



CITY OF HAVERHILL
CITY COUNCIL MINUTES

Tuesday, May 5, 2026, at 7:00 PM

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

In-Person/Remote Meeting: <https://meet.google.com/nnu-qegx-nst>

Present: Councilors Jordan, Basiliere, Diodati, Sullivan, Ferreira, Michitson Lewandowski, Toohey, McGonagle and Rogers

Remote: None

Absent: Councilor LePage

City Clerk: Kaitlin M. Wright

Asst. City Clerk: Rose Leonard Flynn

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING:

COUNCILOR DIODATI STATED HE REVIEWED THE MINUTES AND FINDS THEM IN ORDER, SECOND BY COUNCILOR SULLIVAN

PASSED

YEAS 10, NAYS 0, ABSENT 1 (LEPAGE)

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

PRESIDENT JORDAN ASSIGNED THE MINUTES TO COUNCILOR SULLIVAN

5. COMMUNICATIONS FROM THE MAYOR:

- 5.1. Mayor Barrett along with Councilors Sullivan, McGonagle and Basiliere wish to recognize Gateway Academy for recently being awarded the Zakim Award for their efforts fighting food insecurity 1-y

Mayor Barrett and President Jordan presented citations on behalf of the Mayor's Office and City Council. Principal Brian Edmunds thanked the councilors for their recognition.

- 5.2. Mayor Barrett submits a Loan Order for the River Dam Removal and River Restoration Project

- 5.2.1. Order- That \$9,500,000 is appropriated for the purpose of financing the engineering and construction of the Little River Dam Removal and River Restoration project, including the removal of the Little River Dam and the restoration of the channel and floodplain through the Little River Dam impoundment 26-b

THIS VOTE REQUIRES A TWO-THIRDS MAJORITY

ASST. CITY CLERK STATED PLACED ON FILE FOR 10 DAYS.

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR TOOHEY

PASSED

YEAS 10, NAYS 0, ABSENT 1 (LEPAGE)

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

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28:

- 7.1. Elaine Barker wishes to address the City Council to announce a Mother's Day Event being held at All Saints Parish and invite the public to the event 2-c

Elaine Barker addressed the council and invited the public to the Mother's Day event at All Saints Parish on May 10th 2PM for the unveiling of the Life Monument Statue.



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8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

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

10. PUBLIC HEARINGS AND RELATED ORDERS:

- 10.1. **Doc 100 of 2025 - SPFL-25-2;** John McCann for Broco Energy requests to store an additional 30,000 gallons of propane in an above ground storage tank, three additional propane transport trailer trucks with a tank capacity of 12,600 gallons each for a total storage increase of 37,800 gallons of truck storage, and 8,000 gallons in miscellaneous empty customer tanks - the overall propane storage capacity being increased by 75,800 gallons at 168 Hale St

President Jordan opened the hearing.

Robert Brown, owner of Broco Oil, along with John McCann and Jason Balk, addressed the City Council regarding a proposed expansion of the company's propane operations. The applicants explained that the additional storage would support growing demand, improve fuel reliability during emergencies, and accommodate increased rail deliveries and truck distribution. Mr. Brown highlighted the company's investment in infrastructure, use of cleaner fuel blends, and ongoing coordination with the fire department to strengthen safety measures near surrounding residential areas. He also noted the project would create six to eight new jobs and provide potential workforce opportunities through partnerships with local trade schools.

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?

Michael Rousseau (9 Burke Street) spoke in opposition, raising concerns about expanding industrial fuel operations within a densely populated residential neighborhood. He questioned safety measures related to fire and rail risks, site capacity, emergency response readiness, and past incidents, as well as the loss of natural buffers and increasing proximity to homes. He also cited concerns about previous abutter notification, zoning clarity, and whether the facility complies with required fire safety codes.

Judy Hinkle (29 Burke Street) spoke in opposition, expressing safety concerns about the proposed expansion of Broco Oil due to its close proximity to her home and neighborhood. She cited increased cumulative risk, including potential impacts on fire safety, emergency response capacity, air quality, noise, and traffic, and urged the council to carefully weigh these concerns and prioritize resident safety before approving the project.

Bobby Brown stated the facility is in full compliance with all local, state, and federal safety codes and operates within its permitted industrial zoning. He emphasized coordination with fire officials, proactive safety improvements, and commitment to safety, job creation, and being a good neighbor. Michael Rousseau rebutted a neighborhood meeting that was canceled and raised concerns about poor communication and increased tanker truck traffic damaging local roads not designed for heavy vehicles.

President Jordan read residents' concerns into the record for the Fire Chief's review, and Chief Cesati addressed the Council with responses.

President Jordan closed the hearing.

Kenneth Cyr (7 Norfolk Street) asked about fire department preparedness and foam resources, stating he is neutral on the project but wants clear emergency protocols. Chief Cesati responded that the department uses F-500 foam, carries supplies on trucks, and has additional equipment including deluge guns.



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Robert Rousseau (resident of Amesbury but previously lived in Haverhill at 9 Burke Street) raised concerns that the site was originally swamp land that had been filled in and questioned how that was permitted. He noted that nearby residents may lack the resources to advocate for themselves and emphasized safety concerns about whether the local water system can supply enough water to fight a propane fire. Chief Cesati stated prior to this project going in there was a new 8" main going in.

President Jordan closed the hearing.

MOTION BY COUNCILOR MCGONAGLE FOR PASSAGE, SECOND BY COUNCILOR LEWANDOWSKI

Councilor Basiliere questioned Bobby Brown about his past actions, including a wetlands violation and efforts to expand his business, suggesting there was a plan for growth. Bobby Brown said there was no initial "grand plan" but agreed expansion became necessary. Councilor Basiliere expressed hesitation in supporting the proposal and suggested giving neighbors more time to review the emergency plan. Councilor Basiliere asked Michael Rousseau if a short delay to review fire safety plans would help; Mr. Rousseau said yes but still opposed the project due to more trucks. Councilor Basiliere reaffirmed that he represents the neighborhood and their concerns.

Councilor Lewandowski stated after looking at the fire department's comments in the record. These need to be in place before the Fire Department signs off on the license.

1. The applicant shall provide a Fire Safety Analysis prepared by a Massachusetts Registered Professional Engineer, including the installation of any required fire protection systems.
2. The applicant shall submit an updated site plan showing all required setbacks, including those for tanks and trucks, as well as all consumer tank locations.
3. The applicant shall provide a sweep path analysis and evaluation demonstrating Fire Department access, prepared and stamped by a registered professional engineer.
4. Upon completion and permitting of the project, the applicant shall submit As-Built Plans.
5. The project shall be subject to and must pass satisfactory inspections by the State Fire Marshal's Office and the Haverhill Fire Department.
6. The applicant shall comply with all "best practices" associated with the use, storage, and management of propane.
7. The applicant shall install a minimum of two deluge guns, with locations to be determined by a Fire Protection Engineer. These systems shall be designed and installed in accordance with applicable NFPA standards and permits with plans shall be obtained through the Haverhill Fire Department.
8. The applicant shall provide a minimum annual procurement of \$5,000 in firefighting foam or agent, as determined by the Haverhill Fire Department, to support firefighting efforts within Haverhill and surrounding communities.
9. The applicant shall provide annual training for the Haverhill Fire Department specific to the site and the hazards associated with the storage of flammable and combustible materials.

Councilor Lewandowski noted that, according to a letter from the City Solicitor, anyone aggrieved by this type of license has the right to appeal, limited to concerns involving fire, explosion, or hazard risks. Chief Cesati stated he could not say there was zero risk, but the proposed process would lessen the chance of a fire or explosion. When asked if the listed conditions would be attached to the permit, Chief Cesati stated the Fire Department would not sign off on the license unless all conditions were met. President Jordan asked whether the cost of the deluge guns, foam procurement, and firefighter training would fall on taxpayers. Chief Cesati explained the business would cover the equipment costs and the training would take place during regular shifts at no additional cost to the city. Councilor McGonagle asked if the Fire Department would support the permit once the nine conditions were satisfied. Chief Cesati confirmed it would comply with the legal requirements. Councilor McGonagle also asked about additional truck traffic, and Bobby Brown responded that he expected traffic levels to remain about the same. Councilor McGonagle adding that he supports local businesses growing in the city. Councilor Michitson asked what changes were being proposed to the permit and what additional risks would come with the expanded storage



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capacity. Councilor Michitson, Bobby Brown, Chief Cesati, and Assistant Chief Tarpy discussed the proposed 50% facility expansion, additional trucks, and added safety equipment. Bobby Brown explained the increased truck estimates and safety measures were included conservatively for fire planning purposes. Councilor Michitson expressed concern about the increased risk to nearby neighborhoods and questioned whether state safety reviews fully account for the impact of a larger propane storage facility. Councilor Ferreira encouraged improved communication with neighbors, and Bobby Brown agreed to increase outreach efforts. Bobby Brown later stated the company may not need a third tractor trailer on site, which would reduce the storage increase to approximately 25%, noting the vehicle could be parked elsewhere. Councilor Toohey praised the company's commitment to the community but opposed the proposed capacity increase due to concerns about additional traffic on 8th Avenue and potential safety risks. Councilor Rogers asked about reducing truck traffic on Burke Street and 8th Avenue. Bobby Brown stated there should be no traffic on Burke Street and acknowledged past difficulties directing first-time drivers entering the terminal. He said the company has worked to limit activity on 8th Avenue through operating hour restrictions and believes the project could further reduce tractor trailer traffic. Councilor Rogers also asked whether trucks could use Hale Street instead, and Bobby Brown replied that Hale Street works better aside from challenges navigating Winter Street.

Bobby Brown stated I would be happy to eliminate those three trailers.
President Jordan stated why don't you state clearly what you are going to do.

Bobby Brown stated for a reconsideration of the permit with the amendment to take out the three tractor trailers because each of those tractor trailers each add 12,800 gallons per trailer. That would reduce our permit by 38-39,000 gallons. If the business evolves, we will park those trailers off site.

President Jordan stated you are saying reconsider with an amendment to withdraw three tractor trailers and park them offsite. Bobby Brown confirmed. Councilor McGonagle stated Mr. Brown are you adding 30,000-gallon additional tank. Bobby Brown stated as far as the customer tanks go, I don't see a problem that keeps our inventory low which is not a bad thing. Councilor McGonagle, just to be clear we would amend this to just the 30,000 additional tank, above ground tank that will always sit in the same place and not move around. Bobby Brown stated all that does just so, you know operationally right now we can only do 1.5 railcars; we can never do two. We are always extending hours into the night to offload railcars. This would help us offload two railcars. Councilor McGonagle stated I would be okay with making that adjustment.

President Jordan stated okay you are okay with that. Councilor Lewandowski, you seconded the original motion, are you okay with it?

City Clerk Wright stated can we just clarify the amendment for our records here. Bobby Brown stated it would be one 30,000 gallon above ground storage tank for propane.

President Jordan stated he is eliminating three propane trailer trucks. Bobby Brown stated correct. City Clerk Wright stated and the 8,000. Bobby Brown stated correct and the 8,000, which is basically the customer tank inventory we just reported on our site because it is a pressure vessel to me adding that there is a safeguard. President Jordan stated just for edification for us you said you will park those off-site. Where would that off-site parking be? Bobby Brown stated probably North Reading. City Clerk Wright stated I am looking for clarification for storing in another facility. Your motion cannot include the storage of another facility because it's a different community. Councilor McGonagle stated I don't think we need to have that on there.

President Jordan just a few points of clarifications this is a hearing not a special permit it does require a simple majority confirmed by our clerk. It's a simple majority so we need six votes in favor. I rely on the expertise of our Fire Department, both the Chief and Asst. Chief. In addition, any flammable storage holder has to renew their registration yearly with the Clerk's Office and a permit through the Fire Department

President Jordan stated Madam Clerk we have the motion by **Councilor McGonagle, Second by Councilor Lewandowski contingent upon the nine criteria laid out by the Fire Department along with the removal of the three additional trucks.**



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President Jordan stated will you please call the roll.

Vice President Michitson stated just for clarification this is for the amendment.

President Jordan stated we will vote on the amendment first. The way I understand it we are now saying John McCann for Broco Oil requests to store an additional 30,000 gallons of propane in an above ground storage tank. What is now removed is three additional propane transport trailer trucks with the capacity of 12,600 gallons each for storage increase of 37,800 gallons of truck storage and 8,000 gallons of miscellaneous empty customer tanks. That is all being removed now.

President Jordan stated we are voting on the amendment. City Clerk Wright stated just the amendment not the permit overall. President Jordan stated correct.

City Clerk stated the amendment is for the 30,000 gallons of above storage propane.

City Clerk Wright: Vice President Michitson-yes, Councilor Basiliere-yes, Councilor Diodati-yes, Councilor Sullivan-yes, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor Rogers-yes, President Jordan-yes

PASSED YEAS 10, NAYS 0, ABSENT 1 (LEPAGE)

President Jordan stated that amendment passes.

President Jordan stated now we will vote on the revised request with those conditions from the Fire Department. Madam Clerk, please call the roll.

City Clerk Wright: Vice President Michitson-no, Councilor Basiliere-no, Councilor Diodati-yes, Councilor Sullivan-no, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-no, Councilor McGonagle-yes, Councilor Rogers-yes, President Jordan-yes

PASSED YEAS 6, NAYS 4, ABSENT 1 (LEPAGE)

President Jordan stated that passes.

11. APPOINTMENTS:

- 11.1. Confirming Appointments:
- 11.2. Non-Confirming Appointments:
- 11.3. Constables
- 11.4. Resignations

12. PETITIONS:

- 12.1. Petition from National Grid, requesting to install a single pole location for Jackson St # 31262738 7-d

Hearing for June 2, 2026

MOTION BY COUNCILOR SULLIVAN, SECOND BY COUNCILOR DIODATI
PASSED YEAS 10, NAYS 0, ABSENT 1 (LEPAGE)

- 12.2. Applications Handicap Parking Sign: *with Police approval*
- 12.3. Amusement/Event Application: *with Police approval*
- 12.4. Auctioneer License:
- 12.5. Tag Days: *with Police approval*



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12.6. One Day Liquor License –with HPD approval

12.7. ANNUAL LICENSE RENEWALS:

- 12.7.1. Hawker Peddlers License- Fixed location – w/Police approval
- 12.7.2. Coin-Op License Renewals – with Police approval
- 12.7.3. Christmas Tree Vendor – with Police approval
- 12.7.4. Taxi Driver Licenses: with Police approval
- 12.7.5. Taxi/Limousine License with Police approval
- 12.7.6. Junk Dealer /Collector License - with Police approval
- 12.7.7. Pool/Billiard
- 12.7.8. Bowling
- 12.7.9. Sunday Bowling
- 12.7.10. Buy & Sell Secondhand Articles with Police approval
- 12.7.11. Buy & Sell Secondhand Clothing with Police approval
- 12.7.12. Pawnbroker license - with police approval
- 12.7.13. Fortune Teller with - Police approval
- 12.7.14. Buy & Sell Old Gold – with Police approval
- 12.7.15. Roller Skating Rink
- 12.7.16. Sunday Skating
- 12.7.17. Exterior Vending Machines/Redbox Automated Retail, LLC
- 12.7.18. Limousine/Livery License/Chair Cars with Police approval

13. MOTIONS AND ORDERS:

14. ORDINANCES (FILE 10 DAYS):

15. COMMUNICATIONS FROM COUNCILORS:

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

17. RESOLUTIONS AND PROCLAMATIONS:

- 17.1. Mayor Barrett requests to present the following proclamation:
Recognizing Moyamoya Awareness Day in the City of Haverhill 11-h

Councilor Sullivan read the proclamation into the record.

Mayor Barrett noted I had some folks here for the Moyamoya Awareness they had to leave but I will have them back.

MOTION BY COUNCILOR SULLIVAN, SECOND BY COUNCILOR MCGONAGLE

PASSED YEAS 10, NAYS 0, ABSENT 1 (LEPAGE)

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

19. DOCUMENTS REFERRED TO COMMITTEE STUDY:

20. LONG TERM MATTERS STUDY LIST:

21. ADJOURN:

MOTION BY COUNCILOR SULLIVAN TO ADJOURN, SECOND BY COUNCILOR LEWANDOWSKI

PASSED YEAS 10, NAYS 0, ABSENT 1 (LEPAGE)

ADJOURNED: 20:53