



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA**

**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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*This meeting of Haverhill City Council will be held in-person at the location provided on this notice as its official meeting location pursuant to the Open Meeting Law. As the meeting is held in person at a physical location that is open and accessible to the public, the City Council is not required to provide remote access to the meeting. Members of the public are welcome to attend this in-person meeting. Please note that a live stream of the meeting is being provided only as a courtesy to the public, and the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. Thank you.*

**1. OPENING PRAYER**

**2. PLEDGE OF ALLEGIANCE**

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

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

**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.

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.

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

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



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

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*

**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

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*

**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:**

10.1.1. 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*

**11. APPOINTMENTS:**

11.1. **Confirming Appointments:**

11.2. **Non-Confirming:**

11.3. **Resignations:**



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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

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

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*

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*

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

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**



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- 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 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.



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**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
- 15.2. Document 34-H; Memorandum of Agreement between City of Haverhill and the *Haverhill Superior Officers*
- 15.3. Document 35-I; Ordinance re: Salaries – *Superior Officers Group* filed November 30 2023

**16.RESOLUTIONS AND PROCLAMATIONS:**

**17.COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS**

**18.DOCUMENTS REFERRED TO COMMITTEE STUDY**

**19.LONG TERM MATTERS STUDY LIST**

**20.ADJOURN :**



JAMES J. FIORENTINI  
MAYOR

**CITY OF HAVERHILL**  
**MASSACHUSETTS**

511  
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December 8, 2023

**To:** City Council President Timothy J. Jordan and Members of the  
Haverhill City Council

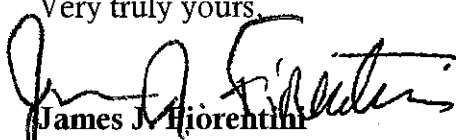
**From:** Mayor James J. Fiorentini

**Re:** BETA Engineering pavement management plan

Dear Mr. President and Members of the City Council:

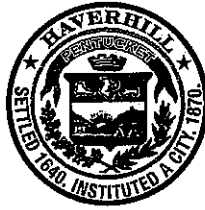
At the Council meeting on December 12, 2023, I would like to introduce BETA Engineering, the City's consultant working on the pavement management plan. They will be providing a PowerPoint presentation detailing the plan specifics.

Very truly yours,

  
James J. Fiorentini  
Mayor

JJF/cml

5.2



JAMES J. FIORENTINI  
MAYOR

**CITY OF HAVERHILL  
MASSACHUSETTS**

CITY HALL, ROOM 100  
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December 8, 2023

City Council President Timothy J. Jordan and Members of the Haverhill City Council

**RE: Whittier Tech. Superintendent Maureen Lynch giving presentation regarding  
MSBA Whittier Tech. New Building Project**

Dear Mr. President and Members of the Haverhill City Council:

At the December 12<sup>th</sup> City Council meeting, Council President Jordan and I wish 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.

Very truly yours,

  
James J. Fiorentini  
Mayor

JJF/lyf

-AL 374-2300/373-7544

53

JAMES J. FIORENTINI  
MAYOR



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**MASSACHUSETTS**

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December 8, 2023

City Council President Timothy J. Jordan and Members of the Haverhill City Council

**RE: Order with Guidelines for the Display of Flags on City Hall Property**

Dear Mr. President and Members of the Haverhill City Council:

Please see attached an order with official guidelines for the display of flags on City Hall Property. I recommend approval.

Very truly yours,

**James J. Fiorentini**  
Mayor

JJF/lyf





DOCUMENT

5,3,1

## CITY OF HAVERHILL

In Municipal Council

ORDERED:

### GUIDELINES FOR THE DISPLAY OF FLAGS ON CITY HALL PROPERTY

The purpose of this Order is to establish guidelines for the display by the City of Haverhill of (1) flags of governments recognized by the Federal Government; and (2) other flags on or at City Hall. Nothing herein shall be construed to conflict with City of Haverhill Code, Ordinances, Chapter 39.

It is the policy of the City of Haverhill that flags should be displayed in conformance with Federal and State policies, as stated in the Federal "Our Flag" publication of the Congress, House Document No. 96-144; Chapter 2, Section 6 of the Massachusetts General Laws and Chapter 2, Section 6A of the Massachusetts General Laws.

Outdoor flags will be flown at City facilities in the following order of precedence: first, the United States flag; second, the Commonwealth of Massachusetts flag; and third, the City of Haverhill flag.

The City's flagpoles are not intended to serve as a forum for free expression by the public. The following flags may be displayed by the City as an expression of the City's official sentiments:

- a. Flags of Governments Recognized by the United States. Flags of governments recognized by the United States may be displayed upon the proclamation of the Mayor or by resolution of the City Council.
- b. Flags Displayed in Conjunction With Official Events or Ceremonies as Announced by Mayoral Proclamation or City Council Resolution. By proclamation of the Mayor or resolution of the City Council, other flags may be displayed at official City events or ceremonies.
- c. Ownership of Other Flags. The City shall acquire ownership of all flags that it flies on or at City Hall.

Related Communication


**CITY OF HAVERHILL**  
**MASSACHUSETTS**  
**CITY SOLICITOR'S OFFICE**

145 South Main Street  
Bradford, MA 01835  
(978) 373-2360  
FAX: 978/891-5424  
EMAIL: billcoxlaw@aol.com

**WILLIAM D. COX, JR.**  
**CITY SOLICITOR**

December 7, 2023

TO: Timothy Jordan, President, and Members of the Haverhill City Council

FROM: William D. Cox, Jr., Esq.   
City Solicitor

RE: Order - Guidelines for the Display of Flags on City Hall Property

The unwritten policy of the City with regards to the display of flags on City Hall property has always been that the Mayor approves the flying of flags other than the United States flag, the Commonwealth flag and the City flag. Mayors have only approved the flying of other flags as an expression of the City's official sentiments in coordination with Mayoral proclamations and/or Council resolutions. The City's flag poles have never served as a forum for free expression by the public.

A recent Supreme Court case involving the City of Boston, *Shurtleff v. City of Boston*, found that the City's rejection of a request from a religious group to fly a religious flag on City Hall Plaza was inconsistent with the protections of the First Amendment. At issue was the City's undisputed practice to essentially allow any and all requests to hold flag-raising ceremonies utilizing one of the flagpoles on City Hall Plaza, subject only to scheduling and logistic considerations. The *Shurtleff* court held that the City of Boston's rejection of a religious flag violated the First Amendment, in the same way that rejecting an applicant's request to use a publicly-available community or conference room, based upon religion (or other protected expression), would violate the First Amendment.

This has never been the policy of the City of Haverhill. To provide clear guidance to anyone making such an inquiry, it is my recommendation that the City adopt the proposed Order - Guidelines for the Display of Flags on City Hall Property.

In the meantime, if you have any questions or require further information before the meeting, please do not hesitate to call on me. Thank you.

cc: James J. Fiorentini, Mayor



JAMES J. FIORENTINI  
MAYOR

**CITY OF HAVERHILL  
MASSACHUSETTS**

519

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December 8, 2023

City Council President Timothy J. Jordan and Members of the Haverhill City Council

**RE: Order – Home Rule Petition – An Act Establishing Guidelines for the Installation and Use of Electric Vehicle Charging Stations in the City of Haverhill**

Dear Mr. President and Members of the Haverhill City Council:

Please see attached a Home Rule Petition Order, “An Act Establishing Guidelines for the Installation and Use of Electric Vehicle Charging Stations in the City of Haverhill” for your consideration. I recommend approval.

Very truly yours,

**James J. Fiorentini**  
Mayor

JJF/lyf

5.4.1



DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

ORDERED:

**AN ACT ESTABLISHING GUIDELINES FOR THE INSTALLATION AND USE OF  
ELECTRIC VEHICLE CHARGING STATIONS IN THE CITY OF HAVERHILL.**

*Be it enacted, etc. as follows:*

SECTION 1. For the purposes of this act the following terms shall, unless the context clearly requires otherwise, have the following meanings:-

“Association”, any association of homeowners, community association, condominium association, cooperative or any other nongovernmental entity with covenants, bylaws and administrative provisions with which a homeowner's compliance is required.

“Dedicated parking spot”, refers to both parking spots that are located within an owner's separate interest, as well as the parking spots that are in a common area, but subject to exclusive use rights of an owner, including, but not limited to, a deeded parking space, a garage space, a carport or a parking space that is specifically designated for use by a particular owner.

“Electric vehicle charging system”, a system that is designed in compliance with Article 625 of the National Electrical Code and delivers electricity from a source outside an electric vehicle into 1 or more electric vehicles. An electric vehicle charging system may include several charge points simultaneously connecting several electric vehicles to the system.

“Owner”, a person or persons who own a separate lot, unit or interest, along with an undivided interest or membership interest in the common area of the entire project, including but not limited to condominiums, planned unit developments and parcels subject to a homeowner's association.

“Reasonable restrictions”, restrictions that do not significantly increase the cost of the station, significantly decrease its efficiency or specified performance, or effectively prohibit the installation altogether.

“Separate interest”, the separate lot, unit, or interest to which an owner has exclusive rights of ownership.

Home Rule Retention

SECTION 2. An association in the city of Haverhill may not prohibit or unreasonably restrict an owner from installing an electric vehicle charging station on or in areas subject to their separate interest, on or in areas to which they have exclusive use, or on a common element, so long as it was within a reasonable distance of the dedicated parking spot. Nothing in this section shall be construed to prohibit an association from making reasonable restrictions as defined in section 1.

SECTION 3. (a) Installation of any electric vehicle charging station in the city of Haverhill is subject to the following provisions:

- (i) The electric vehicle charging station must be installed at the owner's expense;
- (ii) The electric vehicle charging station must be installed by a licensed contractor and/or electrician; and
- (iii) An electric vehicle charging station in the city of Haverhill shall meet all applicable health, safety and accessibility standards and requirements imposed by national, state, and local authorities, as well as all other applicable zoning, land use or other ordinances or land use permits.

(c) An association in the city of Haverhill may require an owner to submit an application before installing a charging station, subject to the following provisions:

- (i) If the association requires such an application, the application shall be processed and approved by the association in the same manner as an application for approval of an architectural modification to the property, and shall not be willfully avoided or delayed;
- (ii) The association shall approve the application if the owner complies with the association's architectural standards and the provisions of this act;
- (iii) The approval or denial of an application should be in writing;
- (iv) If an application is not denied in writing after 60 days from the date of receipt of the application, the application shall be deemed approved, unless that delay is the result of a reasonable request for additional information; and
- (v) The association may not assess or charge the owner any fees for the placement of any electric vehicle charging station, beyond reasonable fees for processing the application, provided that such fees exist for all applications for approval of architectural modifications.

Done Rule Petition

SECTION 4. (a) In the city of Haverhill, the owner and each successive owner of the separate interest or with exclusive rights to the area where the electric vehicle charging system is installed in the city shall be responsible for:

(i) Disclosing to prospective buyers the existence of any charging station of the owner and the related responsibilities of the owner under this section;

(ii) If the electric vehicle charging station is removable and the owner intends to remove the station in order to install it at their new place of residence, they must also disclose this fact to prospective buyers;

(iii) Costs for the maintenance, repair, replacement of the electric charging vehicle station until it has been removed, and for the restoration of the common area after removal;

(iv) Costs for damage to the electric vehicle charging station, common area, exclusive common area, or separate interests resulting from the installation, maintenance, repair, removal, or replacement of the charging station;

(v) The cost of electricity associated with the electric vehicle charging station; and

(vi) Removing the electric vehicle charging station if reasonably necessary for the repair, maintenance, or replacement of any property of the association or of separate interests.

(b) Pursuant to this act, the owner must connect the electric vehicle charging station to their own electricity utility account unless the licensed contractor performing the installation deems that to be impossible. In this circumstance, the association shall allow the owner to connect the electric vehicle charging station to the common electricity account but may require reimbursement by the owner to the association for the electricity costs, per the owner's responsibility for such costs.

SECTION 5. An association in the city of Haverhill may install an electric vehicle charging station in the common area for the use of all members of the association and, in that case, the association shall develop appropriate terms of use for the charging station.

SECTION 6. This act shall take effect 30 days from its passage.

*Home Rule Petition*

*Related Communication*

**CITY OF HAVERHILL**

**MASSACHUSETTS**

**CITY SOLICITOR'S OFFICE**

145 South Main Street

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(978) 373-2360


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**WILLIAM D. COX, JR.**  
**CITY SOLICITOR**

December 7, 2023

TO: Timothy Jordan, President, and Members of the Haverhill City Council

FROM: William D. Cox, Jr., Esq.   
City Solicitor

RE: Order - Home Rule Petition - An Act Establishing Guidelines for the Installation  
and Use of Electric Vehicle Charging Stations in the City of Haverhill

At the request of Council Vice President Michitson, I have prepared a Home Rule Petition - An Act Establishing Guidelines for the Installation and Use of Electric Vehicle Charging Stations in the City of Haverhill. This version is modeled on the home rule petition enacted by the General Court for the City of Cambridge.

In the meantime, if you have any questions or require further information before the meeting, please do not hesitate to call on me. Thank you.

cc: James J. Fiorentini, Mayor

**CITY COUNCIL**

**Timothy J. Jordan**

*President*

**John A. Michitson**

*Vice President*

**Melinda E. Barrett**

**Joseph J. Bevilacqua**

**Thomas J. Sullivan**

**Melissa J. Lewandowski**

**Michael S. McGonagle**

**Catherine P. Rogers**

**Shaun P. Toohey**



**CITY OF HAVERHILL**

HAVERHILL, MASSACHUSETTS 01830-5843

6.1

CITY HALL, ROOM 204

4 SUMMER STREET

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December 8, 2023

To: President and Members of the City Council:

Councilor McGonagle wishes to introduce Patrick Menzie who would like to present a check to Northeast Veterans Outlook Outreach to start heating assistance program for Veterans.

*Michael S. McGonagle / 126*

City Councilor Michael S. McGonagle

(meeting 12.12.2023)



**CITY COUNCIL**

**Timothy J. Jordan**

President

**John A. Michitson**

Vice President

**Melinda E. Barrett**

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6.2

CITY HALL, ROOM 204

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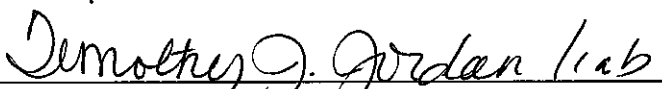
**CITY OF HAVERHILL**

HAVERHILL, MASSACHUSETTS 01830-5843

December 8, 2023

To: President and Members of the City Council:

President Jordan wishes 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 Haverhill Downtown Boxing and Lisbeth Valdez director of MakeIT Haverhill.

  
Council President Timothy J. Jordan

HAVERHILL, MASSACHUSETTS

(meeting 12.12.2023)

96  
Hearing December 12, 2023

City Council Special Permit · Add to a project

 **Expiration Date****Active****Request Changes**

(/#/explore/request-changes/161941)

⋮

**CCSP-23-14**

10.1.1

**Details**

Submitted on Oct 18, 2023 at 8:42 am

**Attachments**

8 files

**Activity Feed**

Latest activity on Oct 18, 2023

**Applicant**

michael miglioni

0

**Location**

0 STANLEY DR, Haverhill, MA 01830

View ▼

Edit Workflow

**Special Permit Filing Fee**

Paid Oct 18, 2023 at 8:44 am

**Planning Director Review**

Completed Oct 18, 2023 at 12:41 pm

**City Clerk Review - Hearing Dates Set**

In Progress

IN CITY COUNCIL: October 24 2023  
VOTED: that COUNCIL HEARING BE HELD  
DECEMBER 12 2023

Attest:

City Clerk

MB

**City Council Clerk Notified**

Rear Yard Setback

☐

Lot Frontage

☐

Lot Depth

☐

Lot Area

☐

Building Height

☐

Floor Area Ratio

☐

Open Space

☐

Parking

☐

Sign Size

☐

Use

☐

Other

☒

IF OTHER, Please Describe\*

Location in the WSPOD requires a  
Special Permit.

## Hearing Waiver

Agrees\*

Yes

## Agreement & Signature

Agrees\*

☒

## Office Use Only

City Council Decision

—

City Council Hearing Date

—

Reason for Council's Decision

City Council Members Absent

City Council Members Present



City of Haverhill, MA

## CCSP-23-14

City Council Special Permit

Status: Active

Submitted On: 10/18/2023

10/18/2023

Hearing December 12  
2023

## Primary Location

0 STANLEY DR

Haverhill, MA 01830

## Owner

LANE MARY ANNE-ETUX LANE PETER C

NORTH END BLVD 181 SALISBURY, MA 01952

## Applicant



michael miglioni



978-884-6431



mmiglioni@fimidlaw.com



280 Merrimack Street

Methuen, MA 01844

## Applicant Information

## What is Your Role in This Process?\*

Attorney/Agent

## Applicant Business/Firm Name\*

Fiorello &amp; Miglioni

## Applicant Business/Firm Phone\*

978 884 6431

## Applicant Business/Firm Address\*

280 Merrimack Street

## Applicant Business/Firm City\*

Methuen

## Applicant Business/Firm State\*

MA

## Applicant Business/Firm Zip\*

01844

## Client Name\*

Ronald Judkins

## Client Business Name\*

Ronald Judkins

## Client Phone\*

978 604-7245

## Client Email\*

Ronald.Judkins6@gmail.com

## Client Address\*

24 Liberty Street

## Client City\*

Wilmington

## Client State\*

MA

## Client Zip\*

01887

## Client County\*

Middlesex

## Client Business Structure\*

Sole Proprietorship

## Property Information

**Proposed Housing Plan Name\***

NA

**Proposed Street Name(s)\***

NA

**How Long Owned by Current Owner?\***

NA

**Type of Dwelling(s) Planned in Project\***

2- Family

**Lot Dimension(s)\***

100x100

**Registry Plat Number, Block & Lot\***

640-600-8

**Zoning District Where Property Located\***

WSPD - Water Supply Protection District

**Deed Recorded in Essex South Registry: Block Number\***

31857

**Deed Recorded in Essex South Registry: Page\***

529

**Does the Property Have Multiple Lots?\***

No

**Thoroughly Describe the Reason(s) for the Special Permit\***

Applicant wishes to construct a two family residence on the property which requires a special permit because of its location in the WSPD.

**Property Description\***

Vacant land 100'X100'

**Current Property Use\***

Vacant

**TOTAL Number of Units Planned\***

2

**TOTAL Number of Parking Spaces Planned\***

4

## Special Circumstances

**Building Coverage**☐**Dimensional Variance**☐**Front Yard Setback**☐**Side Yard Setback**☐



(Robert Lang)

vs.



(Donald D. Jenkins)

Permission to apply local Special Remains with public City of Dallas for the vacant parcel of land on the boundary street fronting 15442 Highway 101, shown as lot 1, on the land in the plan of the Dallas Electric Railway Co., Inc. Dated August 25, 1933 and prepared by Civil Sites Association, Inc. (the Plan), said Plan being recorded on October 19, 1934 with the Texas State District Registry of Deeds in Plan Book 39.

For the State of Texas, the parcel of land is described as Parcel 2 in the deed of John A. Lang, dated and recorded with the Texas State District Registry of Deeds in Book 5137, Page 529.



## Conservation Department Review

**Complete** ▾

Complete

Assignee

Robert Moore

Due date

 None**Robert Moore**

Remove Comment • Nov 10, 2023 at 2:20 pm

I have no objections to development of the lot. However, the project will require approval of the Conservation Commission under its state and local regulations, through the filing of a Notice of Intent. The current design meets the Commission's local 75'-No Build Zone associated with water supply protection. The applicant has worked with this office to provide a design that addresses stormwater treatment and infiltration. Both are important to our use of Lake Pentucket as a drinking water supply.

**Robert Moore**

Remove Comment • Nov 10, 2023 at 2:21 pm

Should the applicant receive special permit approval, the plan filed with the Conservation Commission should include the addition of a sediment control barrier along the frontage of the lot, as well as a cross-section for the construction of the rain garden, including plant & seed specifications.

This step was assigned to John D'Aoust - Oct 18, 2023 at 12:41 pm

John D'Aoust assigned this step to Robert Moore - Oct 18, 2023 at 12:59 pm

Robert Moore approved this step - Nov 10, 2023 at 2:20 pm



## Health Department Review

**● Complete** ▾

Complete

Assignee

Mark Tolman

Due date

 None**Mark Tolman**

Remove Comment • Oct 18, 2023 at 3:43 pm

Dwelling will be serviced by city water and sewer service connections.

This step was assigned to Bonnie Dufresne - Oct 18, 2023 at 12:41 pm

Bonnie Dufresne assigned this step to Mark Tolman - Oct 18, 2023 at 1:17 pm

Mark Tolman approved this step - Oct 18, 2023 at 3:43 pm





# Water Supply Review

 **● Complete** ▾

Complete

Assignee

 John D'Aoust

Due date

 None



**John D'Aoust**

Remove Comment • Nov 10, 2023 at 7:13 am

The applicant has incorporated the site design modifications suggested by the water department during the preliminary project review phase. To enhance the protection of Round Pond during construction the water department recommends that temporary construction erosion control be installed along the frontage of the lot.

This step was assigned to John D'Aoust - Oct 18, 2023 at 12:41 pm  
John D'Aoust approved this step - Nov 10, 2023 at 7:13 am



Storm Water Review

● Complete

▼

Complete

Assignee

Robert Moore

Due date

None



Robert Moore

Remove Comment • Nov 10, 2023 at 2:10 pm

Project disturbs less than 1 acre of land. C.219 is not applicable.  
Otherwise, applicant has been working with municipal departments to address existing drainage problem on Stanley Drive associated with this lot.

This step was assigned to Robert Moore - Oct 18, 2023 at 12:41 pm  
Robert Moore approved this step - Nov 10, 2023 at 2:10 pm



# Engineering Department Review




●

 Complete ▾

Complete

Assignee

 John Pettis

Due date

 None



John Pettis

Remove Comment • Nov 13, 2023 at 2:45 pm

Plans have been revised to address my comments thru PPR-23-6

This step was assigned to John Pettis - Oct 18, 2023 at 12:41 pm  
John Pettis approved this step - Nov 13, 2023 at 2:45 pm



Planning Director Review

● Complete

▼

Complete

Assignee

William Pillsbury

Due date

None



William Pillsbury

Remove Comment • Oct 18, 2023 at 11:52 am

Cover letter refers to a three family property. is this a typo? Please advise snf correct letter as elsewhere it only refers to a two family.



William Pillsbury

Remove Comment • Oct 18, 2023 at 12:40 pm

ok for agenda




William Pillsbury

Remove Comment • Dec 6, 2023 at 12:02 pm

Upon review of the proposed project i recommend in favor of the special permit being granted. I further recommend that any city department letters/comments be made part of the approval and forwarded along to development review.


This step was assigned to William Pillsbury - Oct 18, 2023 at 8:44 am  
William Pillsbury approved this step - Oct 18, 2023 at 12:41 pm

City Council Special Permit · Add to a project

 **Expiration Date**

**Active**

**Request Changes**  
(</#/explore/request-changes/161941>)



# CCSP-23-14



**Details**  
Submitted on Oct 18, 2023 at 8:42 am



**Attachments**  
14 files



**Activity Feed**  
Latest activity on Dec 4, 2023



**Applicant**  
michael miglioni



**Location**  
0 STANLEY DR, Haverhill, MA 01830

**View** ▼

**Edit Workflow**



**Special Permit Filing Fee**  
Paid Oct 18, 2023 at 8:44 am



**Planning Director Review**  
Completed Oct 18, 2023 at 12:41 pm



**City Clerk Review - Hearing Dates Set**  
Completed Oct 19, 2023 at 10:09 am



**City Council Clerk Notified**

Completed Oct 18, 2023 at 2:36 pm



✓ **Assessor for Abutter's List**  
Completed Oct 18, 2023 at 1:58 pm



✓ **Conservation Department Review**  
Completed Nov 10, 2023 at 2:20 pm



✓ **DPW Review**  
In Progress



✓ **Engineering Department Review**  
Completed Nov 13, 2023 at 2:45 pm



✓ **Fire1 Department Review**  
Skipped Oct 23, 2023 at 12:10 pm



✓ **Fire2 Department Review**  
Completed Oct 23, 2023 at 12:11 pm



✓ **Health Department Review**  
Completed Oct 18, 2023 at 3:43 pm



✓ **Police Department Review**  
Completed Oct 18, 2023 at 12:43 pm



✓ **School Department Review**  
Completed Oct 18, 2023 at 12:54 pm



✓ **Storm Water Review**  
Completed Nov 10, 2023 at 2:10 pm



✓ **Water/Wastewater Review**  
In Progress



✓ **Water Supply Review**  
Completed Nov 10, 2023 at 7:13 am



✓ **Building Inspector Approval for Agenda**  
In Progress



✓ **First Ad Placement**  
Completed Nov 22, 2023 at 9:51 am



✓ **Placed on Agenda**  
Completed Nov 22, 2023 at 9:52 am



**Abutter Notification**

Completed Nov 22, 2023 at 9:51 am

**Second Ad Placement**

Completed Nov 22, 2023 at 9:51 am

**City Councilor A Review**

Skipped Dec 04, 2023 at 10:41 am

**City Councilor B Review**

Skipped Dec 04, 2023 at 10:41 am

**City Councilor C Review**

Skipped Dec 04, 2023 at 10:41 am

**City Councilor D Review**

Skipped Dec 04, 2023 at 10:42 am

**City Councilor E Review**

Skipped Dec 04, 2023 at 10:42 am

**City Councilor F Review**

Skipped Dec 04, 2023 at 10:42 am

**City Councilor G Review**

Skipped Dec 04, 2023 at 10:42 am

**City Councilor H Review**

Skipped Dec 04, 2023 at 10:42 am

**City Councilor I Review**


Skipped Dec 04, 2023 at 10:42 am

**City Council Meeting**

In Progress


**Meeting Minutes & Decision Filed w/City Clerk Review**

City Council Special Permit · Add to a project

 **Expiration Date**

**Active**

**Request Changes**  
(</#/explore/request-changes/161941>)



# CCSP-23-14



**Details**  
Submitted on Oct 18, 2023 at 8:42 am



**Attachments**  
14 files



**Activity Feed**  
Latest activity on Dec 4, 2023



**Applicant**  
michael miglioni



**Location**  
0 STANLEY DR, Haverhill, MA 01830

**View** ▼

**Edit Workflow**



**Special Permit Filing Fee**  
Paid Oct 18, 2023 at 8:44 am



**Planning Director Review**  
Completed Oct 18, 2023 at 12:41 pm



**City Clerk Review - Hearing Dates Set**  
Completed Oct 19, 2023 at 10:09 am



**City Council Clerk Notified**



FIORELLO & MIGLIORI  
ATTORNEYS AT LAW

KAREN L. FIORELLO  
(Retired)

MICHAEL J. MIGLIORI  
mmigliori@fimilaw.com

280 Merrimack Street  
Suite B  
Methuen, Massachusetts 01844  
FAX 978-849-5191

October 18, 2023

Timothy J. Jordan, President  
Haverhill City Council  
City Hall  
4 Summer Street  
Haverhill, MA 01830

Re: Special Permit WSPOD  
Owner: Peter Lane  
Applicant: Ronald Judkins  
Stanley Drive, Haverhill MA  
Parcel ID: 640-600-8

Dear President Jordan:

Please be advised this office represents Ronald Judkins regarding the property located at Stanley Drive and being shown on Haverhill Assessor's Map 640 Block 600 Lot 8.

The parcel consists of 10,000 square feet of land.

Mr. Judkins is requesting a Special Permit from the City of Haverhill to construct a two-family residential building. The Haverhill Zoning Ordinance Chapter 255 Section 9 requires a Special Permit due to the fact that the parcel is located in the Water Supply Protection Overlay District.

The property is shown in Haverhill Assessor's Map 640 Block 600 Lot 8 and is located in the "RH" Zoning District.

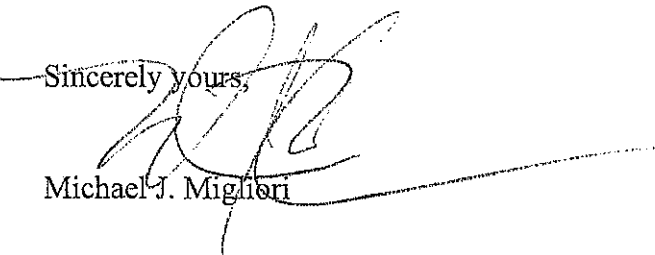
The property meets all of the dimensional and use criteria as set out in the Haverhill Zoning Ordinance for a two-family home which is allowed in the RH Zone and requires no waivers or variances.

Kindly schedule a hearing to be held before the City Council. I have enclosed the appropriate plans, reports and fees in connection with the requested Special Permit.

The applicant further agrees to waive the statutory requirement for Haverhill City Council to hold a hearing on the matter within sixty-five (65) days.

Should you have any questions or need any additional information, please don't hesitate to contact me.

Sincerely yours,



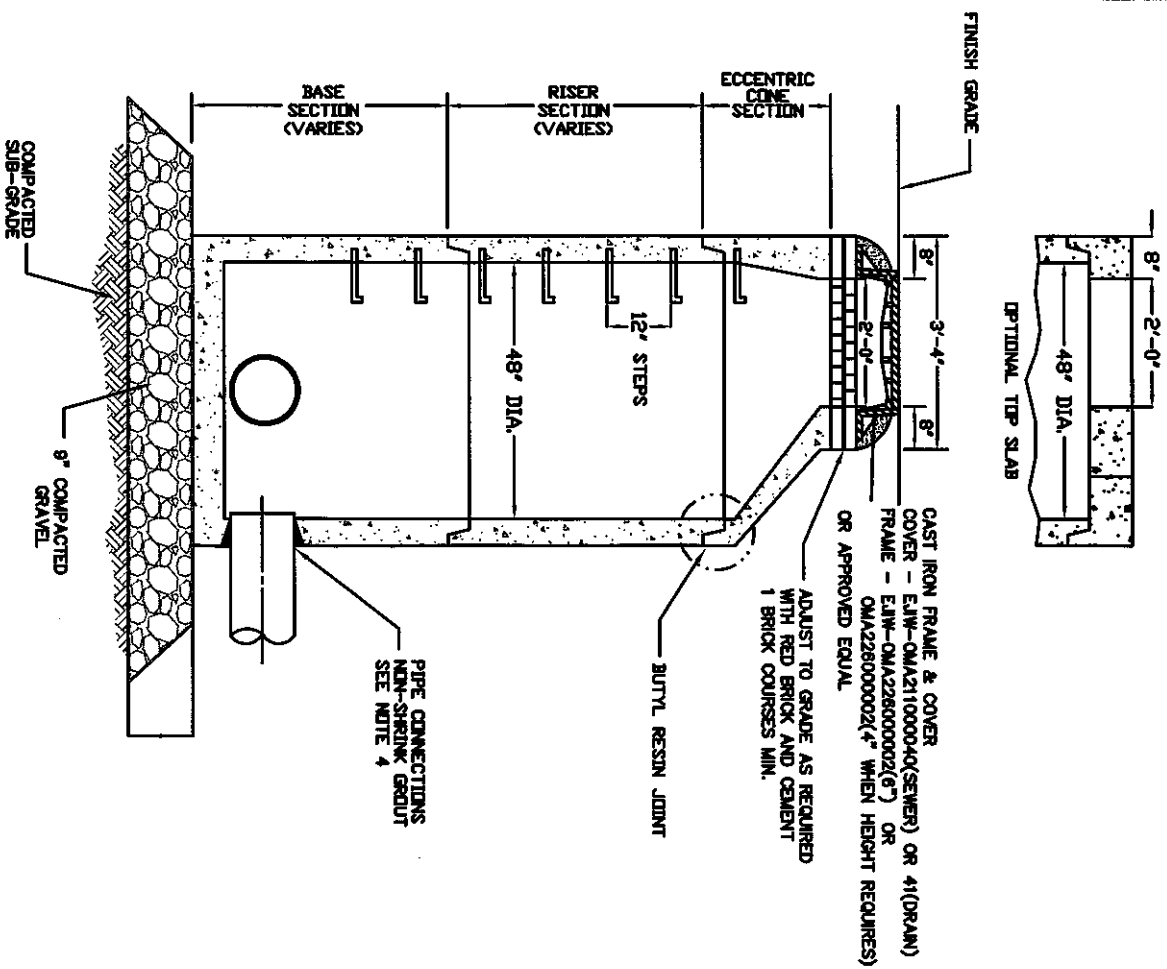
Michael J. Migliori

MJM/dma

Enc.

c.c.: Ronald Judkins

William Pillsbury, Economic Development Office

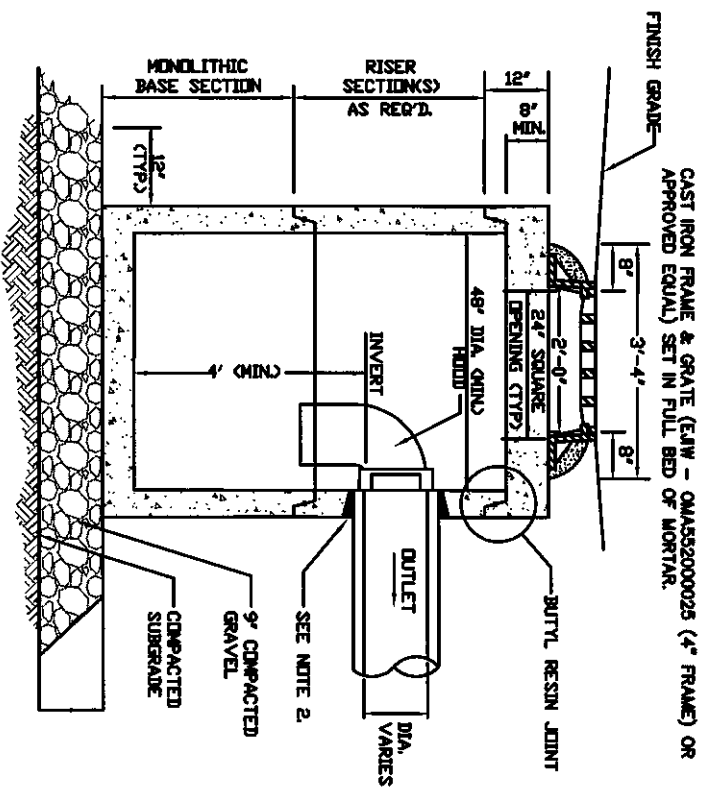


## DRAIN MANHOLE

N.T.S.

### PRECAST STRUCTURES GENERAL NOTES:

1. CONCRETE: 4,000 PSI MINIMUM AFTER 28 DAYS.
2. REINFORCED STEEL CONFORMS TO LATEST ASTM A185 SPEC. 0.12 SQ. IN./LINEAL FT. AND 0 BASE BOTTOM.
3. H-20 DESIGN LOADING PER AASHTO HS-20-44; ASTM C478 SPEC FOR "PRECAST REINFORCED SECTIONS."
4. SECTION JOINTS SHALL BE BUTYL RUBBER CONFORMING TO LATEST ASTM C980 SPEC.
5. STEEL REINFORCED COPOLYMER POLYPROPYLENE PLASTIC STEP CONFORMS TO LATEST ASTM C1100 SPEC.
6. PROVIDE "V" KNOCKOUTS FOR PIPES WITH 2" MAX. CLEARANCE TO OUTSIDE OF PIPE. MORTAR CONNECTIONS OR FLEXIBLE PIPE SLEEVE.
7. BASE SECTION SHALL BE ONE-FOUR MONOLITHIC.



## CATCH BASIN

N.T.S.

Edge Lake

Water elevation  
at edge of  
riprap=150x2

DMH  
R=156.7'±  
INV.=1535

## 2 PROPOSED SEWER SERVICES

900.5

$\overline{CB} = 15.6 \text{ a' +}$

7

11.4.1

**JOHNSON &  
BORENSTEIN, LLC**  
ATTORNEYS AT LAW

12 Chestnut Street  
Andover, MA 01810-3706  
Tel: 978-475-4488  
Fax: 978-475-6703  
www.jblclaw.com  
don@jblclaw.com

Mark B. Johnson (MA, NH, DC)  
Donald F. Borenstein (MA, ME, NH)

Keri M. Armstrong (MA, NH)  
John M. Donnelly, Jr. (MA, NH)  
Gordon T. Glass (ME, MA)  
Andrew T. Lechner (VT, MA, NH)

Of Counsel  
Robert W. Lavoie (MA, NH)

Paralegals  
Karen L. Bussell  
Lianne Patenaude  
Ellen M. Melvin  
Tina M. Wilson

December 1, 2023

**By First Class & Electronic Mail:** Cityclerk@cityofhaverhill.com

Kaitlin M. Wright  
Haverhill City Clerk  
4 Summer Street #204  
Haverhill, MA 01830

RECEIVED CITY OF HAVERHILL

Re:    Applicant:    D&D Realty Trust  
      Application:    Petition for Watershed Special Permit, CCSP-20-5  
      Property:       0 Brandy Brow Road

Dear Clerk Wright,

As you know, I represent the Applicant in the above-referenced matter. Please accept this letter as the Applicant's request to withdraw this Application.

Thank you for your cooperation.

Very truly yours,  
Johnson & Borenstein, LLC

*/s/ Donald F. Borenstein*

Donald F. Borenstein  
DFB

cc: Richard P. Early, Sr., Trustee, D&D Realty Trust, *via e-mail*

*Hearing January 9, 2024*

Street Acceptance, Discontinuance, Naming, Renaming or Alteration · Add to a project

 **Expiration Date**

Active

**Request Changes**

(/#/explore/request-changes/163193)

⋮

**110726***11.4.2***Details**

Submitted on Oct 30, 2023 at 12:41 pm

**Attachments**

10 files

**Activity Feed**

Latest activity on Dec 5, 2023

**Applicant**

TJ Melvin

 0**Location**

. O'Leary Way, Haverhill, MA 01835

View ▼

Edit Workflow

**Street Acceptance, Discontinuance, Naming or Renaming Fee Payment**

Paid Oct 30, 2023 at 12:52 pm

**Street Acceptance, Discontinuance, Naming or Renaming Recording Payment**

Paid Nov 06, 2023 at 3:08 pm

**Engineering Department Approval**

Completed Dec 04, 2023 at 2:12 pm

**Applicant Submits Mylar**

Completed Dec 04, 2023 at 2:12 pm



**Specific Type of Request\***

Street Acceptance

**Current Street Name\***

O'Leary Way

**Proposed Street Name\***

O'Leary Way

**What is Your Role in this Process?\***

Attorney/Agent

**Hearing Waiver****Edit**

Applicant agrees to waive the 65-day hearing requirement.

**Agreement\***

Yes

**Agreement & Signature****Edit**

Under penalties of perjury, I state that all of the above statements are true. I understand that any false information on this application may be cause for denial.

Yes\*

**Office Use Only****Edit****🔒 City Council Initial Decision**

—

**🔒 City Council Final Decision**

—

October 27, 2023  
Haverhill City Council  
4 Summer Street #204  
Haverhill, MA


RE: Acceptance of O'Leary Way

City Council Members,

I, Steve Paquette, on behalf of Boston Haverhill, LLC, the developer of O'Leary Way, hereby petition the City of Haverhill to accept O'Leary Way and all of its improvements. Upon acceptance of O'Leary Way, it is understood that the City will formally assume ownership and full responsibility for the maintenance of all improvements completed as per approved plans and specifications. It is further understood that upon its acceptance the City will provide all services to the residents of O'Leary Way as are normal and customary, such as, but not limited to snow removal and garbage removal. Once accepted the City will release Boston Haverhill, LLC of all responsibilities for maintenance of all improvements and from providing services currently provided to residents of O'Leary Way and return any performance bond monies currently held by the City of Haverhill Treasurers' Office.

Thank you for your consideration in this matter.

Sincerely,



Steve Paquette  
President  
Boston Haverhill, LLC



Copy



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

IT APPEARING that the common convenience and necessity require it,

It is hereby  
That the following street herein described be accepted as a  
Public Way

O'Leary Way

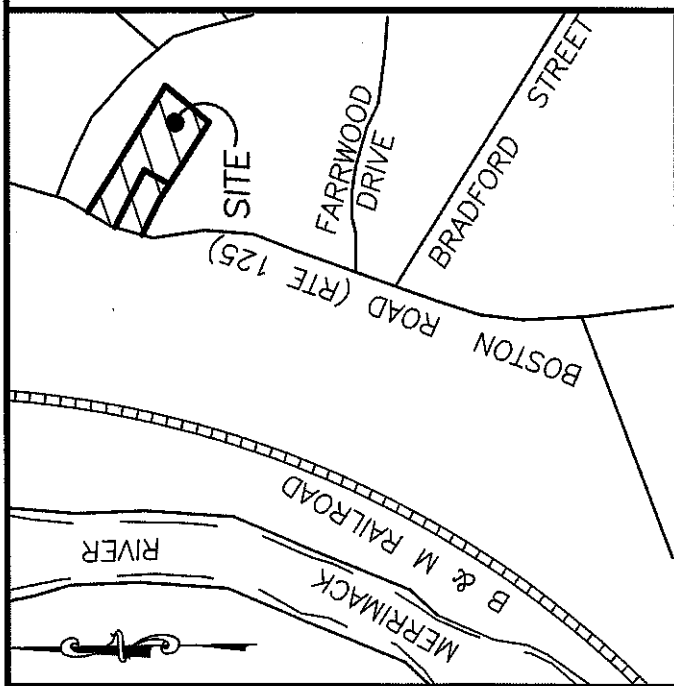
A certain lot or parcel of land on the southeasterly side of Boston Road, Haverhill, Massachusetts as shown on a plan entitled "Plan of Land in Haverhill, MA Showing Street Monumentation for Acceptance at O'Leary Way" by Millennium Engineering, Inc., dated October 9, 2023, on file at the Haverhill Engineering office as Plan EL 398 file #16636.

Beginning at a point along the southeasterly sideline of Boston Road, said point being the most northwesterly corner of the parcel, thence along a curve to the left of

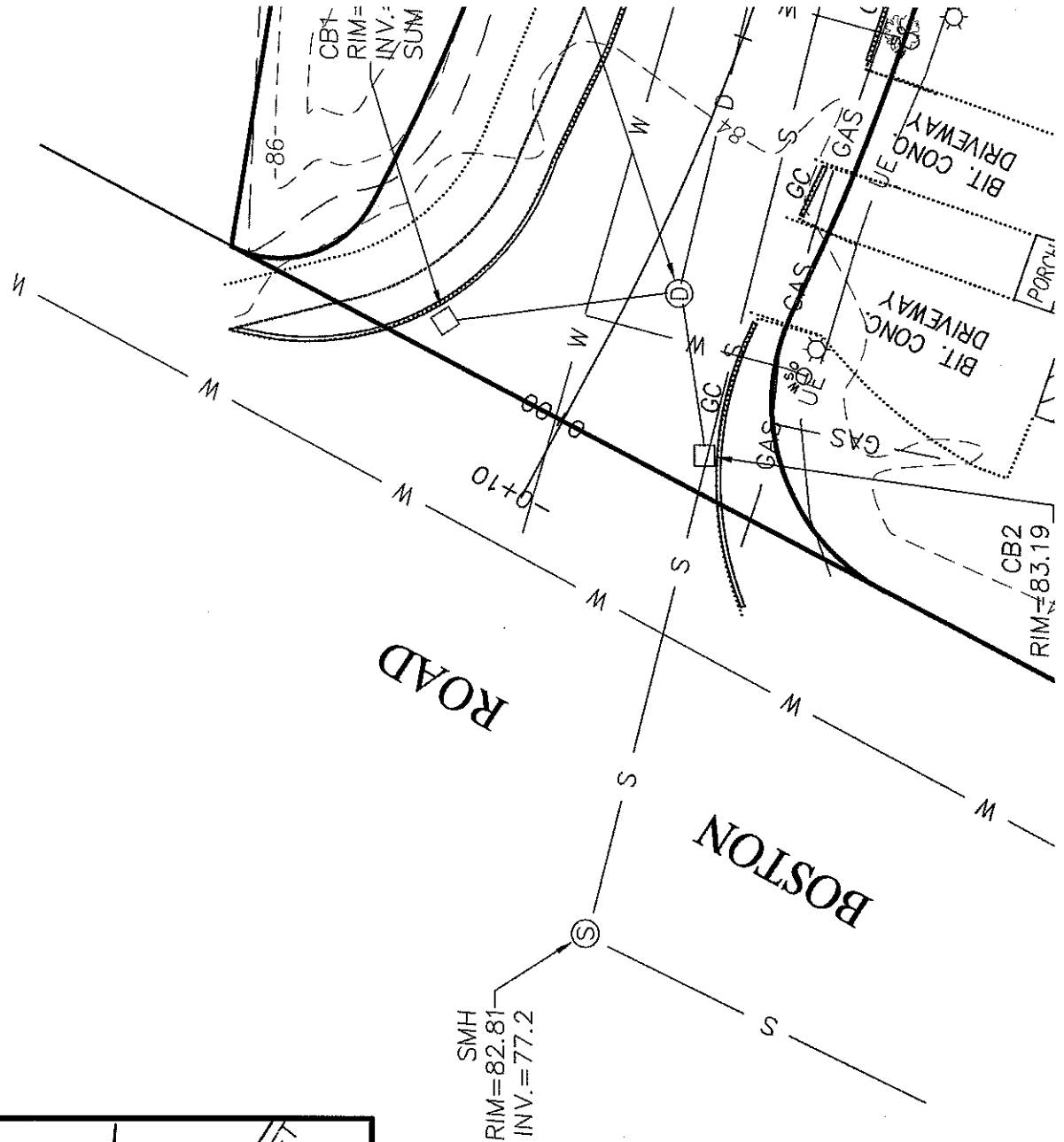
|                     |           |  |
|---------------------|-----------|--|
| R=12.35'            | L=19.30'  | to a point, thence on a curve to the left of,          |
| R=240.00'           | L=79.49'  | to a point, thence,                                    |
| S 80° 50' 32" E     | 31.63'    | to a point, thence on a curve to the right of,         |
| R=300.00'           | L=252.39' | to a point, thence on a curve to the left of,          |
| R=25.00'            | L=19.26'  | to a point, thence on a curve to the right of,         |
| R=60.00'            | L=299.91' | to a point, thence on a curve to the left of,          |
| R=25.00'            | L=28.95'  | to a point, thence on a curve to the left of,          |
| R=250.00'           | L=192.48' | to a point, thence,                                    |
| N 80° 50' 32" W     | 31.63'    | to a point, thence on a curve to the right of,         |
| R=290.00'           | L=83.79'  | to a point, thence on a curve to the left of,          |
| R=25.00'            | L=38.40'  | to a point on the southeasterly sideline of Boston     |
| Road, thence,       |           |  |
| N 27° 41' 54" E     | 87.16'    | along the southeasterly sideline of Boston Road to the |
| point of beginning. |           |  |

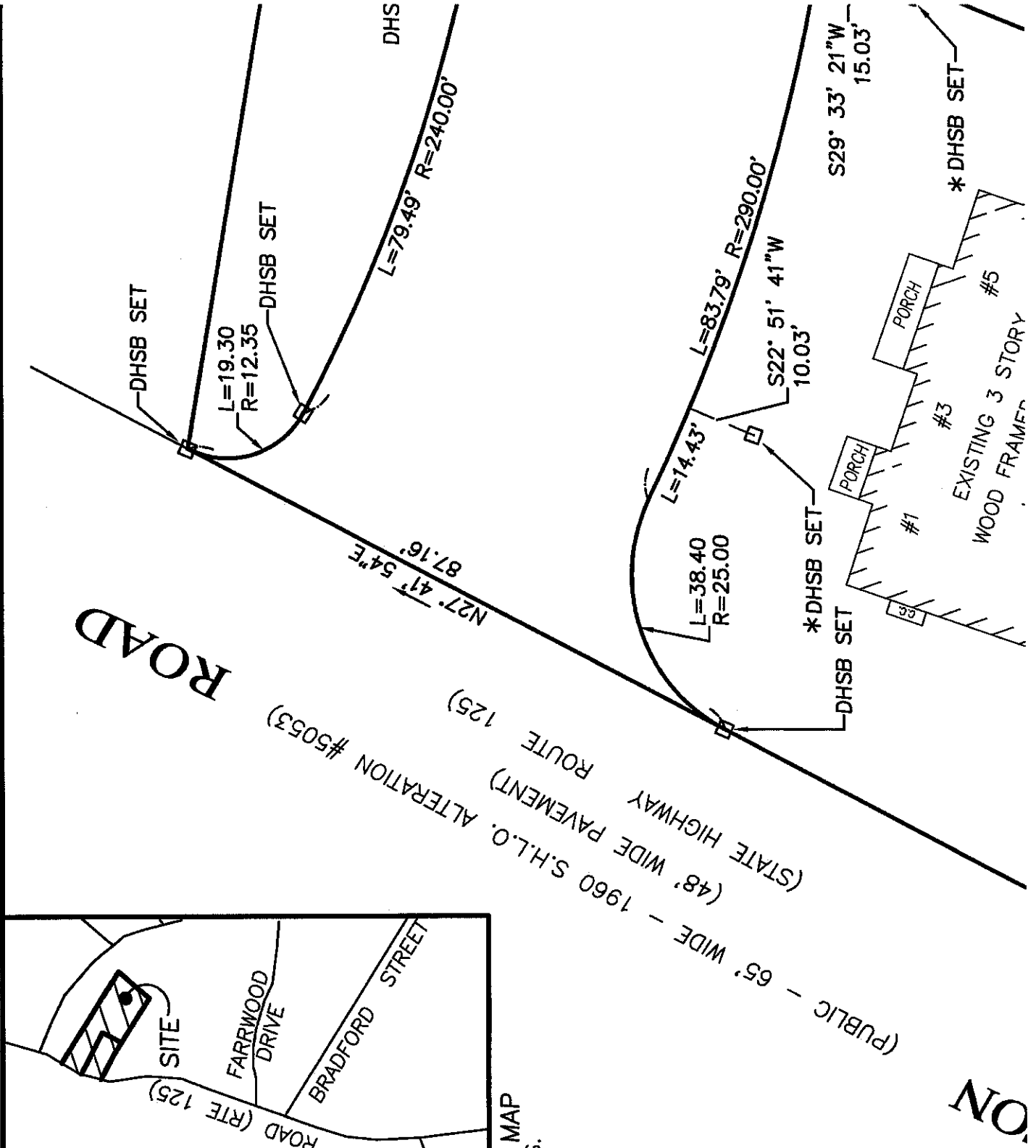
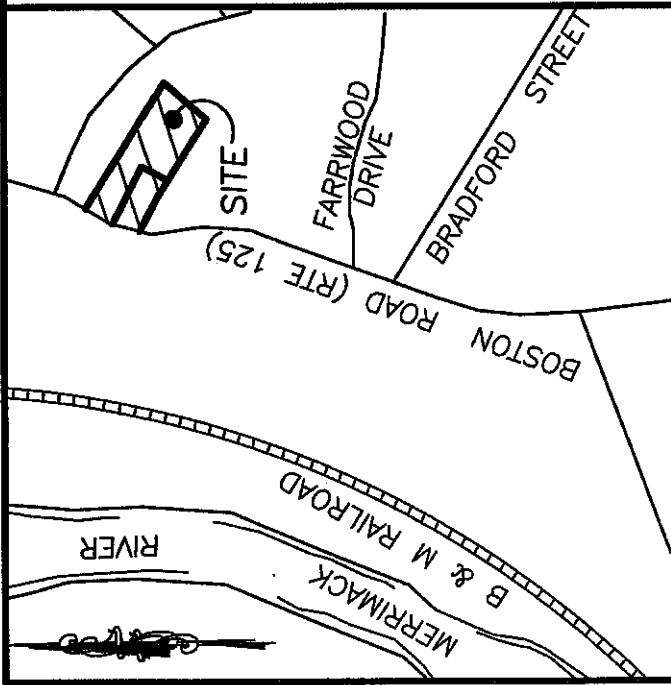
Meaning and intending to describe O'Leary Way as shown the Definitive Subdivision Plan, recorded as Plan Book 40257, Plan and on file at the Haverhill Engineering office as Plan 2B 3756 file #16430.

#110726  
FOR HEARING JANUARY 9 2024



LOCUS MAP  
N.T.S.







# Haverhill

11.8.1

City Clerk's Office, Room 118  
Phone: 978-374-2312 Fax: 978-373-8490  
cityclerk@cityofhaverhill.com

Date: Dec 6, 2023

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks to receive a license for **TAG DAYS**  
pursuant to Chapter 227 of Haverhill City Code

Organization: Haverhill High Boys Swim + Dive Applicant's Name: Jacquie McLaughlin  
Applicant's Residence (must be Haverhill resident): 5 Florence Ave  
Applicant's Signature: [Signature]

**(3 CONSECUTIVE DAYS ONLY)**

Date of Tag Day Request(s): Dec 30, 31, 2023

Canister: — Tag: ✓ Fee: \$ —

**ON STREET LOCATIONS ARE NO LONGER PERMITTED – SEE DOC .47 OF 2017**

**OFF STREET LOCATIONS - PLEASE SPECIFY**

Dunkin' Donuts  
Duffy's Diner  
Heavenly Donuts

**\*A LETTER FROM THE PRIVATE PROPERTY OWNER GRANTING PERMISSION FOR  
USE OF THE LISTED LOCATIONS IS REQUIRED AT THE TIME OF THE APPLICATION**

**A sample of the badge being used by those tagging and a sample of the tag being issued by the  
Organization must be filed with the City Clerk's Office at the time of the application**

Office Use Only

Recommendation by Police Chief: ✓ Approved  
— Denied

[Signature]  
Police Chief

In Municipal Council, —

Attest: —

City Clerk

8/4/2023 10:28 AM  
CITY OF HAVERHILL

8/4/2023 10:28 AM

11.10.2.1

Coin-Operated Amusement Device License · Add to a project

 **Expiration Date**

**Active**

**Request Changes**  
(</#/explore/request-changes/141791>)



AMUS-23-5



**Details**  
Submitted on Dec 4, 2023 at 9:52 am



**Attachments**  
0 files



**Activity Feed**  
Latest activity on Dec 4, 2023



**Applicant**  
Edward DIBURRO

 0



**Location**  
725 SOUTH MAIN ST, Bradford, MA 01835



**View** ▼

**Edit Workflow**



**Coin-Operated Amusement Device Payment**  
Paid Dec 04, 2023 at 9:55 am



**City Clerk Approval**  
Completed Dec 04, 2023 at 9:56 am

 MB



**Police Department Approval**  
Completed Dec 04, 2023 at 10:41 am

 KL





City Council Approval  
Review



Coin-Operated Amusement Device Permit Issued  
Document

Details

Applicant Information

Edit

Business Name\*

Academy L;anes

Type of Business\*

Corporation

Applicant Birthday\*

12/19/1963

Type of Device\*

Coin-Operated Machine

Number of Machines\*

12

Are Machines Operated on Sundays?\*

Yes

Vendor Information

Edit

Vendor Name\*

Seacoast amusements

Vendor Phone\*

603-918-9101

Vendor Address\*

51 Lafayette rd

Vendor City\*

Hampston

**Vendor State\***

NH

**Vendor Zip\***

03842

**Agreement & Signature****Edit**

Under penalties of perjury, I state that all of the above statements are true. I understand that any false information on this application may be cause for denial or revocation of my Application for Tax Abatement.

---



**City Council Approval**  
In Progress

MB



**Coin-Operated Amusement Device Permit Issued**  
Document

**Police Department Approval**



**Complete** ▾

Complete

Assignee

 Kevin Lynch

Due date

 None

This step was assigned to Kevin Lynch - Dec 4, 2023 at 9:56 am  
Kevin Lynch approved this step - Dec 4, 2023 at 10:41 am



*Pending HPD**11.10.2.2*

Coin-Operated Amusement Device License · Add to a project

 **Expiration Date****Active****Request Changes**[\(/#/explore/request-changes/165434\)](/#/explore/request-changes/165434)**AMUS-23-6****Details**

Submitted on Dec 5, 2023 at 10:41 am

**Attachments**

0 files

**Activity Feed**

Latest activity on Dec 5, 2023

**Applicant**

Kevin Dorr

 0**Location**

30 FERRY ST, Bradford, MA 01835

**View** ▼**Edit Workflow****Coin-Operated Amusement Device Payment**

Paid Dec 05, 2023 at 10:43 am

**City Clerk Approval**

In Progress

MB

**Police Department Approval**

Review





City Council Approval  
Review



Coin-Operated Amusement Device Permit Issued  
Document

Details

Applicant Information

Edit

Business Name\*

crescent yacht club

Type of Business\*

Limited Liability Corporation (LLC)

Applicant Birthday\*

07/25/1961

Type of Device\*

Video Game Machine

Number of Machines\*

2

Are Machines Operated on Sundays?\*

Yes

Vendor Information

Edit

Vendor Name\*

J&M Amusements

Vendor Phone\*

9787586100

Vendor Address\*

34 Phillips St

Vendor City\*

Salem

**Vendor State\***

MASSACHUSETTS

**Vendor Zip\***

01970

**Agreement & Signature****Edit**

Under penalties of perjury, I state that all of the above statements are true. I understand that any false information on this application may be cause for denial or revocation of my Application for Tax Abatement.



City Council Approval  
Review



Coin-Operated Amusement Device Permit Issued  
Document

Location

PRIMARY LOCATION

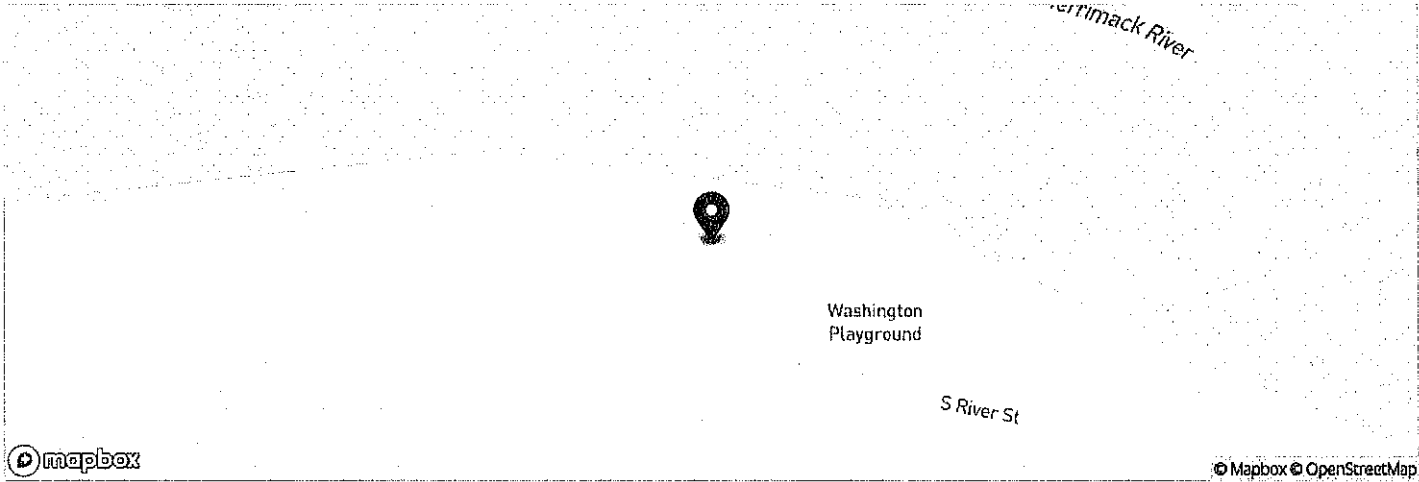
The main location associated with this record.

30 FERRY ST

Bradford, MA 01835  
700-630-2B

[View Location](#)

FLOOD ZONE: 100%



Property Owner Information (for this record)

Name  
CRESCENT YACHT CLUB

Email Address  
--

Phone Number  
--

Address

PO BOX 5006  
BRADFORD, MA 01835

**CITY COUNCIL**

**Timothy J. Jordan**  
President

**John A. Michitson**  
Vice President

**Melinda E. Barrett**

**Joseph J. Bevilacqua**

**Thomas J. Sullivan**

**Melissa J. Lewandowski**

**Michael S. McGonagle**

**Catherine P. Rogers**

**Shaun P. Toohey**



14.1

CITY HALL, ROOM 204

4 SUMMER STREET

TELEPHONE: 978-374-2328

FACSIMILE: 978-374-2329

[WWW.CITYOFHAVERHILL.COM](http://WWW.CITYOFHAVERHILL.COM)

[CITYCNCL@CITYOFHAVERHILL.COM](mailto:CITYCNCL@CITYOFHAVERHILL.COM)

**CITY OF HAVERHILL**

HAVERHILL, MASSACHUSETTS 01830-5843

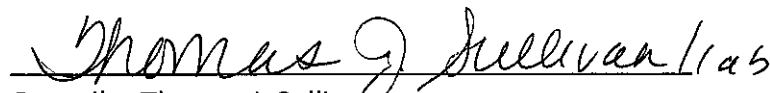
December 8, 2023

ALL CITY COUNCIL MEMBERS

To: President and Members of the City Council:

President Jordan and Councilor Sullivan to discuss requesting 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 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.

  
Council President Timothy J. Jordan

  
Councilor Thomas J. Sullivan

(meeting 12.12.2023)



**CITY OF HAVERHILL  
MASSACHUSETTS**

34-H  
**JAMES J. FIORENTINI**  
MAYOR

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CI.HAVERHILL.MA.US

15.2

November 16, 2023

City Council President Timothy J. Jordan and Members of the Haverhill City Council

**RE: Salary Ordinance & MOA submission**

Dear Mr. President and Members of the Haverhill City Council:

Please find attached a Salary Ordinance and a Memorandum of Agreement (MOA) between the City of Haverhill and the Haverhill Superior Officers Group. This ordinance must be placed on file for 10 days. I recommend approval.

Very truly yours,

  
James J. Fiorentini  
Mayor

JJF/lyf

IN CITY COUNCIL: November 28 2023  
TO COME BACK WITH SALARY ORDINANCE  
Attest:

\_\_\_\_\_  
City Clerk



# Haverhill

Human Resources Department, Room 306

Phone: (978) 374-2357 Fax: (978) 374-2343

Denise McClanahan, HR Director – [dmcclanahan@cityofhaverhill.com](mailto:dmcclanahan@cityofhaverhill.com)

Christine Caminero, HR Technician – [ccaminero@cityofhaverhill.com](mailto:ccaminero@cityofhaverhill.com)

Christina Carrie, HR Technician – [ccarrie@cityofhaverhill.com](mailto:ccarrie@cityofhaverhill.com)

TO: Mayor James J. Fiorentini  
FROM: Denise McClanahan, HR Director  
DATE: November 17, 2023  
RE: Salary Ordinance & MOA submission

Attached please find a salary ordinance and MOA for the Haverhill Superior Officers Group as a result of their recent negotiations. Please submit these documents to the next City Council meeting for action.

dIm



TO: MAYOR JAMES J. FIORENTINI  
FROM: Denise McClanahan, HR Director  
DATE: 11/17/2023  
RE: COLLECTIVE BARGAINING FINANCIAL DISCLOSURE

NAME OF CONTRACT OR GROUP: Superior Officers Group  
CONTRACT PERIOD: July 1, 2022 to June 30, 2025

% INCREASE FOR EACH CONTRACT YEAR:

Year 1 \_\_\_\_\_ %      Year 2 new step 2.25% %      Year 3 Increase from 2% to 2.25%

COST OF COLA FOR EACH FISCAL YEAR OF CONTRACT:

|                       |             |                               |
|-----------------------|-------------|-------------------------------|
| Year 1 – FY <u>23</u> | Cost amount | <u>\$n/a</u>                  |
| Year 2 – FY <u>24</u> | Cost amount | <u>\$17,263 (new step)</u>    |
| Year 3 – FY <u>25</u> | Cost amount | <u>\$4,947.80 (COLA only)</u> |

ADDITIONAL COSTS

(i.e., OT, Hazardous Duty, Professional Development, Clothing Allowance, Holiday Pay, etc.)

What is the percentage increase that these extras add to the budget? \_\_\_\_\_

TOTAL COST OF PROPOSED COLLECTIVE BARGAINING AGREEMENT: \$ \_\_\_\_\_

Total salary budget for this group: \_\_\_\_\_

Percent increase in salary budget: \_\_\_\_\_

Are there any other groups or individuals that would be directly affected by this budget? No

What would be the effect? \_\_\_\_\_

Are there any other known implications to this contract? \_\_\_\_\_

Yes      No

Funds are appropriated

☒ ☐

Where funds are located

Account #: Click or tap here to enter text.

Yes      No

Funds need appropriation by council

☐ ☒

Where funds to come from

Account #: Click or tap here to enter text.

\_\_\_\_\_  
Auditors Office

  
\_\_\_\_\_  
HR Dept

Memorandum of Agreement  
Between  
THE CITY OF HAVERHILL and  
THE HAVERHILL SUPERIOR OFFICERS GROUP

This Memorandum of Agreement sets forth the agreement of the parties to amend and supplement the existing agreement in effect through June 30, 2025. This Memorandum shall not be binding until ratified by the membership of the Union and funded by City Council. Failing such ratification, or funding, the Memorandum shall not be admissible in any proceeding between the parties.

**1. Article XII – Private Paid Details and Overtime**

Add effective the week following the City Council funding of this agreement increase detail rate to \$62 per hour. City details and details for non-profit charities shall be straight \$55/hr. All other terms not contradictory to the above to remain the same.

**2. Article XXIII – Salaries and Longevity.**

- |                      |   |
|----------------------|---|
| 1. Wages Increases - | Effective July 1, 2024 – An additional 0.25% for a total increase of 2.25%  |
| 2. Additional Step - | Effective January 1, 2024 - A new step shall be added - <b>Year 10/5 Step</b> – to be eligible for this step a member must have not less than ten (10) years of service with the Department and not less than five (5) years of service within this bargaining group; The <b>Year 10/5 Step</b> shall be initially established two and one quarter percent (2.25%) higher than the current Year 2 step. |

**3. Integrated CBA.**

An integrated collective bargaining agreement shall be completed by the parties within 30 days following City Council ratification of funding.

Except as expressly provided below, the Parties agree that the terms and provisions of their current collective bargaining agreement ("CBA") effective July 1, 2022 to June 30, 2025, including all side letters of agreement, shall remain unchanged and in full force and effect until June 30, 2025.

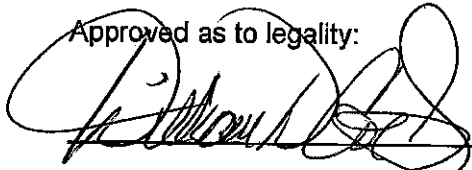
*(Signatures on following page)*

Date: November 6, 2023

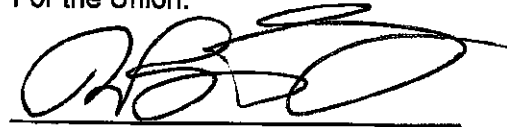
For the City:

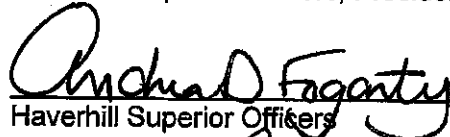
  
James J. Fiorentini, Mayor

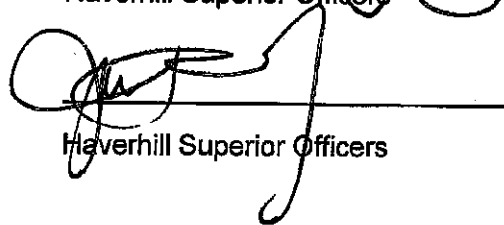
Approved as to legality:

  
William D. Cox, Jr., City Solicitor

For the Union:

  
Haverhill Superior Officers, President

  
Haverhill Superior Officers

  
Haverhill Superior Officers

Side Letter  
Between  
THE CITY OF HAVERHILL and  
THE HAVERHILL SUPERIOR OFFICERS GROUP

This Side Letter sets forth the agreement of the parties as follows:

**Resolution of Pending Matters.**

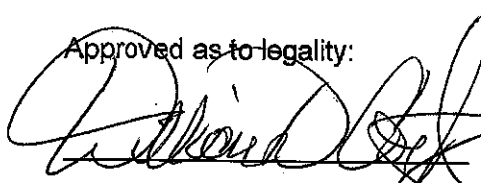
- Repayment of FY 22 & 23 wages identified in the 5.3.23 Audit Report as having been overpaid. Repayment to occur upon City Council ratification of funding.
- Dismissal with prejudice of Haverhill Police Superior Officers Association v. City of Haverhill – AAA Case 01-23-0002-0612 (including all 3 grievances filed 3.3.2023), however, should the HPPA file the same grievance and prevail, resulting in the City being required to grant the same benefits to the HPPA, the City will provide said benefits to members of this group. Parties agree that there are no other pending grievances or arbitrations between the parties at this time.

Date: November 6, 2023

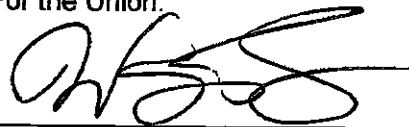
For the City:

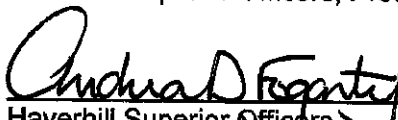
  
James J. Fiorentini, Mayor

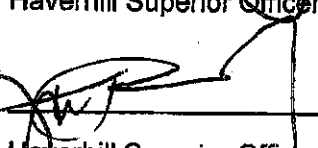
Approved as to legality:

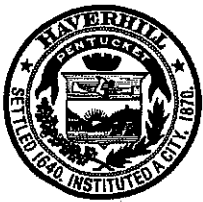
  
William D. Cox, Jr., City Solicitor

For the Union:

  
Haverhill Superior Officers, President

  
Haverhill Superior Officers

  
Haverhill Superior Officers



DOCUMENT 35-I

## CITY OF HAVERHILL

In Municipal Council November 28 2023

ORDERED:

MUNICIPAL ORDINANCE  
AN ORDINANCE RELATING TO SALARIES

CHAPTER  
SUPERIORS OFFICERS GROUP

BE IT ORDAINED by the City Council of the City of Haverhill that Document 99-H of 2022 is hereby amended as follows:

### Amend Article XIII - SALARIES AND LONGEVITY Section 1

| EFFECTIVE 1/1/2024 | START       | YEAR 1      | YEAR 2      | 10/5 STEP   |
|--------------------|-------------|-------------|-------------|-------------|
| CAPTAIN            | \$ 1,740.63 | \$ 1,841.01 | \$ 1,903.96 | \$ 1,946.80 |
| LIEUTENANT         | \$ 1,571.19 | \$ 1,661.23 | \$ 1,717.73 | \$ 1,756.38 |
| SERGEANT           | \$ 1,406.58 | \$ 1,486.74 | \$ 1,537.10 | \$ 1,571.68 |

| EFFECTIVE 7/1/2024 2.25% | START       | YEAR 1      | YEAR 2      | 10/5 STEP   |
|--------------------------|-------------|-------------|-------------|-------------|
| CAPTAIN                  | \$ 1,779.80 | \$ 1,882.43 | \$ 1,946.80 | \$ 1,990.61 |
| LIEUTENANT               | \$ 1,606.54 | \$ 1,698.61 | \$ 1,756.38 | \$ 1,795.90 |
| SERGEANT                 | \$ 1,438.23 | \$ 1,520.19 | \$ 1,571.68 | \$ 1,607.04 |

### Amend Article XII: PRIVATE DETAILS AND OVERTIME

Effective the week following the City Council funding of this agreement increase detail rate to \$62 per hour. City details and details for non-profit charities shall be straight \$55 per hour. All other terms not contradictory to the above to remain the same.

Approved as to legality:

\_\_\_\_\_  
City Solicitor

PLACED ON FILE for at least 10 days

Attest:

\_\_\_\_\_  
City Clerk



DOCUMENT 99-H

**CITY OF HAVERHILL**

In Municipal Council November 1 2022

~~ORDERED:~~

MUNICIPAL ORDINANCE  
AN ORDINANCE RELATING TO SALARIES

CHAPTER  
SUPERIORS OFFICERS GROUP

BE IT ORDAINED by the City Council of the City of Haverhill that Document 97-B of 2020 is hereby amended as follows:

**Amend Article XIII - SALARIES AND LONGEVITY Section 1**

| EFFECTIVE 7/1/2022 2% | START       | YEAR 1      | YEAR 2      |
|-----------------------|-------------|-------------|-------------|
| CAPTAIN               | \$ 1,706.50 | \$ 1,804.91 | \$ 1,866.63 |
| LIEUTENANT            | \$ 1,540.38 | \$ 1,628.65 | \$ 1,684.05 |
| SERGEANT              | \$ 1,379.00 | \$ 1,457.59 | \$ 1,506.96 |

| EFFECTIVE 7/1/2023 2% | START       | YEAR 1      | YEAR 2      |
|-----------------------|-------------|-------------|-------------|
| CAPTAIN               | \$ 1,740.63 | \$ 1,841.01 | \$ 1,903.96 |
| LIEUTENANT            | \$ 1,571.19 | \$ 1,661.23 | \$ 1,717.73 |
| SERGEANT              | \$ 1,406.58 | \$ 1,486.74 | \$ 1,537.10 |

| EFFECTIVE 7/1/2024 2% | START       | YEAR 1      | YEAR 2      |
|-----------------------|-------------|-------------|-------------|
| CAPTAIN               | \$ 1,775.44 | \$ 1,877.83 | \$ 1,942.04 |
| LIEUTENANT            | \$ 1,602.62 | \$ 1,694.45 | \$ 1,752.09 |
| SERGEANT              | \$ 1,434.71 | \$ 1,516.48 | \$ 1,567.84 |

**Amend Article XIII - SALARIES AND LONGEVITY Section 2**

Increase 20 years payment from \$950 to \$1,000.

**Add new section to Article XIII - SALARIES AND LONGEVITY - ACCREDITATION STIPEND**

Effective July 1, 2022 an annual accreditation stipend of \$1,000 to be paid at the same time as annual longevity payment provided the Department remains accredited as of July 1st of each year.

**Amend Article XXX - DIFFERENTIALS by inserting and replacing with the following language:**

1. Any member of the Bargaining Unit who works any hours between the hours of 4:30 p.m. and 8:30 a.m. will receive a night differential of twelve and one-quarter percent (12.25%) computed on their annual salary. Said differential to be paid weekly. An employee does not have to be regularly assigned to said shift to receive the differential.



Or

**ORDERED:**

2. Any member of the Bargaining Unit who works any hours between the hours of 8:30 a.m. and 4:30 p.m. will receive a differential of two and one-quarter percent (2.25%) computed on those hours on their annual salary. Said differential to be paid weekly. An employee does not have to be regularly assigned to said shift to receive the differential.

#### **Amend Article XXIX- EDUCATIONAL INCENTIVE PAY Section F**

Effective July 1, 2022 (and to be included in this year's educational payment) increase the educational stipend by \$1,000 to a total of \$11,700 for all members currently receiving the \$10,700 education stipend.

#### **Amend Article XXIX- EDUCATIONAL INCENTIVE PAY Section G**

Effective July 1, 2022 (and to be included in this year's educational payment) officers not otherwise eligible for education incentive pay under Sections A-F of this agreement shall be eligible to receive an education incentive stipend for Quinn-qualifying criminal justice degrees or a law degree from an accredited institution as follows: Associate's Degree: \$3,700; Bachelor's Degree: \$6,200; Master's Degree: \$8,200. (Increase of \$1,000 for each)

#### **Amend Article XII: PRIVATE DETAILS AND OVERTIME**

Effective the week following the City Council funding of this agreement increase detail rate \$2 to \$56 per hour.

Approved as to legality:

\_\_\_\_\_  
City Solicitor

PLACED ON FILE for at least 10 days

Attest: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

IN CITY COUNCIL November 15 2022

PASSED

Attest: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

APPROVED:

\_\_\_\_\_  
Mayor

**CITY COUNCIL**

**Timothy J. Jordan**, *President*  
**John A. Michitson**, *Vice President*  
**Thomas J. Sullivan**  
**Colin F. LePage**  
**Melissa J. Lewandowski**  
**Michael S. McGonagle**  
**Catherine P. Rogers**  
**Shaun P. Toohey**  
**Devin Ferreira**  
**Ralph T. Basiliere**  
**Katrina Hobbs Everett**



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[CITYCNCL@CITYOFHAVERHILL.COM](mailto:CITYCNCL@CITYOFHAVERHILL.COM)

**CITY OF HAVERHILL**

**HAVERHILL, MASSACHUSETTS 01830-5843**  
**DOCUMENTS REFERRED TO COMMITTEE STUDY**

|      |  |                   |          |
|------|--|-------------------|----------|
| 79-F | Communication from Councillor Sullivan requesting to introduce Kathleen Fitts, Gale Park Assoc. to request the city replace the Gale Park Fountain in fiscal year 20   | NRPP              | 6/25/19  |
| 34-P | Communication from Councillor Sullivan requesting a discussion regarding the disposal of cremated remains on public property   | NRPP              | 3/17/20  |
| 86-D | Communication from Councillor Michitson requesting to address economic development ideas resulting from the pandemic   | Planning & Dev.   | 8/11/20  |
| 86-F | Communication from Council President Barrett and Councillor LePage requesting discussion pertaining to utilization of UV-C disinfection fixtures in public buildings   | A & F             | 8/25/20  |
| 89-C | Mayor Fiorentini submits final recommendations of Matrix Company   | NRPP              | 9/15/20  |
| 91   | Petition from Wady & Jewnifer Grullon requesting to purchase city property that abuts their property at 14 Silver Birch Ln; Assessor's Map 574, Block 1 Lot 7  | NRPP              | 9/15/20  |
| 91-B | Petition from the Biggart Family requesting to purchase 2 parcels of land that abuts their property at 30 Belvidere Rd., Assessor's Map 409, Block 114, Lot 9; and Map 409, Block 1A, Lot 1 that includes conservation land, but only the portion zone RMD (Residential Medium Density)            | "                 | 9/22/20  |
| 55-I | Communication from Council President Barrett and Councillor McGonagle requesting to introduce Don Jarvis, Keith Gopsill and Mike Ingham to discuss becoming a Purple Heart Community   | NRPP              | 12/15/20 |
| 91-C | Petition of Michael DeLuca requesting to purchase surplus city land on River St., Map 538, Block 419B, Lots 20, 21, 22, 23   | NRPP              | 12/15/20 |
| 27-E | Communication from Councillor Sullivan requesting to introduce Debbie Lyons, to explain having legal permitting system as it relates to establishing permitting/licensing process to allow for "Bow Hunter Tree Stands" to be placed on trees on City properties when hunting is allowed in season | NRPP              | 3/2/21   |
| 27-J | Communication from Councillor Michitson requesting to re-start discussion on way ahead for residential zoning in Haverhill   | Planning & Dev.   | 3/9/21   |
| 50   | Councillor Jordan requests on behalf of Tom Riley, 195 Kingsbury Ave., to have city surplus land that abuts his property, Map 768, Block 50, Lot 85A on Lincolnshire Ave.  | NRPP              | 4/6/21   |
| 50-U | President Barrett and Vice President LePage request discussion about composting options  | Citizens Outreach | 5/18/21  |
| 63-S | Councillor Daly O'Brien discuss sending intent of closing Washington St. for trial period to make it pedestrian walkway  | Citizens Outreach | 8/24/21  |
| 5-F  | Councillor Michitson request study between Mayor and City Council budgetary powers   | Citizens Outreach | 1/25/22  |



|       |  |                |          |
|-------|--|----------------|----------|
| 5-W   | Communication from Councillor Sullivan and Councillor Lewandowski to discuss Atherton Housing parking needs downtown.  | NRPP           | 4/5/22   |
| 118-G | Communication from Vice President Michitson to send to develop city policies to incentivize Building & business park developers to use sustainable & environmentally friendly practices. | Planning & Dev | 10/25/22 |
| 78-A  | Communication from Mayor Fiorentini to send Zoning amendments to committee for review. Motion by Councilor Rogers to send to A&F, second Councilor Sullivan.                             | A&F            | 10/31/23 |