



# CITY OF HAVERHILL

## CITY COUNCIL MINUTES

Tuesday, December 12, 2023 at 7:00 PM

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

In-Person/Remote Meeting

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Present – President Jordan, Councilors Barrett, Sullivan, Michitson, Lewandowski, McGonagle, Rogers, and Toohey

Attending Remotely – Councilor Bevilacqua

City Clerk – Kaitlin M. Wright

### 1. OPENING PRAYER

### 2. PLEDGE OF ALLEGIANCE

### 3. APPROVAL OF MINUTES OF PRIOR MEETING

*Motion by Councilor Bevilacqua to approve November 28<sup>th</sup> minutes, second Councilor Barrett*

*PASSED Placed on File Yeas 9, Nays 0*

*Motion by Councilor Sullivan to approve December 5<sup>th</sup> minutes, second Councilor Barrett*

*PASSED Placed on File Yeas 9, 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 Fiorentini requests to introduce BETA Engineering, the City's consultant working on the pavement management plan. They will be providing a PowerPoint presentation detailing the plan specifics. 103-E

Mayor Fiorentini introduced the BETA Group. Anthony Gerro, Sr. Vice President along with Tito Sanchez, Project Manager. Mr. Gerro gave a PowerPoint presentation outlining the city's pavement management plan.

5.2. Mayor Fiorentini and Council President Jordan request to introduce *Whittier Regional Vocational Technical High School's* Superintendent Maureen Lynch who will be giving a presentation on the MSBA *Whittier Tech* new Building Project. 103-F

Maureen Lynch, Superintendent of Whittier Tech, who gave a PowerPoint presentation on the MSBA Whittier Tech new building project. She also introduced her team Kara Kosmes, Chris Laganas, Robert Hardy, Tia Gerber, David Saindon, Doug Roberts, Alicia Carintano and John LaMarre. The website to find all the information on the project is [www.buildingthefutureofwhittier.org](http://www.buildingthefutureofwhittier.org). The public vote for the school is January 23, 2024.

Several citizens spoke in support the new school Alex Valhouli, Amanda Crosby, Mary Ellen Daly O'Brien, Jay Faxon, Debbie Gange, Natalie DeLeno, Nichols Gavina.



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5.3. Mayor Fiorentini submits the following Order for display of flags on City Hall Property for approval 103-G

5.3.1. **Order** – Guidelines For The Display of Flags on City Hall Property  
*related communication from City Solicitor William Cox*

*Motion by Councilor Sullivan, second Councilor Toohey*

PASSED Yeas 8, Nays 0, Absent 1 (Bevilacqua) 103-GG

5.4. Mayor Fiorentini submits the following Home Rule Petition regarding Electric Vehicle Charging Stations for approval 103-H

5.4.1. **Home Rule Petition** – An Act Establishing Guidelines for the Installation and Use of Electric Vehicle Charging Stations in the City of Haverhill  
*related communication from City Solicitor William Cox*

*Motion by Councilor Michitson to send to A&F in order to coordinate with Condo Associations, second Councilor Lewandowski*

PASSED send to A&F Yeas 8, Nays 0, Absent 1 (Bevilacqua) 103-HH

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

6.1. Councillor McGonagle requests to introduce Patrick Menzie who would like to present a check to *Northeast Veterans Outlook Outreach* to start heating assistance program for Veterans 83-H

Patrick Menzie addressed the Council presented a \$10K check to Veterans Outreach Center for heating assistance.

Jim Behen, Outreach Coordinator, explained the services provided by VNEOC for Veterans.

6.2. Council President Jordan requests to introduce Jeff Grassie of the *Cogswell Club*. He will speak briefly about the Club and then introduce this year's nonprofit beneficiaries, Jonathan Pramas of the *Haverhill Downtown Boxing* and Lisbeth Valdez director of *MakeIT Haverhill* 83-I

Jeff Grassie gave a summary of the Cogswell Club. He announced the nonprofit beneficiaries Lisbeth Valdez of MakeIT Haverhill and Jonathan Pramas of Haverhill Downtown Boxing. Each gave a summary of their programs.

#### 7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28



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

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

**10. HEARINGS AND RELATED ORDERS:**

- 10.1.1. Document 96; Petition from Attorney Migliori representing Ronald Judkins for Hearing CCSP 23-14 Special Permit to build a 2 family at 0 Stanley dr which is in the Watershed Protection Overlay District  
*comments from departments are included*

**President Jordan opened the hearing.**

Michael Migliori appeared before the Council representing Ronald Judkins for a special permit. The property is located on Stanley Drive. The parcel consists of 10K square feet. Mr. Judkins is proposing to construct a two-family home on the parcel where he plans on residing in the larger home and father will be in the smaller one. Lot is in the RH Zoning district which allows two-family homes. Because the property is located in the WSOD, the proposed use requires a special permit from the Council.

George Zambouras, Engineer, highlighted items in his report which was drafted to ensure standards are met for the WSOD.

Councilor concerns were water drainage from property affecting area and existing houses; impact of the project; and missing requirements of the application.

Attorney Migliori stated the city department heads reviewed this extensively and were satisfied.

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?

Those speaking in opposition were James Allen, Arthur Tzitzon, Paul Magliocchetti for Linda and Edward Baxter.

**President Jordan closed the hearing.**

*Motion by Councilor McGonagle, second Councilor Sullivan*

Councilor McGonagle commented on his disappointment with not coming fully prepared.

Councilor Rogers agrees with protecting water shed and disappointed it is a two-family.

Councilor Michitson suggested sending it back to department heads for answers. Thinks developer should reconsider to make it a single-family home.

Councilor Barrett would like to add several conditions if feels will go forward.

Councilor McGonagle will add to his motion with approval of all city departments.



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Councilor Michitson asked instead of voting down, send it back to make sure all appropriate information is provided and developer come back with a one family home design.

Councilor McGonagle asked president for a point of order. Applicant has an avenue if it is voted down, he will come back as a material change.

**President Jordan:** *Motion by McGonagle to approve with department conditions, second Councilor Sullivan.*

**Madam Clerk please call the roll.**

City Clerk Wright: Vice President Michitson-no, Councilor Barrett-no, Councilor Bevilacqua-absent, Councilor Sullivan-no, Councilor Lewandowski-no, Councilor McGonagle-no, Councilor Rogers-no, Councilor Toohey-no, President Jordan-no, 0 Yeas, 8 Nays, 1 Absent (Bevilacqua)

**President Jordan: FAILED**

#### 11. APPOINTMENTS:

##### 11.1. Confirming Appointments:

##### 11.2. Non-Confirming:

##### 11.3. Resignations:

##### 11.4. PETITIONS:

11.4.1. Petition from Johnson & Borenstein, LLC for applicant *D & D Realty Trust* to accept the applicant's request to *withdraw* their application for CCSP 20-5, 0 Brandy Brow rd

*Motion by Councilor Barrett, second Councilor Toohey*

*PASSED withdrawn Yeas 8, Nays 0, Absent 1 (Bevilacqua) 108*

11.4.2. Petition 110726 from TJ Melvin on behalf of Steve Paquette, requesting hearing to have O'Leary Way accepted as a public way Refer to Planning Board & Council Hearing Jan 9, 2024

*Motion by Councilor Sullivan, second Councilor Rogers*

*PASSED to be heard January 9<sup>th</sup> Yeas 8, Nays 0, Absent 1 (Bevilacqua) 109*

##### 11.5. Applications Handicap Parking Sign: *with Police approval*

##### 11.6. Amusement/Event Application - *with Police approval*

##### 11.7. Auctioneer License:

##### 11.8. Tag Days: *with Police approval*

11.8.1. *HHS Boys Swim & Dive, December 30 & 31*



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**PASSED**

*Yeas 8, Nays 0, Absent 1 (Bevilacqua)*

3-T

11.9. **One Day Liquor License** – with License Commission & Police approval

11.10. **Annual License Renewals:**

11.10.1. **Hawker Peddlers License- Fixed location** – w/Police approval

11.10.2. **Coin-Op License Renewals** – with Police approval

11.10.2.1. *Academy Lanes, 725 South Main st, 12 Coin-ops*

*Motion by Councilor Sullivan, second Councilor Rogers*

**PASSED**

*Yeas 8, Nays 0, Absent 1 (Bevilacqua)*

13-G

11.10.2.2. *Crescent Yacht Club, 30 Ferry st, 2 Coin-ops pending HPD approval*

*Motion by Councilor Sullivan, second Councilor Barrett*

**PASSED**

*All in Favor*

13-H

11.10.3. **Christmas Tree Vendor** – with Police approval

11.10.4. **Taxi Driver Licenses for 2023:** with Police approval

11.10.5. **Taxi/Limousine License** with Police approval:

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

11.10.7. **Sunday Pool**

11.10.8. **Bowling**

11.10.9. **Sunday Bowling**

11.10.10. **Buy & Sell Second Hand Articles** with Police approval

11.10.11. **Buy & Sell Second Hand Clothing**

11.10.12. **Pawnbroker license** - with police approval

11.10.13. **Fortune Teller** with - Police approval

11.10.14. **Buy & Sell Old Gold** – with Police approval

11.10.15. **Roller Skating Rink**

11.10.16. **Sunday Skating**

11.10.17. **Exterior Vending Machines/Redbox Automated Retail, LLC**

11.10.18. **Limousine/Livery License/Chair Cars** with Police approval

## 12. MOTIONS AND ORDERS:

## 13. ORDINANCES (FILE 10 DAYS)

## 14. COMMUNICATIONS FROM COUNCILLORS:

- 14.1. Council President Jordan and Councilor Sullivan request to discuss asking the City Solicitor draft an Order to update the rules for passing agenda items before Council beginning in January 2024, specifically that for passage of an item by a simple majority vote, it will require 6 affirmative votes and for passage of an item requiring a 2/3 majority



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vote, it will require 8 affirmative votes. The rationale for doing this now being that we want the correct numbers in place in time for our first regular meeting in January. A complete review of the remainder of current Council rules and regulations will take place in January.

*Motion by Councilor Sullivan, second Councilor Barrett*  
**PASSED** *All in Favor*

110

**15. UNFINISHED BUISINESS OF PRECEEDING MEETING:**

15.1. Mayor submits Memorandum of Agreement (MOA) & Salary Ordinance between City of Haverhill and the *Haverhill Superior Officers* from November 28 2023

*Motion by Councilor Sullivan, second Councilor Barrett*  
**PASSED** *Yeas 8, Nays 0, Absent 1 (Bevilacqua)*

15.2. Document 34-H; Memorandum of Agreement between City of Haverhill and the *Haverhill Superior Officers*

*Motion by Councilor Sullivan, second Councilor Barrett*  
**PASSED** *Yeas 8, Nays 0, Absent 1 (Bevilacqua)*

15.3. Document 35-I; Ordinance re: Salaries – *Superior Officers Group* filed November 30 2023

*Motion by Councilor Barrett, second Councilor Lewandowski*  
**PASSED** *Yeas 8, Nay 0, Absent 1 (Bevilacqua)*

**16. RESOLUTIONS AND PROCLAMATIONS:**

**17. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS**

**18. DOCUMENTS REFERRED TO COMMITTEE STUDY**

**19. LONG TERM MATTERS STUDY LIST**

**20. ADJOURN :**

*Motion by Councilor Sullivan, second Lewandowski*  
**PASSED** *Yeas 8, Nays 0, Absent 1 (Bevilacqua)*

Adjourned 22:11