford will become an island that you cannot get off and a food desert.

Motion to vote on permit including all conditions, approval of all waivers requested: 1st waiver request: **Preferred projects within Waterfront District H may increase density to 40 units per acre** -proposed project is for 290 units on 6.81 acres of land, which equates to 42.6 units per acre. A waiver to develop a project with 290 units is requested to satisfy the 290 units stated in the \$1.95m MassWorks Grant for traffic

and infrastructure improvements associated with our transit oriented development

2nd waiver request: **19-foot long ninety-degree parking spaces are required pursuant to CH. 255 6.1.4.5** -requesting a waiver as the 291 ninety-degree podium garage parking spaces are dimensionally shorter than 19 feet. The vast majority of spaces planned in the podium garage are 18-feet long, with a few being 17-feet long. Smaller parking stall sizes are typical for garage parking spaces in the market and are generally more appropriate than larger surface lot spaces.

3rd waiver request: **491 parking spaces are required for the proposed mixed-use (Multifamily Residential, Retail & Restaurant) development plan per zoning** - The proposed project currently plans to offer 347 parking spaces. A waiver is requested due to the project being a transit-oriented development with many residents commuting via public transportation provided at the Bradford MBTA Commuter Rail station directly across the street from the development, which also offers sufficient additional off-street parking options for the development's residents and visitors. The proposed amount of parking also mitigates the modest projected additional traffic volume of the project to area roads-

Motion by Councillor Daly O'Brien, seconded Councillor McGonagle - **vote 8 yeas, 1 nay (Barrett). PASSED**

11 Appointments:

- 11.1 Confirming Appointments
- 11.2 Non-Confirming Appointments
- 11.3 Resignations

12 Petitions:

- 12.1 Applications Handicap Parking Sign
- 12.2 Amusement/Event Applications:
- 12.3 Tag Days
 - 12.3.1 *HHS Wrestling* June 12, 13
Motion by Councillor Jordan, Second by Councillor Vice President LePage Yeas 9, Nays 0 PASSED

52-B

12.4 One Day Liquor License:

12.5 Annual License Renewals:

- 12.5.1 Hawker Peddlers License 2021 – Fixed location
- 12.5.2 Coin-Op License Renewals 2021
- 12.5.3 Drainlayer License for 2021 – with City Engineer approval
- 12.5.4 Christmas Tree Vendor
- 12.5.5 Taxi Driver Licenses for 2021
- 12.5.6 Taxi License/ Limo/Livery:
- 12.5.7 Junk Dealer License
- 12.5.8 Pool Tables
- 12.5.9 Sunday Pool
- 12.5.10 Bowling
- 12.5.11 Sunday Bowling
- 12.5.12 Buy & Sell Second Hand Articles
- 12.5.13 Buy & Sell Second Hand Clothing
- 12.5.14 Pawnbroker license
- 12.5.15 Fortune Teller
- 12.5.16 Buy & Sell Old Gold
- 12.5.17 Roller Skating Rink
- 12.5.18 Sunday Skating
- 12.5.19 Exterior Vending Machines – 2021 renewals
- 12.5.20 Limousine/Livery License/Chair Cars

13 Motions and Orders

14 Ordinances (File 10 days)

15 Communications from Councillors:

- 15.1 Council President Barrett and Councillor Michitson request to make remote, virtual participation in public hearings and meetings a permanent fixture of City government
Motion to postpone until next City Council Meeting – Motion by Councillor Michitson, Second by Councillor Bevilacqua
Yeas 9, Nays 0
PASSED

63-B

15.2 Councillor Michael McGonagle requests removal of a handicap parking space at 58 Webster St, as it is no longer needed
Motion by Councillor McGonagle, Second by Councillor Jordan Yeas 9, Nays 0
PASSED

63-C

- 16 RESOLUTIONS and PROCLAMATIONS:
- 17 Council Committee Reports and Announcements: NONE
- 18 Documents referred to committee study
- 19 Long term matters study list
- 20 Adjourn
- Motion to adjourn by Councillor Sullivan, Second by Councillor Jordan Yeas 9, Nays 0