



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, October 31, 2023 at 7:00 PM

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

In-Person/Remote Meeting

Present – President Jordan, Councilors Barrett, Bevilacqua, Sullivan, Michitson, Lewandowski, McGonagle, Rogers, and Toohey
City Clerk – Kaitlin M. Wright

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

Motion by Councilor McGonagle to approve October 17th, second Councilor Barrett

PASSED

All in Favor

Motion by Councilor Rogers to approve October 24th, second Councilor Bevilacqua

PASSED

All in Favor

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councilor Toohey assigned the minutes.

5. COMMUNICATIONS FROM THE MAYOR:

5.1. Mayor Fiorentini requests Zoning Amendments previously submitted at Council meeting of August 8, 2023 be referred to subcommittee for review prior to their coming back to Council on November 28, 2023

Mayor Fiorentini stated there is an incredible housing crisis in the city. Housing Task force has been meeting over the last two years to find solutions and have come up with a number of options. Asking to send to committee now rather than wait until November 28th so the committee can meet with the Housing Task Force, etc.

Motion by Councilor Rogers to send to A&F Committee, second Councilor Sullivan

PASSED

Yeas 6, Nays 3 (Michitson, Barrett, Lewandowski)

78-A

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

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:

10.1. Attorney Michael Migliori, for applicant *American Outside Advertising LLC*, requests Special Permit, *CCSP 23-11*, Assessor's Map 763 Block 3 Lot 1B, for an electronic billboard at 50 Foundation Ave, located in the BP Zoning District, seeking waivers for sign height of 90 feet where 24 feet is allowed, sign area of 1,344 square feet where 600



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square feet is allowed, and front yard setback of 5 feet where 40 feet is allowed.

Continued from August 22nd

85

Madam Clerk Wright announced Attorney Migliori emailed a letter on Monday, October 30th to withdraw the special permit petition. The Council will need to vote to accept the withdrawal.

*Motion by Councilor Sullivan to accept withdrawal, second Councilor Toohey
PASSED withdrawn Yeas 9, Nays 0*

***President Jordan announced at the advice of the Clerk and legal counsel, the withdrawal has to be accepted either with or without prejudice**

*Motion by Councilor Barrett to accept withdrawal with prejudice, second Councilor Sullivan
PASSED with prejudice Yeas 9, Nays 0*

11. APPOINTMENTS:

11.1. Confirming Appointments:

11.1.1. *Board of Appeals – Louise Bevilacqua -Reappointment expires October 31, 2026*

*Motion by Councilor Michitson, second Councilor McGonagle
PASSED Yeas 8, Nays 0, Abstain 1 (Bevilacqua) 20-K*

11.1.2. *Cultural Council - McKenna Ramona Jennings – expires December 31, 2025*

*Motion by Councilor Bevilacqua, second Councilor Toohey
PASSED Yeas 9, Nays 0 20-L*

11.2. Non-Confirming:

11.2.1. *Conservation Commission – Thomas Wylie – Reappointment - expires
December 31 2024*

*Motion by Councilor Bevilacqua, second Councilor Sullivan
PASSED All in Favor 1-I*

11.2.2. *Water-Wastewater Abatement Board – Pablo Rodriguez – expires October 31,
2026*

*Motion by Councilor McGonagle, second Rogers
PASSED All in Favor 1-J*

11.3. Resignations

11.4. PETITIONS:



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

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

11.6.1. EVNT 23-31; Holy Apostles Greek Orthodox Church, Greek Festival, 154 Winter st, on November 3-4, Friday 11 am to 10 pm and Saturday, 11 am to 1 am

Motion by Councilor Michitson, second Councilor Barrett
PASSED All in Favor

98

11.6.2. EVNT 23-32; Haverhill Santa Parade Committee, 59th Annual Santa Parade, Sunday, November 19th, 1 pm to 4 pm, starting at Bradford Fire Station, marching down 125 and over Basiliere Bridge taking a left onto Merrimack st and then a right onto Emerson st before ending at the Boys & Girls Club

Motion by Councilor Bevilacqua, second Councilor Barrett
PASSED All in Favor

98-B

11.7. **Auctioneer License:**

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

11.8.1. HHS Gymnastics, November 11 & 12

Motion by Councilor Barrett, second Councilor Lewandowski
PASSED All in Favor

3-R

11.8.2. HHS Unified Boosters, November 18

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

3-S

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

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

11.10.3.1. Haverhill Elks, 24 Summer st to sell trees November 19th to December 25th, 8 am to 10 pm, Monday – Sunday

Motion by Councilor Bevilacqua, second Councilor Barrett
PASSED All in Favor

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



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- 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:

- 12.1. Order – transfer \$40,000.00 from surplus bond proceeds capital project fund – High School Gym Roof Replacement to capital project fund – School Boiler Replacement used to secure MSBA funding for the *Moody School* boiler replacement project

Motion by Councilor Bevilacqua, second Councilor Toohey

PASSED

Yeas 9, Nays 0

97-B

- 12.2. Order – transfer \$90,000.00 from Highway Roadway/Sidewalk Maintenance to a new capital fund account for roadway repairs on Farrwood Drive performed by the City under Chapter 222, Article XVII of the City Code *Related communication from Robert Ward, DPW Director*

Motion by Councilor Rogers, second Councilor McGonagle

PASSED

Yeas 9, Nays 0

97-C

Mayor Fiorentini stated the horrendous problem with this road is now a public safety hazard. Do not like spending public money on private roads but something has to be done. This will allow the city to make temporary repairs. It is then up to the owners to get 75% to agree to permanently fix in the future. All the city is authorized to do under the ordinance is temporary emergency repairs.

Robert Ward, DPW Director, explained there are three sections on Farrwood Drive that are deplorable. The recent approved ordinance allows the city to make emergency repairs and then access the property owner for the total cost of the repairs.

President Jordan asked who is assessed? Owner of the road or the abutters?



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Robert Ward stated this would be the owner of property the road is on which is separate from the abutters.

Councilor Michitson stated a lien should be put on the property itself and asked if \$90K is enough. Robert Ward stated the three sections which are by far in the worst shape are being done and the amount should be enough.

Councilor Rogers asked if the owner of the road owns other land. And to make sure to do everything to get the money back. Mr. Ward does not know the answer but believes there are a couple of LLCs who own it. Would bill first and if they don't pay will put a lien on it at that time. The city accepts streets as public roads from time to time, but the road has to be built to city standards.

Councilor Lewandowski asked if the LLC could be pierced in order to go after the owner Weinstein? Mayor doesn't think it can be but will look into it.

13. ORDINANCES (FILE 10 DAYS)

14. COMMUNICATIONS FROM COUNCILLORS:

14.1. Council President Jordan announces the 2024 City Council meeting schedule.

President Jordan announced meeting schedule needs to amend removing two dates, January 23rd for the Whittier Tech vote and March 5th for the Presidential Primary

President Jordan stated schedule has two amendments, remove January 23rd for the Whittier Tech vote; and March 5th for the Presidential Primary.

Motion by Councilor McGonagle to accept with amendments, second Councilor Rogers
PASSED *Yeas 9, Nays 0* 99

Councilor Sullivan stressed concern with only one meeting in November being one of our busiest months. President Jordan also stated a date in September may need to change as well. Agree will readdress schedule when closer.

14.2. Councillor Bevilacqua requests a discussion and recommendation for the new *Consentino School* 75-J

Councilor Bevilacqua stating, he serves on the Consentino building committee questioned if anyone now knows who Dr. Consentino is. He feels there is an opportunity to have the school be named after an individual that would be an incentive and inspiring to the children going into that building. Think should name the school after a person that can inspire the children. States this would be for the community by naming the school after Kalister Green-Byrd.



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Motion by Councilor Bevilacqua to send a letter to the Mayor, School Committee and Consentino Building Committee to recommend new building be named after Kalister Green-Byrd, second Councilor Barrett

Councilor McGonagle asked how this would make the Consentino family feel. This is established and to leave it as is and perhaps there should be a list where future naming can be made from. Will support sending a letter to ask the question or start a list and keep the conversation going but do not see how you can do that to a family.

Councilor Rogers states she isn't qualified to vote on this, not knowing the history.

Councilor Sullivan has no problem advancing this to the mayor and school committee to discuss. Not changing the name of the school tonight by doing this. This will be a brand-new school with a new library and other departments, maybe there is a place there for her name to be put. Will support advancing this.

Councilor Barrett concurs with Councilor Sullivan. There are also Golden Hill, Silver Hill, Bradford Elementary, things that are not named after someone that could be alternatives.

Councilor Michitson thinks everyone is right on this and supports advancing this but is concerned about the impact on the Consentino family.

President Jordan states he is a fan of Ms. Green-Byrd, was part of the committee that selected her for welcoming people to Haverhill mural. Share concerns as Councilor McGonagle for changing names, remember the controversy of a suggested bridge name change. Do like the idea of naming things after people who are not elected officials. Support sending a letter but will not support naming the new school after anybody other than Dr. Consentino.

Councilor Bevilacqua stated again he knew Dr. Consentino and if the building was being rehabbed, he would not have suggested renaming. This will be a completely new building with a new look which will have no resemblance to the Consentino school building. Would ask to allow this to go forward for discussion and would change wording to "consider changing" in order to get it passed.

Councilor Michitson asked if the motion could be changed to add the word "consideration".

Councilor Bevilacqua stated he has no objection to that.

Motion by Councilor Bevilacqua to send a letter to the Mayor, School Committee, and Consentino Building Committee asking to consider naming the new Consentino building after Kalister Green-Byrd, second Councilor Sullivan

PASSED

Yeas 8, Nays 1, Abstain 1 (Rogers)

15. UNFINISHED BUSINESS OF PRECEEDING MEETING:

16. RESOLUTIONS AND PROCLAMATIONS:



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16.1. Proclamation – *Extra Mile Day* – November 1, 2023

Councilor McGonagle read the Extra Mile Day Proclamation

Motion by Councilor McGonagle to accept and place on file, second Councilor Barrett

PASSED

All in Favor

44-D

17. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

Councilor Lewandowski announced the Veterans Alliance Pre-Election Breakfast on Sunday 11/5 from 9-11 at the Amvets on Primrose. All proceeds benefit veteran programs.

President Jordan announced the Rotary Club Veteran Breakfast, November 9th 7:30-9:30 am at Haverhill Country Club. All proceeds go to local non-profit and will recognize four veterans that morning.

City Clerk Wright wanted to remind people there are three days left of early voting. Election Day is Tuesday, November 7th with polls open 7 AM to 8 PM. Call the Clerk's office for information on your polling location.

President Jordan reminded people there is no City Council meeting on that evening due to the election.

18. DOCUMENTS REFERRED TO COMMITTEE STUDY

19. LONG TERM MATTERS STUDY LIST

20. ADJOURN :

Motion by Councilor Sullivan, second Councilor Lewandowski

PASSED

All in Favor

Adjourned 19:56