



**CITY OF HAVERHILL
CITY COUNCIL MINUTES –**

Tuesday, October 6 at 7:00 PM

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

In-Person/Remote Meeting: <https://meet.google.com/cbz-igpq-bfo>

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

Remote: Councilors McGonagle and LePage

Absent: Councilor Lewandowski

City Clerk: Kaitlin M. Wright-Esposito

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

COUNCILOR LEWANDOWSKI HAD THE MINUTES LAST WEEK AND DUE TO HER ABSENCE WE WILL VOTE ON THESE NEXT MEETING

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

PRESIDENT JORDAN ASSIGNED THE MINUTES TO COUNCILOR TOOHEY

5. COMMUNICATIONS FROM THE MAYOR:

- 5.1. Mayor Barrett and Councilor Sullivan wish to introduce Tammy Dobrosielski from the *Hilldale Cemetery Association* to speak about this year's "Wreaths Across America" program at Hilldale Cemetery which will be held on Saturday, December 19th

5-v

Tammy Dobrosielski addressed the council. She stated the Hilldale Cemetery Association and Wreaths Across America will hold a **Wreath Laying Ceremony** on **Saturday, December 19, 2026, at 12:00 p.m.** at Hilldale Cemetery, 331 Hilldale Avenue, honoring veterans laid to rest there. Volunteers are needed. For more information, visit www.hilldalewreaths.com

6. COMMUNICATIONS FROM COUNCILORS 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:

- 8.1. Kaitlin M. Wright Esposito, *City Clerk*, requests to announce Early Voting schedule and pertinent election-related deadlines for the upcoming State Election to be held on Tuesday, November 3, 2026, from 7 AM to 8 PM

22-n

City Clerk Kaitlin Wright Esposito provided information regarding the upcoming State Election, including early voting dates and hours. Early voting will be held in the Early Voting Room at City Hall from October 17 through October 30. Election Day is Tuesday, November 3, from 7:00 AM to 8:00 PM. Last day to register to vote is October 24th at 5PM. Vote-by-mail applications must be received by 5:00 PM on October 27.

- 8.2. Kaitlin M. Wright Esposito, *City Clerk*, submits Election Warrant for the 2026 State Election to be held on Tuesday, November 3, 2026 from 7 AM to 8 PM

22-o

City Clerk Kaitlin Wright Esposito stated that, due to the length of the ballot, voters were mailed an information booklet. Extra copies are available, and the booklet is also available online. Voters were encouraged to review it in advance and bring the checklist from the final page on Election Day to help expedite the voting process.

MOTION BY COUNCILOR SULLIVAN, SECOND BY COUNCILOR FERREIRA

PASSED

YEAS 10, NAYS 0, ABSENT 1 (LEWANDOWSKI)



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

10. PUBLIC HEARINGS AND RELATED ORDERS:

- 10.1. **Doc 21-J- CCSP-26-7** –Matt Silva for Sterling Commonwealth Builders requests approval to demolish existing single-family residence and construct three (3) attached townhouse condominium units on a single parcel at 27 Marshland St in the RH (Residential High) Zone. Each unit is proposed to contain three (3) bedrooms, 2 and one-half bathrooms, and an attached two-car garage

Continued from September 15, 2026

City Clerk Kaitlin Wright Esposito stated we received a letter requesting a continuance of this hearing due to late comments received by the Conservation Commission over the weekend. In order for them to respond to them they would like a little extra time. They are requesting a continuance until October 20, 2026.

MOTION BY VICE PRESIDENT MICHITSON, SECOND BY COUNCILOR SULLIVAN

PASSED TO CONTINUE TO OCTOBER 20, 2026

YEAS 10, NAYS 0, ABSENT 1 (LEWANDOWSKI)

11. APPOINTMENTS:

- 11.1. **Confirming Appointments:**

- 11.2. **Non-Confirming Appointments:**

12. PETITIONS:

- 12.1. **Applications Handicap Parking Sign:** *with Police approval*

- 12.2. **Amusement/Event Application:** *with Police approval*

- 12.3. **Auctioneer License:**

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

- 12.5. **One Day Liquor License –with Police & License Commission 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*

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

- 12.6.4. **Taxi Driver Licenses:** *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**

- 12.6.10. **Buy & Sell Secondhand Articles** *with Police approval*

- 12.6.11. **Buy & Sell Secondhand Clothing** *with Police approval*

- 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**



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12.6.18. **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:

16.1. Mayor Barrett submits an ordinance relating to amending Chapter 222
Article XI Recreational Motorized Vehicles of the Haverhill City Ordinance
restricting the use of motorized bicycles and scooters

32-q

Filed September 23, 2026

Mayor Barrett addressed the council. She noted the need for increased regulation. She stated we have made changes to the city's ordinance regarding where, how and by whom e-bikes may be operated including prohibiting their use on sidewalks and certain public spaces.

Councilor Diodati questioned the vehicle impoundment provisions and fines. City Solicitor Lisa Mead clarified that the impoundment provision applies to operators under 16 and that the fines are \$25 for a first offense and \$50 thereafter. City Solicitor Mead provided an overview of the ordinance, including restrictions on where motorized scooters and e-bikes may be operated and provisions for confiscating e-bikes operated by individuals under 16. Councilor Ferreira suggested allowing Class I e-bikes on paved bike paths, while Mayor Barrett raised concerns about complaints on rail trails. Vice President Michitson discussed the proposed Ride Safe Act and different e-bike classifications, while noting that the legislation has not yet been proposed. Councilors also discussed enforcement and education. Lt. Kevin Lynch said the Police Department will work with schools and use social media to educate students and parents. He noted that improperly secured e-bikes on City property may be removed and held until proof of ownership is provided. Councilor Sullivan raised concerns about unsafe riding in residential areas. Lt. Lynch emphasized the importance of educating parents and holding them accountable. Councilors Jordan, McGonagle, and Rogers also discussed enforcement, helmet use, e-bike classifications, and the application of the ordinance to rail trails.

MOTION BY COUNCILOR FERREIRA TO ALLOW CLASS I E-BIKES ON PAVED RAILTRAILS, SECOND BY VICE PRESIDENT MICHITSON

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

FAILED

YEAS 3, NAYS 7, ABSENT 1 (LEWANDOWSKI)

MOTION BY COUNCILOR SULLIVAN TO APPROVE THE ORDINANCE, SECOND BY COUNCILOR TOOHEY

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

PASSED

YEAS 10, NAYS 0, ABSENT 1 (LEWANDOWSKI)



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16.2. Mayor Barrett submits an order relating to the Water Use Restriction Ordinance – Ch. 250 Article VI of the Code of the City of Haverhill 32-r

16.2.1. Order- That the City Council hereby votes to repeal and replace Chapter 250, Article VI of the Code of the City of Haverhill, entitled Water Restriction, in its entirety, with the following revised ordinance

Filed on September 23, 2026

Mayor Barrett noted that the proposed ordinance reflected Planning and Development recommendations, with some disagreements on certain provisions. She noted enforcement concerns regarding private wells and deferred final decisions to council. Robert Ward addressed the council. He provided an overview of the proposed water conservation ordinance, including updated drought triggers and action levels, seasonal outdoor watering limits, irrigation requirements, revised exemptions, enforcement provisions, and suspension of deduct meter credits during severe droughts. He noted the ordinance was developed with the City Solicitor's Office and would apply to public water customers and private wells.

Councilor Sullivan moved to exclude private wells, stating the City has no practical way to enforce restrictions on unmetered private wells and questioned the City's authority to regulate them. Councilor Basiliere asked about groundwater recharge for properties with private wells and septic systems. Councilor Rogers also supported excluding private wells and raised concerns with allowing City officials to enter private property to shut off irrigation systems. Councilor Diodati questioned the seasonal watering requirements and the exemption allowing irrigation of public parks before 9:00 a.m. and after 5:00 p.m. and expressed concerns about property access.

Councilor Ferreira supported including private wells, stating that groundwater is interconnected and that community-wide conservation should apply equally. Councilor Toohey, who uses a private well and septic system, questioned whether there was data showing a measurable benefit from regulating private wells. Bob Ward acknowledged that specific data was not available. Vice President Michitson asked whether Kenoza Lake should be the sole drought trigger or whether other factors should be considered. Bob Ward stated that the City also monitors the rate of decline, rainfall and other factors, but Kenoza Lake is the most practical trigger. Vice President Michitson also requested public notification of the current drought stage and the basis for any changes, which Bob Ward agreed to provide.

MOTION BY COUNCILOR SULLIVAN TO EXCLUDE PRIVATE WELLS, SECOND COUNCILOR DIODATI.

City Clerk Wright-Esposito: Vice President Michitson-yes, Councilor Basiliere-yes, Councilor Diodati-yes, Councilor Sullivan-yes, Councilor Ferreira-no, Councilor Lewandowski-absent, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-yes, Councilor Rogers-yes, President Jordan-yes
PASSED YEAS 9, NAYS 1 (FERREIRA), ABSENT 1 (LEWANDOWSKI)

MOTION BY COUNCILOR ROGERS TO DELETE 250-25 AND ALSO TO GIVE AUTHORITY TO THE CITY SOLICITOR'S OFFICE TO RE-NUMBER THE ORDINANCE ACCORDINGLY, SECOND BY COUNCILOR TOOHEY

City Clerk Wright-Esposito: Vice President Michitson-no, Councilor Basiliere-no, Councilor Diodati-no, Councilor Sullivan-no, Councilor Ferreira-no, Councilor Lewandowski-absent, Councilor Toohey-yes, Councilor McGonagle-no, Councilor LePage-no, Councilor Rogers-yes, President Jordan-no
FAILED YEAS 2, NAYS 8, ABSENT 1 (LEWANDOWSKI)



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MOTION BY COUNCILOR DIODATI TO STRIKE THE LINE IN 250.24.1(C) FOR THE PURPOSES OF THIS SECTION ONLY, POLICE OFFICERS OF THE CITY AND/OR AGENTS OF THE BOARD OF WATER COMMISSIONERS MAY ENTER UPON ANY PROPERTY TO ENFORCE THIS SECTION, SECOND BY COUNCILOR ROGERS

City Clerk Wright-Esposito: Vice President Michitson-yes, Councilor Basiliere-yes, Councilor Diodati-yes, Councilor Sullivan-no, Councilor Ferreira-no, Councilor Lewandowski-absent, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-yes, Councilor Rogers-yes, President Jordan-yes
PASSED YEAS 8, NAYS 2, ABSENT 1 (LEWANDOWSKI)

MOTION BY COUNCILOR LEPAGE SCRIBNER'S ERROR 250.25.1 (THIRD LINE) IT STATES "CONSUMERS" IT SHOULD STATE "CUSTOMERS". SECOND BY COUNCILOR SULLIVAN

City Clerk Wright-Esposito: Vice President Michitson-yes, Councilor Basiliere-yes, Councilor Diodati-yes, Councilor Sullivan-yes, Councilor Ferreira-yes, Councilor Lewandowski-absent, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-yes, Councilor Rogers-yes, President Jordan-yes
PASSED YEAS 10, NAYS 0, ABSENT 1 (LEWANDOWSKI)

MOTION BY COUNCILOR LEPAGE TO APPROVE THE ORDINANCE WITH ALL THE AMENDMENTS. SECOND BY COUNCILOR SULLIVAN

City Clerk Wright-Esposito: Vice President Michitson-yes, Councilor Basiliere-yes, Councilor Diodati-yes, Councilor Sullivan-yes, Councilor Ferreira-yes, Councilor Lewandowski-absent, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-yes, Councilor Rogers-yes, President Jordan-yes
PASSED YEAS 10, NAYS 0, ABSENT 1 (LEWANDOWSKI)

Al Pereira addressed the council. He raised concerns that the beaver dams may be restricting water flow through local streams and reducing the amount of water reaching the Millvale Reservoir and ultimately Kenoza Lake. He shared photos of the areas and questioned whether the city could obtain a state permit to address the obstructions. Robert Ward responded that permits are typically required to remove beaver dams. He noted removal has little impact on water volumes as the beavers quickly rebuild the dam.

Michael Jacobs (Amesbury Road) addressed the council. He noted that every bit of water conservation helps. He asked as a follow-up to a previous meeting the council about having a second set of eyes on the city's water situation. He also asked if the council was aware of the water supply opportunity in Newton NH and whether the city could purchase available water.

17. RESOLUTIONS AND PROCLAMATIONS:

- 17.1. Mayor Barrett requests to present a proclamation recognizing October 15th, 2026, as White Cane Awareness Day in the City of Haverhill 11-1

Councilor LePage read the proclamation into the record.

MOTION BY COUNCILOR LEPAGE TO PLACE ON FILE, SECOND BY COUNCILOR MCGONAGLE
PASSED YEAS 10, NAYS 0, ABSENT 1 (LEWANDOWSKI)



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18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

- 18.1. Vice President Michitson wishes to announce a Planning and Development Committee meeting on Monday, October 19, 2026, at 6:00PM in Room 202, City Council Chambers. 22-p

Vice President Michitson announced the Planning and Development Committee meeting October 19th and invited the public to attend.

19. DOCUMENTS REFERRED TO COMMITTEE STUDY:

20. LONG TERM MATTERS STUDY LIST:

21. ADJOURN:

MOTION BY COUNCILOR SULLIVAN TO ADJOURN, SECOND BY COUNCILOR DIODATI

PASSED

YEAS 10, NAYS 0, ABSENT 1 (LEWANDOWSKI)

ADJOURNED:20:40