



**CITY OF HAVERHILL  
CITY COUNCIL MINUTES**

**December 3, 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, Michitson, Ferreira, Jordan, Toohey, McGonagle, LePage and Rogers

Remote: None

Absent: Councilors Hobbs Everett, Lewandowski

City Clerk: Kaitlin M. Wright

**1. OPENING PRAYER**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF MINUTES OF PRIOR MEETING**

COUNCILOR BASILIERE STATED HE REVIEWED THE MINUTES AND FINDS THEM IN ORDER.

MOTION BY COUNCILOR BASILIERE TO APPROVE, SECOND BY COUNCILOR TOOHEY

PASSED

YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT-LEWANDOWSKI)

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

PRESIDENT SULLIVAN ASSIGNED THE MINUTES TO COUNCILOR MICHITSON

**5. COMMUNICATIONS FROM THE MAYOR:**

5.3 Mayor Barrett would like to introduce Mollie MacIntosh of Haverhill as 2024 National Champion of Major League Baseball Pitch, Hit and Run Competition in the 7–8-year-old age bracket and present her with a citation recognizing her outstanding achievement

Mayor Barrett congratulated Mollie on her achievement as the National Champion of Major League Baseball Pitch, Hit and Run competition. The Mayor introduced Mollie's Dad Michael MacIntosh and he informed the council of all the success Mollie had this year.

Mayor Barrett and President Sullivan on behalf of the entire City Council presented citations.

93-L

5.1. Mayor Barrett, along with Councillor John Michitson and State Representative Andy Vargas, would like to discuss the *Mass Leads Act: An Act Relative to Strengthening MA Economic Leadership* and recommend the Council send this issue to the Planning and Development Committee for discussion with our State delegation

15.1 Councillor Michitson recommends a *Planning & Development Committee* meeting with Haverhill's State Delegation to address how Haverhill can effectively leverage the newly signed \$4B State Economic Development Bill, which is a direct match with Haverhill's Summit Plan

MAYOR BARRETT INFORMED THE COUNCIL THAT MAYBE WE ARE A STEP AHEAD OF OTHER COMMUNITIES AS REP. ANDY VARGAS, COUNCILOR MICHITSON AND ALEX EBERHARDT HAD A SUMMIT DISCUSSING POSSIBILITIES OF WHAT HAVERHILL HAD TO OFFER. SHE ALSO STATED THAT OUR DELEGATION IS UNIQUELY POSITIONED AND VERY STRONG AND WILL HELP US FIGURE OUT HOW TO CAPITALIZE ON THIS BILL.

COUNCILOR MICHITSON STATED WE WOULD LIKE TO ORGANIZE THE CITY TO LEVERAGE THIS BILL. HE NOTED ITS IN CLOSE ALIGNMENT WITH THE ECONOMIC DEVELOPMENT PLAN THAT WE CAME UP WITH BASED ON THE SMART MANUFACTURING CONFERENCE. AT THAT GLOBAL CONFERENCE WE FOCUSED ON ADVANCED MANUFACTURING, LIFE SCIENCES, BIOTECH AND CLIMATE TECH. THESE SLIDES SHOW THAT THE OFFICIALS THAT ACTUALLY WROTE THIS BILL WERE HERE IN SUPPORT OF WHAT HAVERHILL WAS TRYING TO DO. HE GAVE EXAMPLES OF WHAT WAS IN THE BILL SUCH AS STATEWIDE INTERNSHIP TAX CREDIT PROGRAM. HE NOTED THERE WAS ALSO 200 MILLION DOLLARS IN CLEAN ENERGY AND 500 MILLION DOLLARS FOR LIFE SCIENCE CAPITAL FUND. HE NOTED HIS PERSONAL OPINION IS TO FOCUS ON ADVANCED MANUFACTURING AS WELL AS WORKFORCE



**CITY OF HAVERHILL  
CITY COUNCIL MINUTES**

**December 3, 2024 at 7:00 PM**

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

**In-Person/Remote Meeting**

DEVELOPMENT. HE WOULD RECOMMEND SENDING THIS TO PLANNING AND DEVELOPMENT COMMITTEE AND INVITE THE STATE DELEGATION.

MOTION BY COUNCILOR MICHITSON TO SEND TO PLANNING AND DEVELOPMENT, SECOND BY VICE PRESIDENT JORDAN

President Sullivan stated I would add there's 90 million for underutilized property, 30 million for Brownfield redevelopment as well as 10 million for broadband.

MOTION BY COUNCILOR MICHITSON TO SEND TO PLANNING AND DEVELOPMENT, SECOND BY VICE PRESIDENT JORDAN  
PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI)

91J

5.2. Mayor Barrett announces that Bob Ward, DPW Director, will attend the meeting to provide information and answer questions regarding the Water Service Line Survey Program letters recently sent to Haverhill water customers

MAYOR BARRETT INTRODUCED ROBERT WARD TO INFORM THE COUNCIL ABOUT THE WATER SERVICE LINE SURVEY PROGRAM LETTERS SENT OUT. SHE NOTED THAT WE DO KNOW THAT 300 HOUSES IN THE CITY DO HAVE LEAD.

ROBERT WARD, DPW DIRECTOR, ADDRESSED THE COUNCIL. I WILL FIRST APOLOGIZE FOR ALARMING PEOPLE. HE PRESENTED A POWERPOINT PRESENTATION. HE EXPLAINED ABOUT HOW THE WATER SERVICE LINE IS OWNED BY THE PROPERTY OWNER. HE STATED THAT OUR SYSTEM DATES BACK BEFORE 1900. HE NOTED THAT LEAD WAS USED IN HOMES BUILT BEFORE 1940, AND WE KNOW THAT LEAD CAUSES HEALTH PROBLEMS. HE NOTED THAT THE CITY HAS BEEN CHIPPING AWAY AT THE LEAD SERVICES. HE NOTED THAT CDBG MONEY IS AVAILABLE FOR INCOME ELIGIBLE. THE KEY THINGS ABOUT REPLACING LEAD SERVICES IS YOU DON'T REPLACE PART OF IT. HE INFORMED THE COUNCIL THAT THE NOTICES WERE SENT OUT WITH A DEADLINE FROM MASSDEP AND EPA. HAVERHILL HAS BEEN TREATING AND TESTING THE WATER FOR LEAD SINCE 1993. OUR MOST RECENT TESTING WAS LAST YEAR AND THE RESULTS WERE NON-DETECT. HE NOTED THAT THE NOTICES WERE SENT OUT WITH MANDATORY LANGUAGE. HE INFORMED THE COUNCILORS THAT THE NOTICE HAD A WAY FOR RESIDENTS TO DO A SELF-INSPECTION. HE INFORMED THE COUNCILORS THAT AT NO COST TO THE RESIDENT THE WATER DEPARTMENT STAFF CAN GO IN AND DO INSPECTIONS. HE NOTED THAT THIS WHOLE PROGRAM IS FUNDED BY A GRANT BY DEP. HE STATED HOW RESIDENTS CAN HELP BY PERFORMING SELF INSPECTIONS, SUBMITTING RESULTS TO A WEBSITE, CALLING THE WATER DEPARTMENT AT 978-374-2368 OR MAKE AN APPOINTMENT WITH THE CITY'S CONTRACTOR. FOR MORE INFORMATION ON LEAD IN DRINKING WATER [HTTPS://WWW.MASS.GOV/INFO-DETAILS/LEAD-IN-DRINKING-WATER - HAVERHILL'S WATER SERVICE LINE INVENTORY](https://www.mass.gov/info-details/lead-in-drinking-water-haverhill) [HTTPS://HAVERHILL-SERVICE-LINE-INVENTORY-HAVERHILLMA.HUB.ARCGIS.COM/#INSPECT](https://haverhill-service-line-inventory-haverhillma.hub.arcgis.com/#inspect) - WATER DEPARTMENT CALL 978-374-2368 OR EMAIL [LSL@HAVERHILLMA.GOV](mailto:LSL@HAVERHILLMA.GOV)

COUNCILOR BASILIERE ASKED IF THE TREATMENT FOR LEAD IS THE FUNCTION OF CHEMICAL ADDITIVES OR CHARCOAL FILTRATION?

ROBERT WARD STATED IT'S A CHEMICAL ADDITIVE.

COUNCILOR BASILIERE ASKED THAT IF PEOPLE HAVE THE LEAD PIPES THAT THE DRINKING WATER IS IN FACT SAFE?

ROBERT WARD STATED CORRECT.

COUNCILOR FERREIRA ASKED ABOUT MULTIFAMILY HOMES AND APARTMENT BUILDINGS, WAS IT THE LANDLORD OR TENANTS THAT WERE NOTIFIED?

ROBERT WARD STATED I BELIEVE WE SENT IT TO THE PROPERTY OWNER AND THE ADDRESS. THERE WAS ALSO A NOTE IN THERE TO PASS IT AROUND.

COUNCILOR FERREIRA STATED SHE IS A FAN OF STREAMLINED NOTIFICATION CITYWIDE. SHE STATED SHE WISHES IT WOULD BE JUST ONE PROGRAM. I WOULD LOVE TO PUSH FOR THAT AND IT WOULD BE A HUGE SUPPORT FOR THE CITY. SHE ALSO NOTED WHEN YOU CLICK ON THE WATER DEPARTMENT WEBSITE THE WHOLE PAGE IS BLANK.

ROBERT WARD STATED WE CAN ADD THIS TO THE FRONT PAGE OF THE CITY'S WEBSITE. THE LIMITATIONS ON THE CALL SYSTEMS IS THE DATA BASES THAT THEY HAVE ACCESS TO.

MAYOR BARRETT STATED THIS NOTIFICATION WASN'T ROLLED OUT AS I WOULD HAVE LIKED, AND WE WILL STRIVE TO DO BETTER.



**CITY OF HAVERHILL  
CITY COUNCIL MINUTES**

**December 3, 2024 at 7:00 PM**

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

**In-Person/Remote Meeting**

COUNCILOR FERREIRA ASKED IF THE INSTRUCTIONS TO SIGN UP FOR EVERBRIDGE COMMUNICATION COULD BE PUT FRONT AND CENTER ON THE CITY WEBSITE AS A REFRESHER.

CITY CLERK WRIGHT STATED THE SIGN UP FOR THE ALERTS IS ON THE FRONT PAGE OF THE WEBSITE.

COUNCILOR MICHITSON ASKED IF THE CITY WASN'T DOING WORK IN THE AREA WHAT WOULD THE COST BE FOR A RESIDENT TO REMOVE THE LEAD?

ROBERT WARD STATED IT COULD RANGE FROM \$1,200 TO \$8,000-\$10,000. HE NOTED ONE OTHER FACT LEAD WAS PROHIBITED IN 1987 OR LATER YOU DO NOT HAVE LEAD. 91-K

5.4 Mayor Barrett submits Memorandum of Agreement (M)A) between the City of Haverhill and *Citizen Center, Water Department and Engineering Department Teamsters Local 170 Groups* to be placed on file for 10 days

5.4.1 Memorandum of Agreement between the City of Haverhill and the  
*Citizen Center Group* File 10 days

MOTION BY COUNCILOR MCGONAGLE TO PLACE ON FILE FOR 10 DAYS, SECOND BY VICE PRESIDENT JORDAN  
PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 14-F

5.4.2 Memorandum of Agreement between the City of Haverhill and the  
*Water Department Group* File 10 days

MOTION BY COUNCILOR MCGONAGLE TO PLACE ON FILE FOR 10 DAYS, SECOND BY COUNCILOR ROGERS  
PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 14-G

5.4.3 Memorandum of Agreement between the City of Haverhill and the  
*Engineering Group* File 10 days

MOTION BY VICE PRESIDENT JORDAN TO PLACE ON FILE FOR 10 DAYS, SECOND BY COUNCILOR ROGERS  
PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 14-H

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

6.1 Councillor McGonagle requests to introduce Freddy Castaneda who is seeking a Home Rule Age Waiver Petition for the position of police officer in the City of Haverhill 93-M

6.1.1 Order – Home Rule Petition be adopted by the City Council and forwarded to the General Court – An Act authorizing Freddy Castaneda to take the Civil Service Examination for the position of police officer in the City of Haverhill notwithstanding the maximum age requirement

FREDDY CASTANEDA ADDRESSED THE COUNCIL STATING HE IS SEEKING AN AGE WAIVER TO TAKE THE POLICE OFFICER EXAM.  
MOTION BY COUNCILOR MCGONAGLE, SECOND BY VICE PRESIDENT JORDAN  
PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 73-J

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



**CITY OF HAVERHILL  
CITY COUNCIL MINUTES**

**December 3, 2024 at 7:00 PM**

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

**In-Person/Remote Meeting**

---

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

8.1 Angel A Perkins, City Auditor & Chief Financial Officer submits the revenue and expense reports for the City's general and enterprise budgets for October 2024

MOTION BY COUNCILOR MICHITSON TO PLACE ON FILE, SECOND BY COUNCILOR MCGONAGLE

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 17-R

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

**10 HEARINGS AND RELATED ORDERS:**

10.1 CCSP 23-16, Document 83; application to build/install a large-scale solar field off Lovers Lane from applicant Christopher Anderson of Hannigan Engineering Inc for SPI Solar, Inc *Continued from October 29, 2024, Related communication from Attorney Robert Harb, requesting for applicant and owner to continue hearing to December 17, 2024*

MOTION BY COUNCILOR MCGONAGLE TO CONTINUE HEARING TO DECEMBER 17, 2024, SECOND BY COUNCILOR ROGERS

PASSED CONTINUE TO 12.17.24 YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI)

**11 APPOINTMENTS:**

- 11.1 Confirming Appointments:
- 11.2 Non-Confirming
- 11.3 Constables to expire December 31, 2024
- 11.4 Resignations:

**12 PETITIONS:**

12.1 Applications Handicap Parking Sign: *with Police approval*

12.2 Amusement/Event Application – *pending departments approval*

12.2.1 12.2.1 EVNT-24-8 - request from Eva Montibello to hold *Haverhill Christmas Stroll*, on December 6<sup>th</sup>, from 4 to 7 pm; Parade Chairman, to hold the *Haverhill Santa Parade*, in Washington Sq and requests any additional fees be waived

CITY CLERK WRIGHT NOTED DEPARTMENT APPROVALS HAVE BEEN RECEIVED.

CITY CLERK WRIGHT STATED AS OF TODAY ALL DEPARTMENT APPROVALS HAVE BEEN RECEIVED.

EVA MONTIBELLO ADDRESSED THE COUNCIL. SHE STATED THAT THEY HAVE ADDED TWO EXTRA HOURS OF CHILDREN'S ACTIVITIES. THERE WILL BE MUSIC FOR UPWARDS OF TWO HOURS. SHE NOTED THAT WE WILL BE HAVING MOSTLY PACKAGED FOODS. ONE VENDOR IS ON WASHINGTON STREET AND THEY ARE COVERED BY THEIR HEALTH PERMIT. SECOND VENDOR HAS PULLED THEIR HEALTH PERMIT.

PRESIDENT SULLIVAN ASKED WHAT TIME THE TREE LIGHTING CEREMONY WOULD BE IN WASHINGTON SQUARE?

EVA MONTIBELLO STATED THE CHILDREN'S PROGRAMMING IS FROM 4:30-6:30 AND THE TREE LIGHTING WILL BE 6:30-7:00.



CITY OF HAVERHILL  
CITY COUNCIL MINUTES

December 3, 2024 at 7:00 PM

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

In-Person/Remote Meeting

MOTION BY COUNCILOR ROGERS, SECOND BY COUNCILOR TOOHEY

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 42-U

12.3 **Auctioneer License:**

12.4 **Tag Days:** *with Police approval*

12.4.1 *HHS Boys Basketball Boosters; December 21st*

MOTION BY VICE PRESIDENT JORDAN, SECOND BY COUNCILOR ROGERS

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 20-P

12.5 **One Day Liquor License** – *with License Commission & HPD approval*

12.6 **ANNUAL LICENSE RENEWALS:**

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

12.6.2 **Coin-Op License Renewals** – *with Police approval*

12.6.2.1 *AMUS 24-3; Crescent Yacht Club, 30 Ferry st, 2*  
*Machines*

MOTION BY VICE PRESIDENT JORDAN, SECOND BY COUNCILOR MCGONAGLE

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 22-C

12.6.2.2 *AMUS 24-4; Market Basket, 285 Lincoln av, 3*  
*Machines*

MOTION BY COUNCILOR MCGONAGLE, SECOND BY VICE PRESIDENT JORDAN

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 22-D

12.6.2.3 *AMUS 24-5; American Legion, 1314 Main st, 2*  
*Machines*

MOTION BY VICE PRESIDENT JORDAN, SECOND BY COUNCILOR LEPAGE

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 22-E

12.6.2.4 *AMUS 24-6; GLS Associates, Ice Rink, 7*  
*Parkridge rd, 8 Machines*

MOTION BY COUNCILOR LEPAGE, SECOND BY COUNCILOR TOOHEY

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 22-F

12.6.3 **Christmas Tree Vendor** – *with Police approval*

12.6.4 **Taxi Driver Licenses for 2024:** *with Police approval*

12.6.5 **Taxi/Limousine License** *with Police approval*

12.6.6 **Junk Dealer /Collector License** *with Police approval*

12.6.7 **Pool/Billiard**

12.6.8 **Bowling**

12.6.9 **Sunday Bowling**



CITY OF HAVERHILL  
CITY COUNCIL MINUTES

December 3, 2024 at 7:00 PM

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

In-Person/Remote Meeting

- 12.6.10 Buy & Sell Second Hand Articles *with Police approval*
- 12.6.11 Buy & Sell Second Hand Clothing
- 12.6.12 Pawnbroker license - *with police approval*
- 12.6.13 Fortune Teller *with - Police approval*
- 12.6.14 Buy & Sell Old Gold – *with Police approval*
- 12.6.15 Roller Skating Rink
- 12.6.16 Sunday Skating
- 12.6.17 Exterior Vending Machines/Redbox Automated Retail, LLC
- 12.6.18 Limousine/Livery License/Chair Cars *with Police approval*

13 MOTIONS AND ORDERS:

- 13.1 Order – Accept Grant of Easement to CDL Property Construction LLC  
owner of the property located at 346 Hilldale av *related communication*  
*from Lisa Mead & Joseph Rutolo Jr., City Solicitors*

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR TOOHEY

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 76-C

- 13.2 Order – Authorize payment of bill(s) of the previous years and to further  
authorize the payment from current year departmental appropriations as listed:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Sharon Levy	\$5,500.00	Legal Department

MOTION BY COUNCILOR LEPAGE, SECOND BY COUNCILOR TOOHEY

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 23-L

14 ORDINANCES (FILE 10 DAYS)

- 14.1 Ordinance re: Vehicles and Traffic; *Add Handicap parking at 17 Seventh*  
*Avenue* File 10 days

MOTION BY COUNCILOR MICHITSON, SECOND BY VICE PRESIDENT JORDAN

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 11-J

- 14.2 Loan Order – Phase 2 Locke St Area Sewer Separation and Water Main  
Improvements *related communication from Robert E Ward, DPW Director*  
File 10 days

MOTION BY COUNCILOR LEPAGE, SECOND BY COUNCILOR MCGONAGLE

COUNCILOR ROGERS STATED WE WENT UP ON PRICE FOR WATER/SEWER THIS YEAR EVERY TIME WE VOTE ON THIS IS IT NOT INCLUDED IN THE ORIGINAL, THIS IS ALL INCREASING THE FEE.

PRESIDENT SULLIVAN STATED THIS SHOULDN'T BE DISCUSSED TONIGHT BUT I'LL GIVE YOU THE COURTESY.

ROBERT WARD, DPW STATED WE HAVE IT ON OUR CAPITAL IMPROVEMENT 5 YEAR PLAN WHICH WE SUBMIT WITH OUR BUDGET. WHEN WE FORECAST THOSE FIVE YEAR RATES THESE PROJECTS THE DEBT SERVICE IS INCLUDED. ULTIMATELY, THEY DO INCREASE IT.

MOTION BY COUNCILOR LEPAGE, SECOND BY COUNCILOR MCGONAGLE

PASSED YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI) 28-I



CITY OF HAVERHILL  
CITY COUNCIL MINUTES

December 3, 2024 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting

---

- 14.3 Loan Order – Sherwood Water Booster Pumping Station and Persimmon  
Water Booster Pumping Station *related communication from Robert E Ward,*  
*DPW Director* File 10 days

MOTION BY COUNCILOR MICHITSON, SECOND BY VICE PRESIDENT JORDAN

PASSED

YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI)

28-J

15 COMMUNICATIONS FROM COUNCILLORS:

- 15.2 Communication from Councillors Toohey, Lewandowski, and Michitson  
requesting a discussion on 2 Belvidere Road

COUNCILOR TOOHEY STATED I PUT THIS ON THE AGENDA RECENTLY, AND IT'S NOT A NEW ITEM. I WANT TO THANK COUNCILOR MICHITSON AND LEWANDOWSKI FOR THEIR DUE DILIGENCE AND EFFORT ON THIS ISSUE PRIOR. I WASN'T AWARE OF THAT. HE STATED THE INDIVIDUAL, THE OWNER OF 2 BELVIDERE ROAD AND THE REALTOR FRANK NOVAK, WHO WE ALL RESPECT AND LIKE A GREAT DEAL, I HOPE CAME TO ME ABOUT THIS ISSUE. HE NOTED THAT HE DIDN'T WANT TO GET INTO THE LEGAL ISSUES OBVIOUSLY HERE, HOPEFULLY YOU HAVE ALL READ THE PACKET. THERE CERTAINLY IN MY OPINION AS A CITY COUNCILOR DISCREPANCY ON WHAT REALLY TO CALL IT. I KNOW MR. PRESIDENT YOU AND I HAD A CONVERSATION, AND I NEED TO TREAD LIGHTLY, SO IF I STEP OUT OF LINE GUIDE ME IN THE RIGHT DIRECTION. HE STATED I PUT THIS ON BECAUSE WE HAVE AN OPINION FROM THE CITY. WE HAVE AN OPINION FROM THE OWNER, THE ATTORNEY, ATTORNEY HARB IS REPRESENTING THE OWNER. ONCE THIS WAS PRESENTED TO ME, I AM VERY CONFUSED. MY JOB AS A CITY COUNCILOR IS TO BRING IT FORWARD LET MY COLLEAGUES IN ADDITION TO LEWANDOWSKI AND MICHITSON AWARE OF WHAT IS GOING ON. I WAS GOING TO ORIGINALLY RECOMMEND GOING TO A SUBCOMMITTEE ON PLANNING, HOWEVER I THINK ITS PRUDENT THAT MAYBE WE SEND A LETTER, MR. PRESIDENT OR WE HAVE THE PARTIES GET TOGETHER AND POTENTIALLY TRY TO RESOLVE THE ISSUES THAT I SEE THAT ARE IN FRONT OF THEM BECAUSE THE LAST THING I WANT TO DO IS REALLY KICK THE CAN DOWN THE ROAD FOR ANOTHER OWNER AND SO ON. HE NOTED THAT IF YOU READ THE PACKET, MY COLLEAGUES, IF YOU HAVEN'T I RECOMMEND THAT YOU DO. THERE ARE A TREMENDOUS AMOUNT OF DISCREPANCIES IN MY OPINION BUT AGAIN I AM NOT AN ATTORNEY AND I THINK I'LL LET PROFESSIONALS DEAL WITH THAT. I AM HOPEFUL THAT THEY CAN GET TOGETHER VERY SOON BECAUSE THERE IS AN ISSUE WITH SELLING THE PROPERTY. HE STATED I DON'T WANT TO LITIGATE IT TONIGHT; WE DON'T HAVE TO TAKE ANY ACTION AND MAYBE GET A RECOMMENDATION FROM THIS BODY TO URGE MAYBE THE CITY SOLICITOR TO HAVE ADDITIONAL DIALOGUE WITH ATTORNEY HARB AND THE OWNER MR. SPAULDING IF THAT'S POSSIBLE. I CERTAINLY YIELD BACK TO COUNCILOR MICHITSON IF HE WANTS TO SPEAK ON THIS SINCE HE HAD THIS ISSUE.

COUNCILOR MICHITSON SECONDED THE MOTION.

PRESIDENT SULLIVAN STATED IT IS A TITLE RELATED MATTER THAT COULD LEAD IF WE DO NOT COME TO A RESOLUTION IT COULD LEAD TO LITIGATION. WE HOPE IT DOESN'T. WE HOPE IT DOESN'T GO THERE; IT SHOULDN'T HAVE TO GO THERE AND THAT'S WHY WE REALLY SHOULDN'T BE DISCUSSING THIS TONIGHT. HE STATED WE SHOULD GIVE THE PARTIES A CHANCE TO GO BACK TO THE TABLE AND SEE IF THEY CAN WORK THIS OUT. THAT IS THE RECOMMENDATION OF THE COUNCIL. HE STATED THAT I STRONGLY URGE THE MAYOR TO ENCOURAGE THE ENGINEERING DEPARTMENT AND THE LEGAL DEPARTMENT TO SIT WITH ATTORNEY HARB, THE REALTOR AND WHOEVER ELSE. I KNOW COUNCILORS MAY WANT TO BE INVOLVED AND THEY'RE WELCOME TO BE THERE AS WELL. THAT WOULD BE THE PRUDENT THING TO DO AND TRY TO RESOLVE THIS MATTER IN THAT SETTING AS QUICKLY AS POSSIBLE. HE STATED LIKE YOU SAID BECAUSE THEY ARE TRYING TO SELL A PROPERTY THAT IS BEING IMPACTED BY THIS LACK OF CLARITY AS TO TITLE. THAT IS THE MOTION AND SECOND. MADAM CLERK PLEASE CALL A ROLL TO SEND A LETTER TO STRONGLY URGE THE MAYOR WHO HAS ALREADY AGREED THAT THE DEPARTMENTS WOULD BE WILLING TO MEET AGAIN.

MOTION BY COUNCILOR TOOHEY, SECOND BY COUNCILOR MICHITSON

PASSED

YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI)

12-Z



**CITY OF HAVERHILL  
CITY COUNCIL MINUTES**

**December 3, 2024 at 7:00 PM**

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

**In-Person/Remote Meeting**

---

**16 UNFINISHED BUISNESS OF PRECEEDING MEETING:**

**16.1 Document 104; Ordinance Relating To Stormwater; Amend Chapter 219 *filed*  
*November 20, 2024***

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR TOOHEY

ROBERT WARD, DPW STATED CHAPTER 219 REQUIRES DEVELOPMENT AND REDEVELOPMENT THAT DISTURBS 1 ACRE OF LAND TO GET A STORMWATER PERMIT. THIS ORDINANCE WILL MODIFY THE POLLUTANT REMOVAL REQUIREMENTS FOR TOTAL SUSPENDED SOLID AND PHOSPHORUS. THERE ARE A COUPLE OF OTHER MINOR CHANGES THAT ARE PROCESS KIND OF THINGS. THIS IS A REQUIREMENT OF THE CITY'S STORMWATER PERMIT THAT EPA AND DEP ISSUED. THIS WAS ACTUALLY PROMPTED BY A CALL BY EPA.

COUNCILOR MICHITSON ASKED IS THIS A TEMPLATE.

ROBERT WARD STATED YES.

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR TOOHEY

PASSED

YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI)

**16.2 Document 14-D; Memorandum of Agreement (MOA), between City of Haverhill  
& *Inspectional & Nursing Services Group* *filed November 20, 2024***

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR TOOHEY

PASSED

YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI)

**16.3 Document 14-E; Memorandum of Agreement (MOA) between the City of  
Haverhill and *City Hall Clerks Union Group* *filed November 20, 2024***

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR TOOHEY

PASSED

YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI)

**17 RESOLUTIONS AND PROCLAMATIONS:**

**18 COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS**

- VICE PRESIDENT JORDAN WISHED A HAPPY BIRTHDAY TO COUNCILOR LEWANDOWSKI AND ADMIN. ASST. LORI ROBERTSON
- PRESIDENT SULLIVAN WISHED A CONGRATULATIONS TO KAITLIN WRIGHT FOR HER ENGAGEMENT
- COUNCILOR FERREIRA STATED SHE WILL BE PASSING OUT HOT CIDER AT THE CHRISTMAS STROLL AT THE TIME MACHINE STORE AT 41 WASHINGTON STREET 4:30-6:30. SHE STATED IT'S A GREAT NEW SHOP CLOSED MON AND TUES. BUT OPEN THE REST OF THE WEEK 11:00-7:00

**19 DOCUMENTS REFERRED TO COMMITTEE STUDY**

**20 LONG TERM MATTERS STUDY LIST**

**21 ADJOURN:**

MOTION BY VICE PRESIDENT JORDAN, SECOND BY COUNCILOR TOOHEY

PASSED

YEAS 9, NAYS 0, ABSENT 2 (HOBBS EVERETT AND LEWANDOWSKI)

ADJOURNED: 20:12