



CITY OF HAVERHILL

CITY COUNCIL AGENDA

Tuesday, March 22, 2022 at 7:00 PM

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

In-Person/Remote Meeting

This meeting/hearing of Haverhill City Council will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing 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.

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:

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

6.1. Council President Jordan requests to introduce Alex Eberhardt, the new President of the *Greater Haverhill Chamber of Commerce*

6.2. Councillor McGonagle requests to introduce Gary Shahinian to speak regarding Ordinance enforcement in the City

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. Orlando Pacheco, Energy Advisor, will be present at the meeting to submit and discuss Payment in Lieu of Tax Agreement (PILOT) between Amesbury Line Solar LLC and the City of Haverhill

8.2. Orlando Pacheco, Energy Advisor, will be present at the meeting to submit and discuss Payment in Lieu of Tax Agreement (PILOT) between MA Kimball Farms Solar LLC and the City of Haverhill

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

9.1. Document 36: Mass Electric Co d/b/a National Grid and Verizon NE requests joint pole location on Forest st; plan 28228139

9.1.1. Document 36-B: Order grant National Grid & Verizon NE joint pole location on Forest st

9.2. Document 37: Mass Electric Co d/b/a National Grid of North Andover requests underground electric conduits on Sylvan Hill rd; 28228139

9.2.1. Document 37-B: Order grant Mass Electric Co d/b/a National Grid of North Andover requesting underground electric conduits on Sylvan Hill rd



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9.3. Petitions from Mass Electric Co d/b/a National Grid and Verizon NE requesting hearing for joint pole locations for the following locations:

9.3.1. Forest st plan 30497003

9.3.2. West Lowell “ “

9.3.3. Broadway “ “

9.3.4. Rochambault st plan 30497920

All Hearings April 26th

10. HEARINGS AND RELATED ORDERS:

10.1. Document 40: Petition from Attorney William Cox for City requesting to revise a section of the City Code by amending Chapter 66 by adding “The City Council shall determine their own limitations on a member’s ability to participate remotely”

10.1.1. Document 40-B; Ordinance re: Meetings – Amend City Code Chapter 66
Filed March 2 2022

11. APPOINTMENTS:

11.1. **Confirming Appointments:**

11.2. **Non-Confirming:**

11.2.1. *Central District Parking Commission, William Macek
expires March 2023*

Resignations:

12. PETITIONS:

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

12.2. **Amusement/Event Application:**

12.3. **Auctioneer License:**

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

12.4.1. *Knights of Columbus, May 20 & 21*

12.4.2. *Haverhill Girls Softball, June 3,4,5*

12.5. **One Day Liquor License – with approvals**

12.6. **Annual License Renewals:**

12.6.1. **Hawker Peddlers License 2022 - Fixed location – with approvals**

12.6.2. **Coin-Op License Renewals - with Police Dept approval**

12.6.3. **Drainlayer License Renewals for 2022 -with City Engineer approval**

12.6.4. **Christmas Tree Vendor:**

12.6.5. **Taxi Driver Licenses for 2022: with Police Dept approval**

12.6.6. **Taxi License**

12.6.7. **Junk Dealer License with Police Dept approval:**

12.6.8. **Pool Tables**

12.6.9. **Sunday Pool**

12.6.10. **Bowling**

12.6.11. **Sunday Bowling**

12.6.12. **Buy & Sell Second Hand Articles with Police Dept approval:**

12.6.13. **Buy & Sell Second Hand Clothing**



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- 12.6.14. Pawnbroker license
- 12.6.15. Fortune Teller
- 12.6.16. Buy & Sell Old Gold
- 12.6.17. Roller Skating Rink
- 12.6.18. Sunday Skating
- 12.6.19. Exterior Vending Machines
- 12.6.20. Limousine/Livery License/Chair Cars

13. MOTIONS AND ORDERS:

14. ORDINANCES (FILE 10 DAYS)

15. COMMUNICATIONS FROM COUNCILLORS:

- 15.1. Councillors Barrett and Michitson request a discussion regarding truck traffic using the Rocks Village Bridge
- 15.2. Council Vice President Michitson requests to announce Citizen's Advisory Committee meeting to seek feedback from citizens on establishing a charter commission

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

- 16.1. Document 42: Bond Order - \$1,200,000 to pay costs of City Hall retaining wall replacement and exterior repairs *filed March 9 2022*

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

- 18.1. Councillor Barrett submits Minutes and Recommendations of the *Administration and Finance Committee* meeting held on February 16 2022 for discussion and acceptance

19. DOCUMENTS REFERRED TO COMMITTEE STUDY

20. LONG TERM MATTERS STUDY LIST

21. ADJOURN

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

HAVERHILL CITY CLERK MARY ANN O'NEILL

61

CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978-374-2328
FACSIMILE: 978-374-2329
WWW.CITYOFHAVERHILL.COM
CITYCNCL@CITYOFHAVERHILL.COM

March 16, 2022

To: President and Members of the City Council

Council President Jordan wishes to introduce Alex Eberhardt, the new President of the Greater Haverhill Chamber of Commerce.


City Council President Timothy J. Jordan

(meeting 3.22.2022)

612

CITY COUNCIL

Timothy J. Jordan

President

John A. Michitson

Vice President

Melinda E. Barrett

Joseph J. Bevilacqua

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Michael S. McGonagle

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Shaun P. Toohy



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

HAU CITY CLERK MAR17/22 PM 3:50

CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978-374-2328
FACSIMILE: 978-374-2329

WWW.CITYOFHAVERHILL.COM
CITYCNCL@CITYOFHAVERHILL.COM

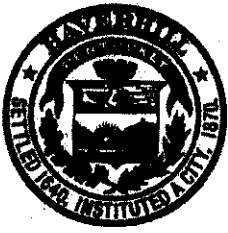
March 16, 2022

To: President and Members of the City Council

Councillor McGonagle wishes to introduce Gary Shahinian to speak to ordinance enforcement in the City.


City Councillor Michael McGonagle

(meeting 3.22.2022)



Haverhill

Purchasing Department, Room 105
Phone: 978-374-2309 Fax: 978-521-4348
purchasing@cityofhaverhill.com

8.1

HAV CITY CLERK MAR 18/22 AM 10:00

March 18, 2022

Mayor James J. Fiorentini
City Hall
4 Summer Street
Haverhill, MA 01830-5875

Dear Mayor:

Attached is the Payment in Lieu of Tax Agreement (PILOT) between Amesbury Line Solar LLC and the City of Haverhill.

The Agreement has been modified to reflect the new incentive program the applicant is now a participant in. The annual escalator has remained at 2.5%. While previous PILOT agreements have been modeled within the SREC and SMART 1 incentive programs, future solar projects will be valued utilizing the extension program which had a continuous declining payout structures. Values to projects may be adjusted based on various "adders" that are project specific.

The language and form have remained the same as previous PILOT agreements to make sure there is conformity and consistency between projects. The agreement is good form and ready for authorization by the City Council.

I will be present at the meeting should there be any additional questions or concerns.

Sincerely,

Orlando Pacheco
Energy Advisor

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

between

Amesbury Line LLC

and

CITY OF HAVERHILL

dated as of March 22nd, 2022

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR PROPERTY (this "Agreement") is made and entered into as of March 22, 2022 by and between **Amesbury Line LLC**, a Delaware limited liability company ("Developer"), and the **City of Haverhill**, a municipal corporation duly established by law and located in Essex County, Commonwealth of Massachusetts (the "City"). Developer and the City are collectively referred to in this Agreement as the "Parties" and are individually referred to as a "Party".

WHEREAS, Developer plans to build and operate a solar photovoltaic generating facility and ancillary equipment (the "Project") with an expected nameplate capacity of approximately 2.69 megawatts ("MW"), direct current ("DC"), and 2.0 megawatts ("MW"), alternating current ("AC"), on an approximately 18.4 acre leased-area of land located at 139 Amesbury Line rd, Haverhill, Massachusetts, as more particularly described in Exhibits A and A-1 (the "Property");

WHEREAS, the Parties acknowledge the obligation to assess and tax the Property in accordance with G.L. c.59, §2B;

WHEREAS, Mass. Gen. Laws ch. 59 §38H authorizes the Town to enter into an agreement for a negotiated payment in lieu of taxes imposed on real and personal property;

WHEREAS, it is the intention of the Parties that Developer make annual payments to the City for the Term (as defined below) of this Agreement in lieu of all real and personal property taxes on the Project and Property;

WHEREAS, except as provided herein, the Parties intend that, during the term of the Agreement, Developer will not be assessed for personal or real property taxes for the Project or Property, and this Agreement will provide for the exclusive payments in lieu of such taxes during the term hereof; provided, however, that this Agreement does not include and shall not affect any other taxes or fees that may be owed now or in the future by Developer and Property Owner, including, but not limited to, property taxes for the Property (including buildings and, excluding the Project, fixtures and improvements located thereon), and taxes for personal property other than the Project, which taxes, if any, shall continue to be assessed by the City in accordance with applicable laws and regulations.

NOW THEREFORE, in exchange for the mutual commitments set forth herein and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Payment in Lieu of Real and Personal Property Taxes. Developer agrees to make payments to the City in lieu of all real and personal property taxes which might otherwise be assessed against the Project and the Property (the "PILOT Payments") for a period of twenty (20) consecutive fiscal tax years, commencing with fiscal tax year following the first January 1 on or after the Completion Date (as defined below) (the "Term"). The PILOT Payments shall be based on a rate of Eight Thousand Dollars (\$8,000) per MW DC. Based on a system size of 2.69 MW DC, the PILOT Payments shall for an annual amount starting at Twenty-One Thousand, Five Hundred and Twenty

Dollars (\$21,520) with an annual 2.5% escalator for the duration of the Term. The PILOT Payments have been summarized in Exhibit B. Developer shall pay the PILOT Payment in four equal quarterly installments based on an annual bill issued by the City to the Developer. Except as may be expressly set forth herein, the Parties agree that the PILOT Payments shall not be increased or decreased for any reason, including on account of an inflation factor. Developer shall have no liability for any personal and real property taxes with respect to the Project or Property except for the PILOT Payments, and the City will not (i) seek to invalidate this Agreement; (ii) impose any lien on or encumber the Project or Property (or the improvements thereon) except as is expressly provided herein; or (iv) take any affirmative action in support of the bifurcation of the taxation of real and personal property. In accordance with the provisions of G.L. c.59, §2B the Parties agree that Property must be assessed taxes. Accordingly, the City shall assess taxes upon the Property. Payment of said assessment shall be made from a portion of the annual PILOT Payment received by the City. The City has discretion to allocate the PILOT Payments between real property and personal property.

The "Completion Date" shall be that date determined by Developer on which the Project is first ready for regular, daily operation, has been interconnected to the system of the local electric distribution company ("LDC"), has been accepted by the LDC (to the extent required), and is capable of producing electricity. Developer shall provide the City with written notice of the Completion Date.

2. Inventory. Attached as Exhibit C is an inventory of all personal property and real property comprising and incorporated into the Project and/or Property as of the Completion Date (the "Inventory").

3. Assignment; Recording. This Agreement will be binding upon and inure to the benefit of Developer and its successors and assigns as owners of the Project, and the rights and obligations created hereunder will run with the Project and the Property. Without limiting the foregoing, except to the extent prohibited by the G.L. c. 59, § 38H (b) and/or regulations promulgated pursuant thereto, Developer may, without the prior consent of the City, pledge, collaterally assign or assign its rights and obligations under this Agreement to (i) any affiliate of Developer; or (ii) to any party that has provided or is providing financing to Developer for the construction, operation and/or maintenance of the Project; or (iii) to an entity no less creditworthy than Developer to whom Developer has sold or transferred all its interests in the Project. A Notice of this Agreement will be recorded in the applicable Registry of Deeds promptly following its execution.

4. Termination. Developer may terminate this Agreement upon ten (10) days' written notice to City in the event (i) the Project ceases commercial operation and is decommissioned; or (ii) the Developer's rights to use or access the Property is terminated for any reason; or (iii) this Agreement, or any material portion of this Agreement, is determined or declared by a court or agency of competent jurisdiction to be illegal, void, or unenforceable.

5. Water and Sewer Rates and Fees. The City agrees that it will not charge Developer water and sewer rates or connection fees greater than the prevailing rates and fees applicable to other commercial users in the City. In the event that the City ever privatizes, leases, sells or otherwise transfers its water or sewer system or its waste water treatment plant to a private owner or operator, this provision will be binding on such successor owner or operator.

6. Payment Collection. All rights and remedies available to the City for the

collection of taxes shall apply to the payments in lieu of taxes hereunder, including, but not limited to, the rights and remedies provided in G.L. c.59 and G.L. c.60, and all such rights and remedies are hereby reserved notwithstanding anything to the contrary herein. The provisions of the General Laws, including but not limited to G.L. c.59 and G.L. c.60, will govern the establishment of liens and the collection of any payments in lieu of taxes provided for in this Agreement as though said payments were real and personal property taxes due and payable to the Town.

7. Additional Documentation and Actions. Each Party will, from time to time hereafter, execute and deliver or cause to be executed and delivered, such additional instruments, certificates, documents, consents or approvals, and take all such actions, as the other Party reasonably requests for the purpose of implementing or effectuating the provisions of this Agreement or is otherwise entitled to request or require hereunder.

8. Notices. All notices, consents, requests, or other communications provided for or permitted to be given hereunder by a Party must be in writing and will be deemed to have been properly given or served upon the personal delivery thereof, via courier delivery service, or by certified mail, return receipt requested. Such notices shall be addressed or delivered to the Parties at their respective addresses shown below.

If to Developer:

Amesbury Line LLC
Attn: Andrew Streit
8240 Beachwood Rd
Dundalk MD 21222

If to Lender:

As may be identified by Developer, from time to time.

If to City:

City of Haverhill
4 Summer Street
Room 100
Haverhill, MA 01830
Attn.: Mayor of Haverhill

Any such addresses for the giving of notices may be changed by either Party by giving written notice as provided above to the other Party. Notice given by counsel to a Party shall be effective as notice from such Party.

9. Force Majeure. As used herein, "Force Majeure" includes, without limitation, acts of God including floods, winds, storms, earthquake, fire or other natural calamity; acts of war or other civil insurrection or terrorism; or taking by eminent domain by any governmental entity (other than the City) of all or a portion of the Property or the Project.

If an event of Force Majeure occurs during the Term and as a result of such event of Force Majeure the Project or Property is partially or wholly damaged or destroyed or otherwise rendered inoperable or unusable for its intended purposes ("Damaged"), then for the period of time following the event of Force Majeure during which the Project or Property is so Damaged, the PILOT Payments will be eliminated or reduced proportionate to the Damage. The Parties hereby agree that such proportionate damage will be determined solely by the entity providing property loss and damage insurance to the Developer.

10. Recordkeeping; Approvals. The City shall timely comply with any recordkeeping, filing or other requirements mandated by the Massachusetts Department of Revenue in connection with the Department's implementation of the PILOT Statute. The City represents and warrants that it has taken all votes and received all authorizations and/or approvals necessary to cause this Agreement to be a valid and binding obligation on the City. A copy of the minutes evidencing such vote(s) or authorizations is attached hereto as Exhibit D.

11. Lender's Right to Cure. The City shall send a copy of any notice of default sent to Developer to any secured lender providing financing to Developer in connection with the Project (as identified in Section 13 hereof, the "Lender") by certified mail at the same time such notice is sent to Developer, and where this Agreement expressly provides for a cure of said default, no such notice of default to Developer shall be effective unless and until a copy of such notice has been delivered to Lender, and the applicable cure period, beginning on the date of such delivery, has expired. Lender shall have the same time and rights to cure any default as Developer, and the City shall accept a cure by Lender as if such cure had been made by Developer, provided said cure is made in accordance with the provisions of this Agreement.

12. Miscellaneous. The Parties agree that this Agreement was negotiated in good faith in recognition of and with due consideration of the full and fair cash value of the Project and Property, to the extent that such value is determinable as of the date of this Agreement. Each Party was represented by counsel in the negotiation and preparation of this Agreement. The Parties further acknowledge that this Agreement is fair and mutually beneficial to them. The City and Developer shall act in good faith to carry out and implement this Agreement. This Agreement will be made and interpreted in accordance with the laws of the Commonwealth of Massachusetts. This Agreement may be executed in counterparts that, taken together, will constitute a single document.

[Signature Page to Follow]

EXECUTED under seal by the undersigned as of the day and year first written above, each of whom represents that it is fully and duly authorized to act on behalf of and bind its principals.

City of Haverhill

By: _____

Name: James J. Fiorentini

Title: Mayor

Amesbury Line LLC

By its Manager, Amesbury Line LLC

By: _____

George Lang IV, Manager, Amesbury Line LLC

Exhibit A-1

Legal Description of Property

The subject property is shown on City of Haverhill Assessors Map 430, Block 11, Lot 12, and measures 26.81± acres. The property is generally bounded to the west by a private paved driveway serving the Whittier Regional Vocational Technical High School, to the north by Amesbury Line Road and residential properties, to the east by residential or farmed properties, and to the south by land holdings of the Whittier Regional Vocational Technical High School.

The subject site area is wholly contained within the subject property, and measures 18.40± acres. The subject site is referred to herein as the "Solar Lease Area" for the proposed installation of a Large-Scale Ground-Mounted Solar Energy System.

EXHIBIT B

\$8,000 per MW with a 2.5% escalator. Assuming Project size of 2.69 MW DC, the payments would be per the following schedule. Project size is subject to adjustment per the terms of the Agreement.

Contract Year	\$/MW (DC)	Annual Payment
1	\$8,000	\$21,520
2	\$8,000	\$22,058
3	\$8,000	\$22,609
4	\$8,000	\$23,175
5	\$8,000	\$23,754
6	\$8,000	\$24,348
7	\$8,000	\$24,957
8	\$8,000	\$25,581
9	\$8,000	\$26,220
10	\$8,000	\$26,876
11	\$8,000	\$27,547
12	\$8,000	\$28,236
13	\$8,000	\$28,942
14	\$8,000	\$29,666
15	\$8,000	\$30,407
16	\$8,000	\$31,167
17	\$8,000	\$31,947
18	\$8,000	\$32,745
19	\$8,000	\$33,564
20	\$8,000	\$34,403
21	\$8,000	\$35,263
22	\$8,000	\$36,145
23	\$8,000	\$37,048
24	\$8,000	\$37,974
25	\$8,000	\$38,924
2.5% Escalator		\$735,075.08

EXHIBIT C

Description of the Project/Inventory

SYSTEM SPECIFICATIONS

Scope:

1. Design and install solar ground mounted arrays on property located at 139 Amesbury Line Rd in Haverhill, MA as further described in Exhibit A (Site Plan)
2. Install Inverters and disconnect switch.
3. Conduit.
4. Complete interconnection / Point of Common Coupling (POCC) in coordination with Utility.

Module: Hyundai HIG-S445YI 445 Watt Modules OR Equivalent

Inverter: SunGrow SG-3600UD (derated to 2000KW AC) and SunGrow SG-125HV-M OR Equivalent

Major Components (Personal Property):

- Ground mounted Module Racks
- (6048) Hyundai HIG-S445YI 445 Watt Modules or Equivalent
- (3) x Samsung ST732KWH-D300+SG600HX ESS or Equivalent
- (16) x SunGrow SG-125HV -M Inverter or Equivalent

All ancillary Components (e.g., telecommunications lines and equipment, security components such as lighting and fencing, storage structures for equipment)

Exhibit D
Meeting Minutes
(Attached)

**CERTIFICATE OF APPROVAL
FOR AGRICULTURAL STRUCTURES & ENERGY STRUCTURE
ON LAND SUBJECT TO AN AGRICULTURAL PRESERVATION RESTRICTION**

The Massachusetts Department of Agricultural Resources ("the Department") received an application dated March 16, 2020 (the "Application") for a Certificate of Approval ("COA") from Judith B. Kimball (the "Agricultural Preservation Restriction ["APR"] Owner") who owns a parcel of land located at 791 East Broadway, Haverhill, Essex County, MA. An Agricultural Preservation Restriction on this land, approximately 192 acres in size, (the "APR Land") was granted to the Commonwealth of Massachusetts on August 30, 1982 by Leonard H. Kimball and the current owner and recorded in the Essex County Registry of Deeds in **Book 6972 , Page 467**. Generally, the Application seeks approval for construction of greenhouses and a ground-mounted solar array system structure on the APR Land as further defined below as the "Work" and as represented in plans submitted to and on file with the Department.

Work

The APR Owners seek approval for the following agricultural structures, energy structure, and related excavation:

- 1) Two (2) temporary, plastic curtain and steel rod-style greenhouses, with no permanent foundation, to be used for agricultural propagation, located as shown on the attached exhibit A.
- 2) Ground mounted solar array comprised of panels, to reach max generation of 5.48 mWh per year, to power greenhouses; any excess generation is subject to Net Metering.

Approval

The Department finds that the Work is authorized by the APR recorded in **Book 6972, Page 467**, Massachusetts General Laws Chapter 184 §§ 31-33 and Chapter 20 §§ 23-26 and does not defeat nor derogate from the intent of this APR to provide for permanent preservation and protection of agricultural lands. This COA is not an estoppel certificate and does not certify that the condition of the APR Land nor the APR Owner are in conformance or compliance with the terms of the APR. **THEREFORE, the Commissioner of the Department approves the agricultural structures and energy structure as described in the section entitled "Work", subject to the Conditions of Approval.**

Conditions of Approval

This COA is subject to the following conditions:

1. The APR Owner must obtain all such Federal, State, and municipal approvals, according to the prescribed processes, as may be required for the Work described herein.
2. The APR Owner is required to provide copies of all approval(s) in a timely manner if requested by the Department.
3. The APR Owner may, after the receipt of this COA, record it with the appropriate Registry of Deeds at his or her own expense and provide the Department with a copy of the recorded document prior to the initiation of the Work.
4. The Work permitted under this COA shall be initiated within one (1) year after the date this COA is signed and completed no later than two (2) years after the date this COA is signed, unless an extension is applied for and granted by the Department.
5. Except as outlined in the Work, no soil or other earth materials may be removed from the APR Land without prior express written permission of the Department.
6. All grading or drainage undertaken or installed shall not adversely change the water flow on or otherwise adversely affect the surrounding agricultural land subject to the APR.
7. Prior to construction, the current owner MUST provide updated, final design plans for the Work for review and approval by the Department if the final design and size of the structure differs from that listed in this approval.
8. A plan of the completed Work including, but not limited to, project dimensions, utility location(s), distances from lot lines, roads, structures, and depths must be provided to the Department after the completion of the Work.
9. If the APR buildings' meter use is satisfied, the APR Owners must comply with the following, as amended, with regard to any excess energy produced: all provisions of Massachusetts General Laws, the Code of Massachusetts Regulations, and the policies of the Department pertaining to generation of renewable energy, including without limitations, provisions regarding "Net Metering".
10. The size of the Work area must not cover more than 3.75 acres, which is the allowable remaining area for the construction of impervious surface on the APR.
11. The ground mounted solar array must have a rated annual output capacity (kWh) not greater than 2.0 times the documented historical or projected annual agricultural energy (kWh) use on the APR land or Agricultural Operation.

Upon the APR Owner's completion of the Work and the Department's inspection and approval of the Work, the Department may, if requested by the applicant, issue a Certificate of Completion in recordable format, but only if the Work is completed by the APR Owner in compliance with their Application, this COA (including any other required approvals), and all applicable Department policies and regulations.

Violation by the APR Owner of: this COA (including any Condition of Approval), any requirement of the APR, or the policies of the Department and the APR Program, shall be cause for the revocation of this COA by the Department. This COA does not release the APR Land (or any part of it), or new, proposed, or existing structures on the APR Land from the terms and conditions of the APR. This COA is given to the current holder of record title to the APR Land, Judith B. Kimball, and is not transferable to future owners, except with express Departmental approval.

Kimball APR (8/30/1982); East Broadway, Haverhill, Essex County, MA
Certificate of Approval for to Construct an Agricultural Structure on APR Land
August 2020

Executed under seal the 5th day of August, 2020.

The Commonwealth of Massachusetts

By:

John Lebeaux
John Lebeaux, Commissioner, Department of Agricultural Resources

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

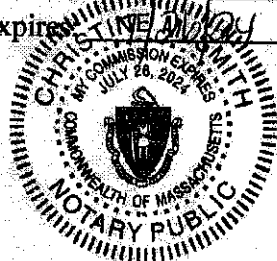
Aug 11, 2020

On this 11 day of August, 2020, before me, the undersigned Notary Public, personally appeared the above-named John Lebeaux who proved to me through satisfactory evidence of identification, namely personal knowledge, to be the person whose name is signed on this document, or the preceding or the attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Commissioner of the Department of Agricultural Resources, as the voluntary act of said Commonwealth. **This document was notarized remotely utilizing electronic video conferencing in real time pursuant to Chapter 71 of the Acts of 2020.**

[Signature]
(official signature and seal of notary public)

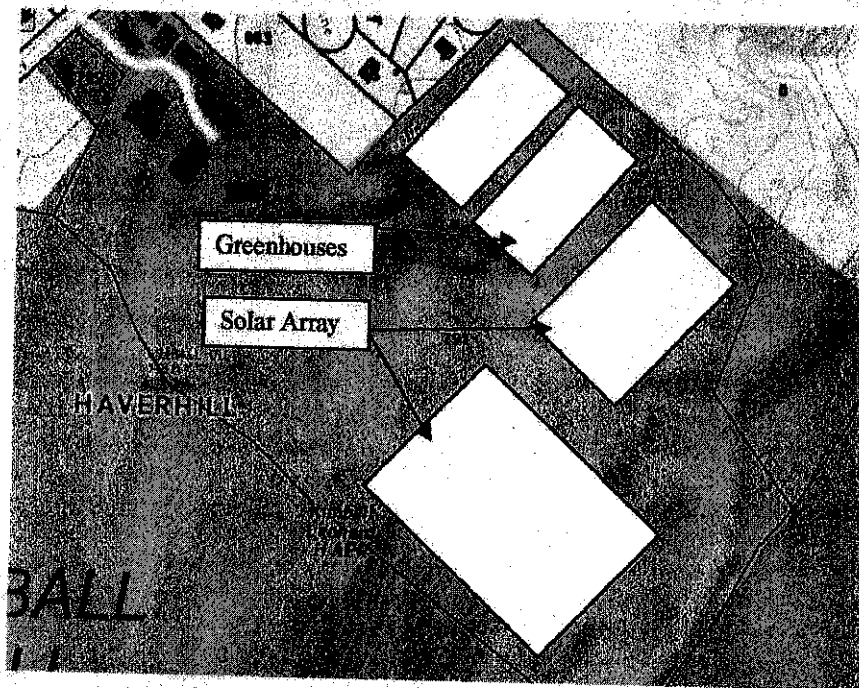
Printed name of notary: Christine M Smith

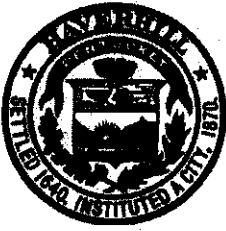
My Commission Expires July 28, 2024



Kimball APR (8/30/1982); East Broadway, Haverhill, Essex County, MA
Certificate of Approval for to Construct an Agricultural Structure on APR Land
August 2020

Exhibit A – Kimball COA Ag Structure & Energy Structure





Haverhill

Purchasing Department, Room 105
Phone: 978-374-2309 Fax: 978-521-4348
purchasing@cityofhaverhill.com

8.2

March 18, 2022

Mayor James J. Fiorentini
City Hall
4 Summer Street
Haverhill, MA 01830-5875

Dear Mayor:

Attached is the Payment in Lieu of Tax Agreement (PILOT) between MA Kimball Farms Solar LLC and the City of Haverhill.

The Agreement has been developed in the same format and in the same incentive structure as the previous PILOT agreement, Amesbury Line Solar LLC.

It should be noted that this is a rooftop project on agricultural land and the Massachusetts Department of Agricultural Resources has approved the modification to the Preservation Restriction, which is attached for your review as well.

I will be present at the meeting should there be any additional questions or concerns.

Sincerely,

Orlando Pacheco
Energy Advisor

**AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR
PERSONAL PROPERTY**

between

MA KIMBALL FARMS SOLAR LLC

and

CITY OF HAVERHILL

dated as of March 22, 2022

AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR
PERSONAL PROPERTY

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR PERSONAL PROPERTY (this "Agreement") is made and entered into as of _____ by and between **MA KIMBALL FARMS SOLAR LLC**, a Massachusetts limited liability company ("Developer"), and the **City of Haverhill**, a municipal corporation duly established by law and located in Essex County, Commonwealth of Massachusetts (the "City"). Developer and the City are collectively referred to in this Agreement as the "Parties" and are individually referred to as a "Party".

WHEREAS, Developer plans to build and operate a solar photovoltaic generating facility with battery energy storage and ancillary equipment (the "Project") with an expected nameplate capacity of approximately 2.75 MW AC on an approximately 35 acre leased-area of land located on East Broadway, Haverhill, Massachusetts, as shown in Exhibit A and described on Exhibit A-1 (the "Property"); and;

WHEREAS, Mass. Gen. Laws ch. 59 §5 (clause forty-fifth) authorizes the City to enter into an agreement for a negotiated payment in lieu of taxes imposed on personal property;

WHEREAS, it is the intention of the Parties that Developer make annual payments to the City for the Term and any Extension Terms (as defined below) in lieu of all personal property taxes on the Project and Property;

NOW THEREFORE, in exchange for the mutual commitments set forth herein and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Payment in Lieu of Personal Property Taxes. Developer agrees to make payments to the City in lieu of all personal property taxes which might otherwise be assessed against the Project and the Property (the "PILOT Payments") for a period of twenty (20) consecutive fiscal tax years, commencing with fiscal tax year following the first January 1 on or after the Completion Date (as defined below) (the "Term"), and for any Extension Terms, as defined in the Lease. The PILOT Payments shall be for an annual amount equal to Eight Thousand Dollars per Megawatt AC for the first year of the Term, escalating at two and one half percent (2.5%) annually thereafter. Developer shall pay the PILOT Payment in four equal quarterly installments based on an annual bill issued by the City to the Developer. Except as may be expressly set forth herein, the Parties agree that the PILOT Payments shall not be increased or decreased for any reason, including on account of an inflation factor or change in the City's tax rate. Developer shall have no liability for any personal property taxes with respect to the Project or Property except for the PILOT Payments, and the City will not (i) seek to invalidate this Agreement; (ii) impose any lien on or encumber the Project or Property (or the improvements thereon) except as is expressly provided herein; or (iv) take any affirmative action in support of the bifurcation of the taxation of real and personal property. The Landowner, as such is evidenced in the Registry of Deeds, shall remain liable for payment of all real property taxes.

The "Completion Date" shall be that date determined by Developer on which the Project is first ready for regular, daily operation, has been interconnected to the system of the local electric

distribution company ("LDC"), has been accepted by the LDC (to the extent required), and is capable of producing and selling electricity. Developer shall provide the City with written notice of the Completion Date.

2. Inventory. Attached as Exhibit B is an inventory of all personal property comprising and incorporated into the Project and/or Property as of the Completion Date (the "Inventory").

3. Assignment; Recording. This Agreement will be binding upon and inure to the benefit of Developer and its successors and assigns as owners of the Project, and the rights and obligations created hereunder will run with the Project and the Property. Without limiting the foregoing, except to the extent prohibited by the G.L. c. 59, § 5 (clause forty-fifth) and/or regulations promulgated pursuant thereto, Developer may, without the prior consent of the City, pledge, collaterally assign or assign its rights and obligations under this Agreement to any affiliate of Developer or to any party that has provided or is providing financing to Developer for the construction, operation and/or maintenance of the Project. A Notice of this Agreement will be recorded by City in the applicable Registry of Deeds promptly following its execution.

4. Termination. Developer may terminate this Agreement upon ten (10) days' written notice to City in the event (i) the Project ceases commercial operation and is decommissioned or (ii) the Developer's rights to use or access the Property is terminated for any reason and such termination results in the inability for the Developer to operate and maintain the Project.

5. Water and Sewer Rates and Fees. The City agrees that it will not charge Developer water and sewer rates or connection fees greater than the prevailing rates and fees applicable to other commercial users in the City. In the event that the City ever privatizes, leases, sells or otherwise transfers its water or sewer system or its wastewater treatment plant to a private owner or operator, this provision will be binding on such successor owner or operator.

6. Payment Collection. All rights and remedies available to the City for the collection of taxes shall apply to the payments in lieu of taxes hereunder, including, but not limited to, the rights and remedies provided in G.L. c.59 and G.L. c.60, and all such rights and remedies are hereby reserved notwithstanding anything to the contrary herein. The provisions of the General Laws, including but not limited to G.L. c.59 and G.L. c.60, will govern the establishment of liens and the collection of any payments in lieu of taxes provided for in this Agreement as though said payments were real and personal property taxes due and payable to the City.

7. Additional Documentation and Actions. Each Party will, from time-to-time hereafter, execute and deliver or cause to be executed and delivered, such additional instruments, certificates, documents, consents or approvals, and take all such actions, as the other Party reasonably requests for the purpose of implementing or effectuating the provisions of this Agreement or is otherwise entitled to request or require hereunder.

8. Notices. All notices, consents, requests, or other communications provided for or permitted to be given hereunder by a Party must be in writing and will be deemed to have been properly given or served upon the personal delivery thereof, via courier delivery service, or by certified mail, return receipt requested. Such notices shall be addressed or delivered to the Parties at their respective addresses shown below.

If to Developer:

MA KIMBALL FARMS SOLAR LLC

Attn: Chelsey Kapp

24941 Dana Point Harbor Drive,

Suite C220,

Dana Point, CA 92629

If to Lender:

As may be identified by Developer, from time to time.

If to City

City of Haverhill

4 Summer Street

Room 100

Haverhill, MA 01830

Attn.: Mayor of Haverhill

Any such addresses for the giving of notices may be changed by either Party by giving written notice as provided above to the other Party. Notice given by counsel to a Party shall be effective as notice from such Party.

9. Force Majeure. As used herein, "Force Majeure" includes, without limitation, acts of God including floods, winds, storms, earthquake, fire or other natural calamity; acts of war or other civil insurrection or terrorism; or taking by eminent domain by any governmental entity (other than the City) of all or a portion of the Property or the Project.

If an event of Force Majeure occurs during the Term and as a result of such event of Force Majeure the Project or Property is partially or wholly damaged or destroyed or otherwise rendered inoperable or unusable for its intended purposes ("Damaged"), then for the period of time following the event of Force Majeure during which the Project or Property is so Damaged, the PILOT Payments will be eliminated or reduced proportionate to the damage. The Parties hereby agree that such proportionate damage will be determined solely by the entity providing property loss and damage insurance to the Developer.

10. Recordkeeping; Approvals. The City shall timely comply with any recordkeeping, filing or other requirements mandated by the Massachusetts Department of Revenue in connection with the Department's implementation of the PILOT Statute. The City represents and warrants that it has taken all votes and received all authorizations and/or approvals necessary to cause this Agreement to be a valid and binding obligation on the City. A copy of the minutes evidencing such vote(s) or authorizations is attached hereto as Exhibit C.

11. Lender's Right to Cure. The City shall send a copy of any notice of default sent to

Developer to any secured lender providing financing to Developer in connection with the Project (as identified in Section 8 hereof, the "Lender") by certified mail at the same time such notice is sent to Developer, and where this Agreement expressly provides for a cure of said default, no such notice of default to Developer shall be effective unless and until a copy of such notice has been delivered to Lender, and the applicable cure period, beginning on the date of such delivery, has expired. Lender shall have the same time and rights to cure any default as Developer, and the City shall accept a cure by Lender as if such cure had been made by Developer, provided said cure is made in accordance with the provisions of this Agreement.

12. Miscellaneous. The Parties agree that this Agreement was negotiated in good faith in recognition of and with due consideration of the full and fair cash value of the Project and Property, to the extent that such value is determinable as of the date of this Agreement. Each Party was represented by counsel in the negotiation and preparation of this Agreement. The Parties further acknowledge that this Agreement is fair and mutually beneficial to them. The City and Developer shall act in good faith to carry out and implement this Agreement. This Agreement will be made and interpreted in accordance with the laws of the Commonwealth of Massachusetts. This Agreement may be executed in counterparts that, taken together, will constitute a single document.

[Signature Page to Follow]

EXECUTED under seal by the undersigned as of the day and year first written above, each of whom represents that it is fully and duly authorized to act on behalf of and bind its principals.

City of Haverhill

By: _____
Name: James J. Fiorentini
Title: Mayor

MA KIMBALL FARMS SOLAR LLC

By: [_____]

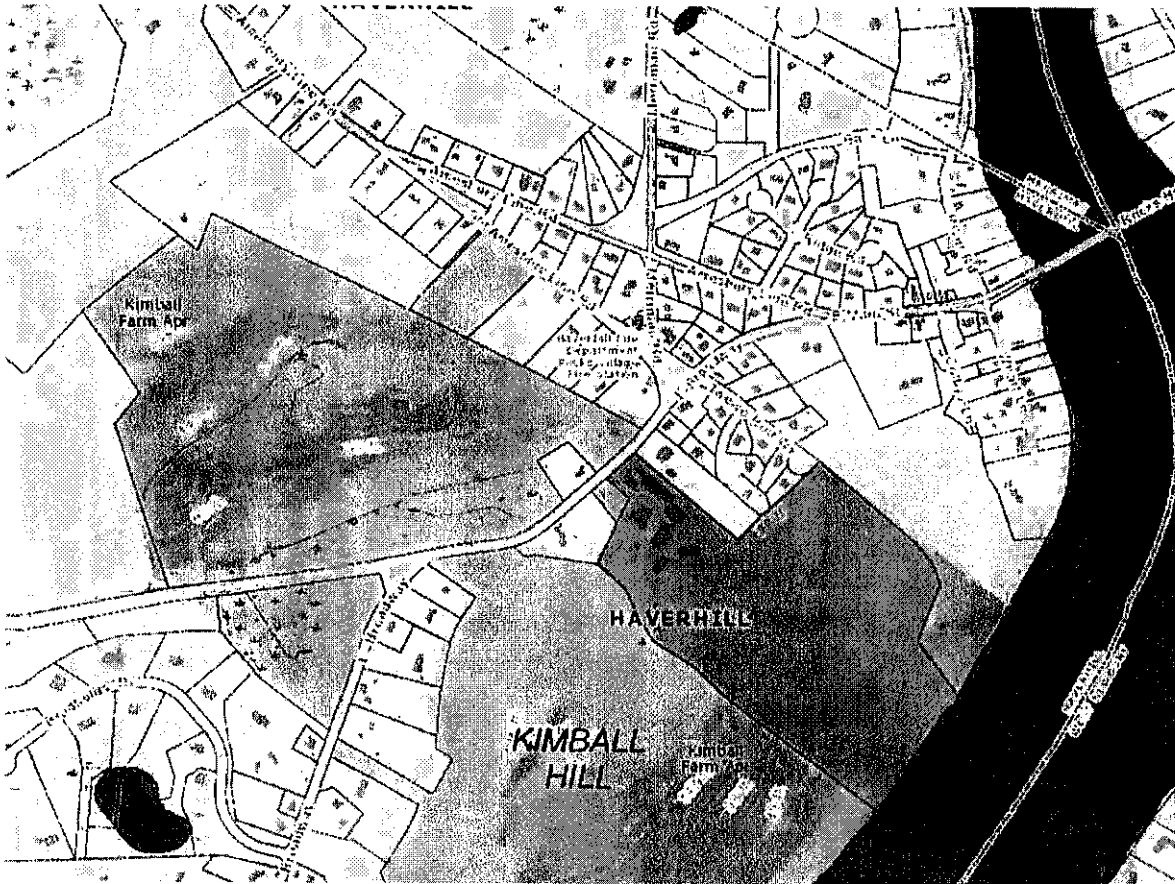
By: _____
Name:
Title:

Exhibit A

Lease area plan to be attached when finalized

Exhibit A-1

Legal Description of Property



Address: 791 East Broadway, Haverhill, MA 01830 MAP_PAR_ID: 430-8-3

LOC-ID: F_788886_3118979

MAP_NO:430

GPS : Latitude: 42.806877, Longitude -71.007873

Exhibit B

The Inventory

Personal Property and Nameplate Capacity. The personal property comprising and incorporated into the Project shall consist of the articles listed in the table below, to be finalized after Commercial Operation Date.

Exhibit C
Meeting Minutes
(Attached)

Exhibit D
Proposed Payment Schedule

Estimated Project Size (MW AC): 2.75

2.5% Annual Escalator

Annual Payments

Year	Rate per MW AC	Payment
2023	\$8,000	\$16,800
2024	\$8,200	\$17,220
2025	\$8,405	\$17,651
2026	\$8,615	\$18,092
2027	\$8,831	\$18,544
2028	\$9,051	\$19,008
2029	\$9,278	\$19,483
2030	\$9,509	\$19,970
2031	\$9,747	\$20,469
2032	\$9,991	\$20,981
2033	\$10,241	\$21,505
2034	\$10,497	\$22,043
2035	\$10,759	\$22,594
2036	\$11,028	\$23,159
2037	\$11,304	\$23,738
2038	\$11,586	\$24,331
2039	\$11,876	\$24,940
2040	\$12,173	\$25,563
2041	\$12,477	\$26,202
2042	\$12,789	\$26,857

Hearing March 22, 2022

36

Questions contact Nicholas Memmolo 781-907-4445

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Haverhill, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Forest St. - National Grid to install (1) JO pole 16-5 on Forest St. beginning at a point approximately 30 feet southwest of the centerline of the intersection of Sylvan Hill Rd. and Forest St. New 29 home residential development (Sylvan Hill Rd.) being fed from new riser pole 16-5.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Forest St. - Haverhill, Massachusetts.

28228139

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

IN CITY COUNCIL: March 1 2022
VOTED: that HEARING BE HELD
MARCH 22 2022

Attest:

City Clerk

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson/lla*

BY _____

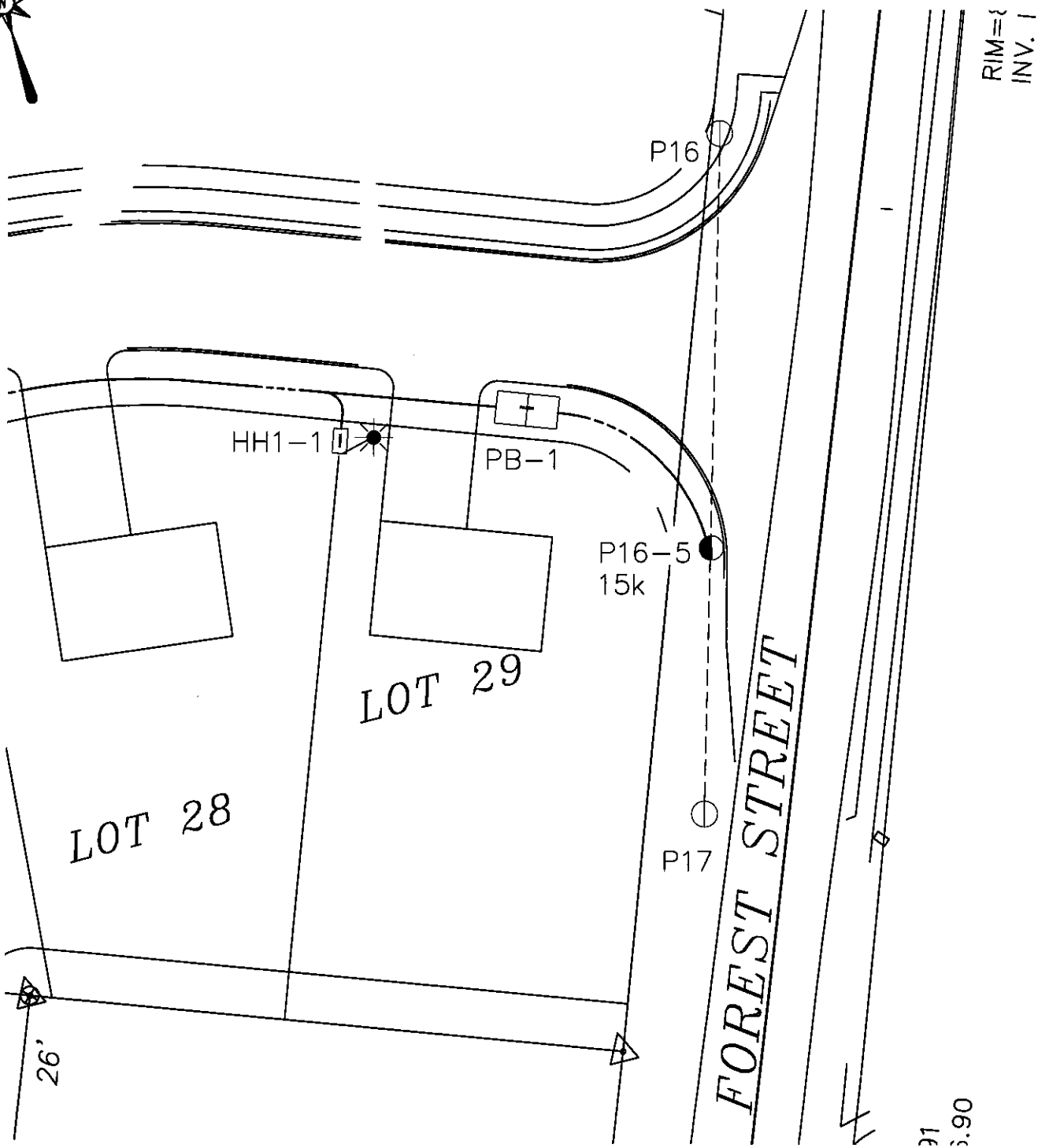
Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____

Manager / Right of Way

44-017-CLERK FEB 15 2022 PM 3:42



LEGEND

- PROPOSED J/O POLE
- EXISTING J/O POLE
- 3IN. PVC CONDUIT
- OVERHEAD CONDUCTOR
- ⊕ PULLBOX
- ⊞ HANDHOLE
- ⊙ STREET LIGHT

SYLAN HILL CROSSING
PETITION

SYLAN HILL CROSSING

HAVERHILL, MA.

Date: 11/30/2021

Designer: M.N.

W/R: 28228139

nationalgrid



February 10, 2022

City Council of Haverhill, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Nicholas Memmolo 781-907-4445

Please notify National Grid's Lisa Ayres of the hearing date / time to lisa.ayres@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Lisa Ayres, 1101 Turnpike Street; North Andover, MA 01845
978-725-1418

Very truly yours,

Dave Johnson/lla

Dave Johnson
Supervisor, Distribution Design

Enclosures

36-B
Questions contact – Nicholas Memmolo 781-907-4445

Ngrid
9/1/11

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS
To the City Council - Haverhill, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 4th day of January 2022.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Forest St. - Haverhill, Massachusetts.

28228139 Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Forest St. - National Grid to install (1) JO pole 16-5 on Forest St. beginning at a point approximately 30 feet southwest of the centerline of the intersection of Sylvan Hill Rd. and Forest St. New 29 home residential development (Sylvan Hill Rd.) being fed from new riser pole 16-5.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 .

Massachusetts

City/Town Clerk.

20 .

28228139 Forest St. Petition

HAU CITY CLK FEB 5/22 AM 8:44

For hearing March 22, 2022

Hearing March 22, 2022

37

Questions contact – Nicholas Memmolo 781-907-4445

9.2

Petition of the Massachusetts Electric Company d/b/a NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric Conduit Location:

To the City Council of Haverhill

Respectfully represents the Massachusetts Electric Company d/b/a NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Sylvan Hill Rd. - Haverhill, Massachusetts.

The following are the streets and highways referred to:

28228139 Sylvan Hill Rd. - Beginning at a point approximately 30 feet southwest of the centerline of the intersection of Sylvan Hill Rd. and Forest St. and continuing approximately 10 feet in a northwest direction; National Grid to install new underground conduit off pole 16-5 Forest St. to feed new 29 home residential development on Sylvan Hill Rd.

Location approximately as shown on plan attached.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson/lla*

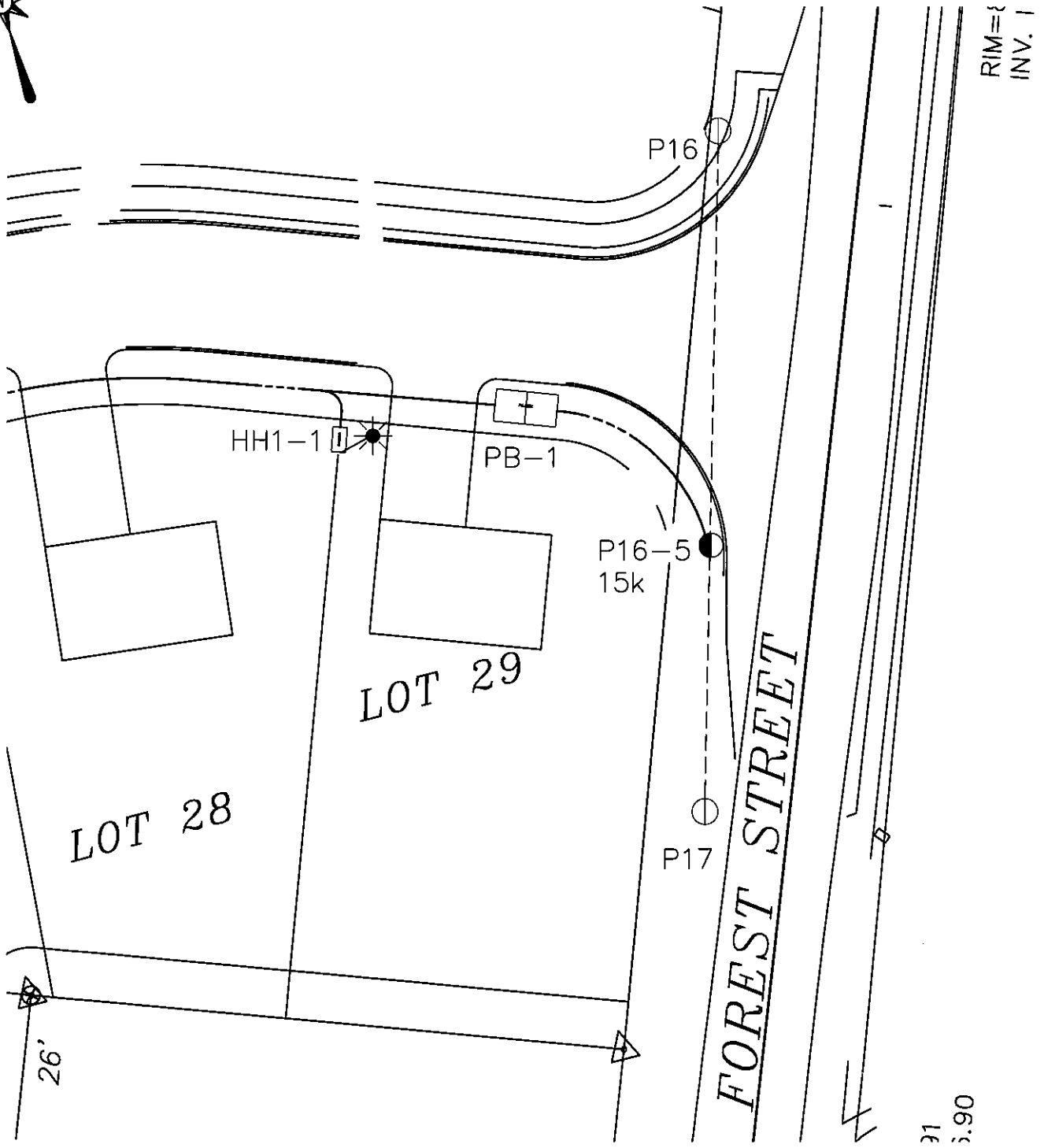
BY _____
Engineering Department

IN CITY COUNCIL: March 1 2022
VOTED: that HEARING BE HELD MARCH 22 2022
Attest:

City Clerk

28228139 Sylvan St. Conduit Petition

HAV CITY CLERK FEB 15/22 04:04:45



LEGEND

- | | |
|--------------------------|----------------|
| ● PROPOSED J/O POLE | ⊕ PULLBOX |
| ⊙ EXISTING J/O POLE | — HANDHOLE |
| ----- 3IN. PVC CONDUIT | ★ STREET LIGHT |
| ----- OVERHEAD CONDUCTOR | |

SYLAN HILL CROSSING
PETITION

SYLAN HILL CROSSING

HAVERHILL, MA.

Date: 11/30/2021

Designer: M.N.

W/R: 20228139

nationalgrid



February 10, 2022

The City Council of Haverhill, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit, please contact:

Nicholas Memmolo 781-907-4445

Please notify National Grid's Lisa Ayres of the hearing date / time to lisa.ayres@nationalgrid.com

If this petition meets with your approval, please return an executed copy to:

National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845; # 978-725-1418

Very truly yours,

Dave Johnson/lla

Dave Johnson
Supervisor, Distribution Design

Enclosures

37-B

Ngrid
9.2.11

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 4th day of January 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Sylvan Hill Rd. - Haverhill, Massachusetts.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

28228139 Sylvan Hill Rd. - Beginning at a point approximately 30 feet southwest of the centerline of the intersection of Sylvan Hill Rd. and Forest St. and continuing approximately 10 feet in a northwest direction; National Grid to install new underground conduit off pole 16-5 Forest St. to feed new 29 home residential development on Sylvan Hill Rd.

I hereby certify that the foregoing order was adopted at a meeting of the
....., held on the day of, 20
....., 20

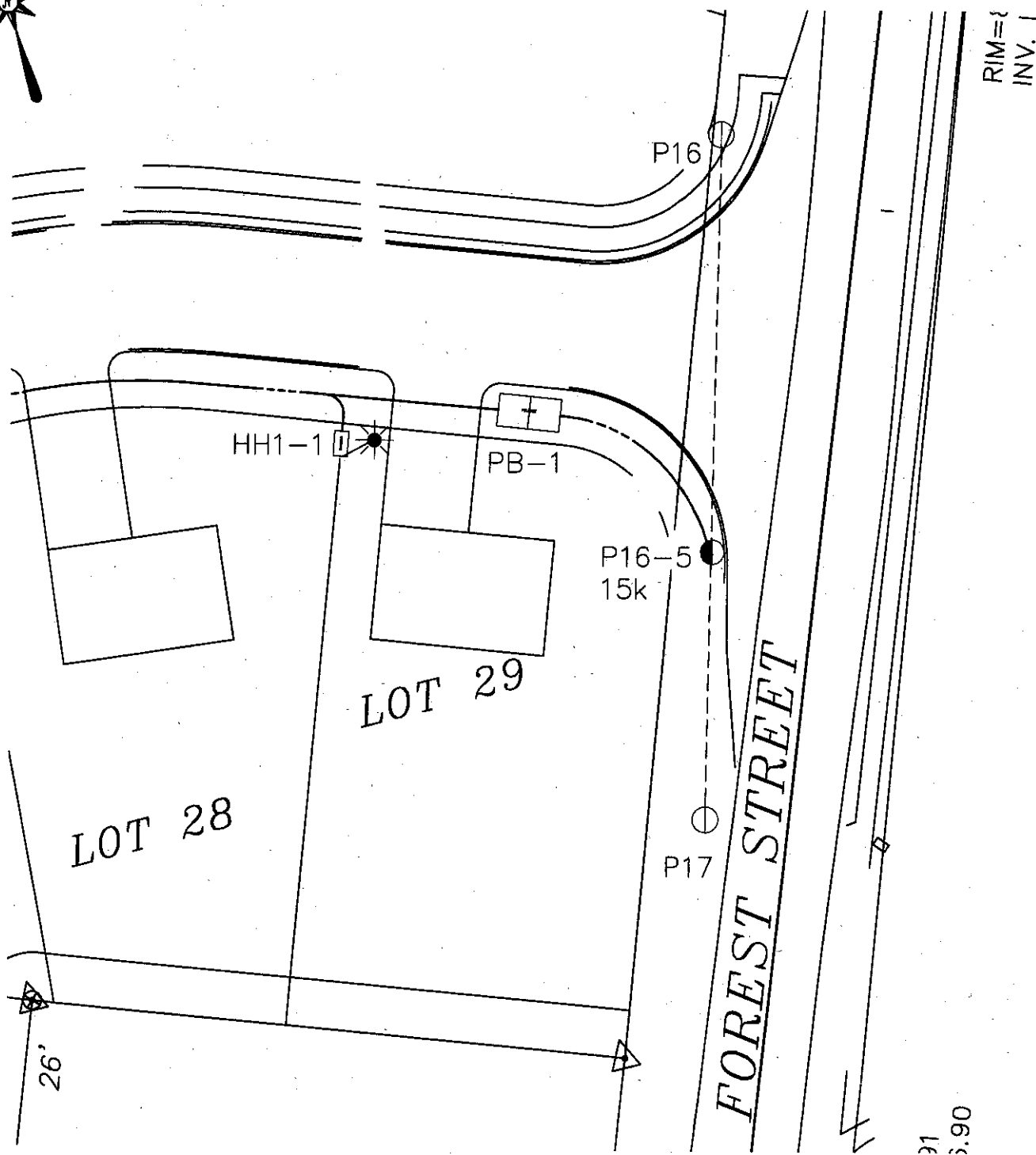
Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID for permission to construct the
underground electric conduits described in the order herewith recorded, and that I mailed at least
seven days before said hearing a written notice of the time and place of said hearing to each of the
owners of real estate (as determined by the last preceding assessment for taxation) along the ways
or parts of ways upon which the Company is permitted to construct the underground electric
conduits under said order. And that thereupon said order was duly adopted.

.....
.....
.....

FOR HEARING March 22, 2022



LEGEND

- PROPOSED J/O POLE
- EXISTING J/O POLE
- 3IN. PVC CONDUIT
- OVERHEAD CONDUCTOR
- ⊞ PULLBOX
- ⊞ HANDHOLE
- ⊙ STREET LIGHT

SYLAN HILL CROSSING
PETITION

SYLAN HILL CROSSING

HAVERHILL, MA.

Date: 11/30/2021

Designer: M.N.

WR: 28228139

nationalgrid

Hearing April 26, 2022

Questions contact Nicholas Angelo 508-935-1724

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Haverhill, Massachusetts

Forest St

HAU CITY CLERK APR 14/22 PM 1:55

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Forest St. - National Grid to install (2) JO poles 22 and 23 on Forest St. beginning at a point approximately 68 feet north of the centerline of the intersection of Forest St. and River St. and continuing approximately 160 feet in a north direction.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Forest St. - Haverhill, Massachusetts.

30497003

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson/lla*

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____
Manager / Right of Way

February 2, 2022

30497003 – Forest St. JO petition

nationalgrid

March 3, 2022

City Council of Haverhill, Massachusetts

Broadway — same
Forest St. / plan
West Lowell Av / #
30497003

To Whom It May Concern:

Enclosed please find three (3) petitions of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Nicholas Angelo 508-935-1724

Please notify National Grid's Lisa Ayres of the hearing date / time to lisa.ayres@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

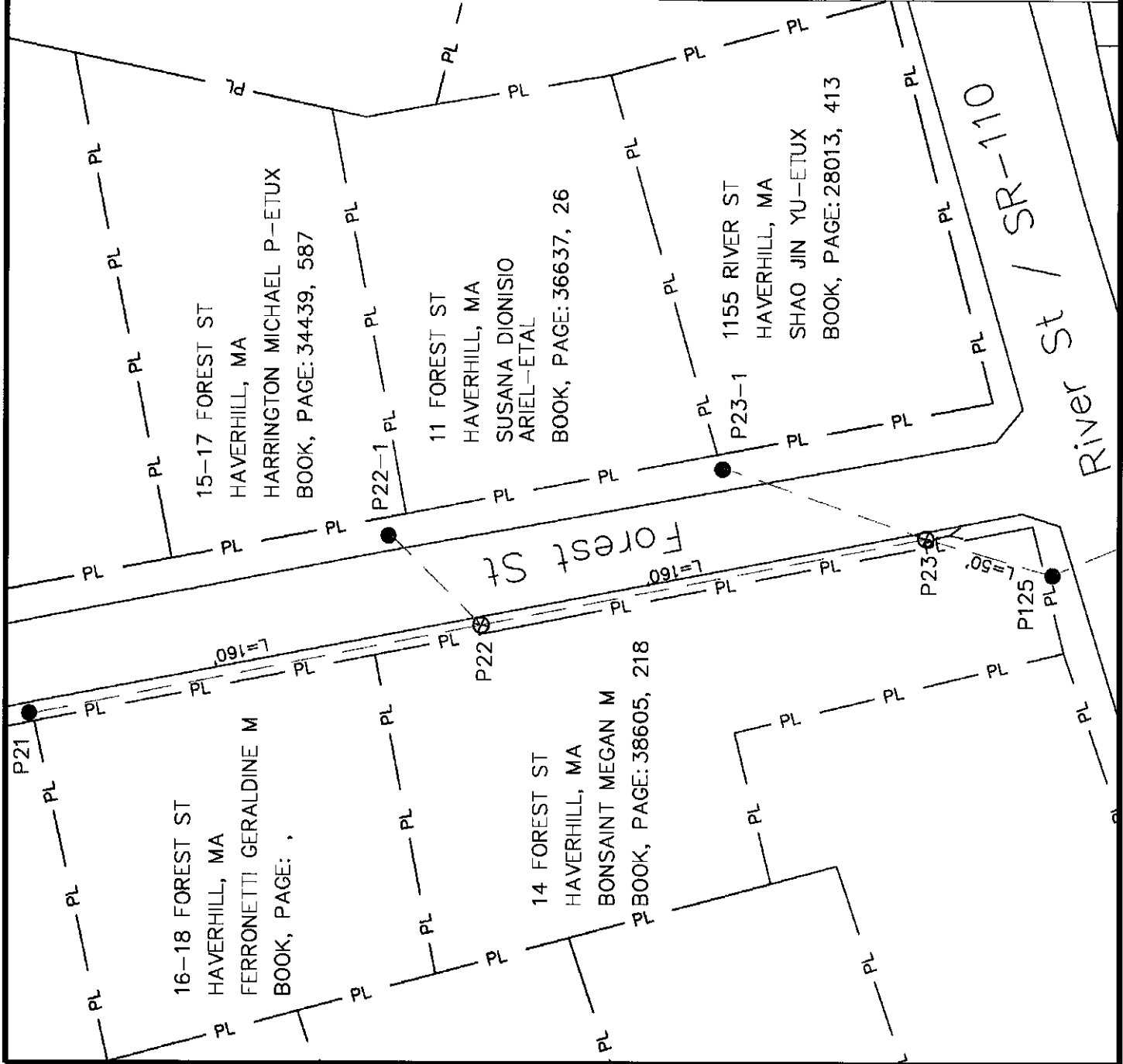
National Grid: Lisa Ayres, 1101 Turnpike Street; North Andover, MA 01845
978-725-1418

Very truly yours,

Dave Johnson/lla

Dave Johnson
Supervisor, Distribution Design

Enclosures



nationalgrid/verizon

SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
POLES AND ANCHOR ON FOREST ST
HAVERHILL, MA

DRAWN BY: TLA\WR#30497003
ENGINEER: NICHOLAS A.
PHONE: 508-9351724
DATE: 12/30/2021

LEGEND

- ⊗ PROPOSED POLE
- REFERENCE POLE
- Y PROPOSED ANCHOR
- == ROAD
- - - PROPERTY LINES
- OVERHEAD LINE

Hearing April 26, 2022

Questions contact Nicholas Angelo 508-935-1724

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Haverhill, Massachusetts

West Lowell GV

HAV CITY CLERK MAR 14/22 09:12:56

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

W. Lowell Ave. - National Grid to relocate (1) JO pole 20-84 on W. Lowell Ave. beginning at a point approximately 70 feet east of the centerline of the intersection of Forest St. and W. Lowell Ave. 4' closer to the edge of pavement making approximately 4.5' from the edge of pavement.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – W. Lowell Ave. - Haverhill, Massachusetts.

30497003

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson/lla*

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____
Manager / Right of Way

February 2, 2022

30497003 – W. Lowell Ave. JO petition



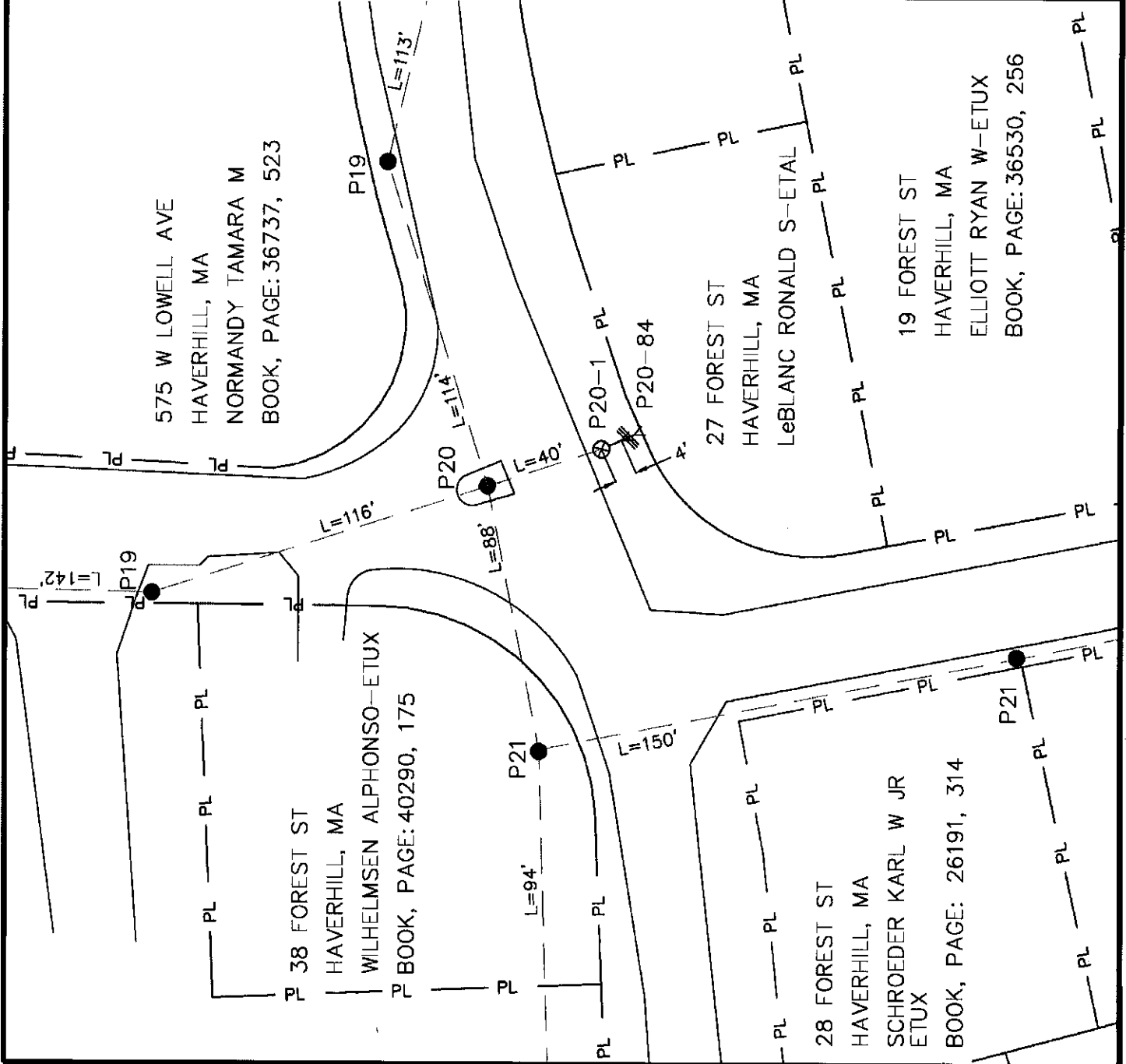
nationalgrid/verizon

SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
POLES AND ANCHOR ON W LOWELL AVE
HAVERHILL, MA

DRAWN BY: UM/WR#30497003
ENGINEER: NICHOLAS A.
PHONE: 508-9351724
DATE: 01/07/2022

LEGEND

- ⊗ PROPOSED POLE
- ⊗ POLE TO BE REMOVED
- REFERENCE POLE
- Y PROPOSED ANCHOR
- ANCHOR TO BE REPLACED
- ROAD
- PROPERTY LINES
- OVERHEAD LINE



Hearing April 26, 2022
9.3.3

Questions contact Nicholas Angelo 508-935-1724

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Haverhill, Massachusetts

Broadway

HAV CITY CLERK MAR 14 2022 PM 12:53

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Broadway - National Grid to install (2) JO poles 85-50 and 83-84 on Broadway beginning at a point approximately 117 feet east of the centerline of the intersection of Forest St. and Broadway and continuing approximately 303 feet in an east direction.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Broadway - Haverhill, Massachusetts.

30497003

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson/lla*

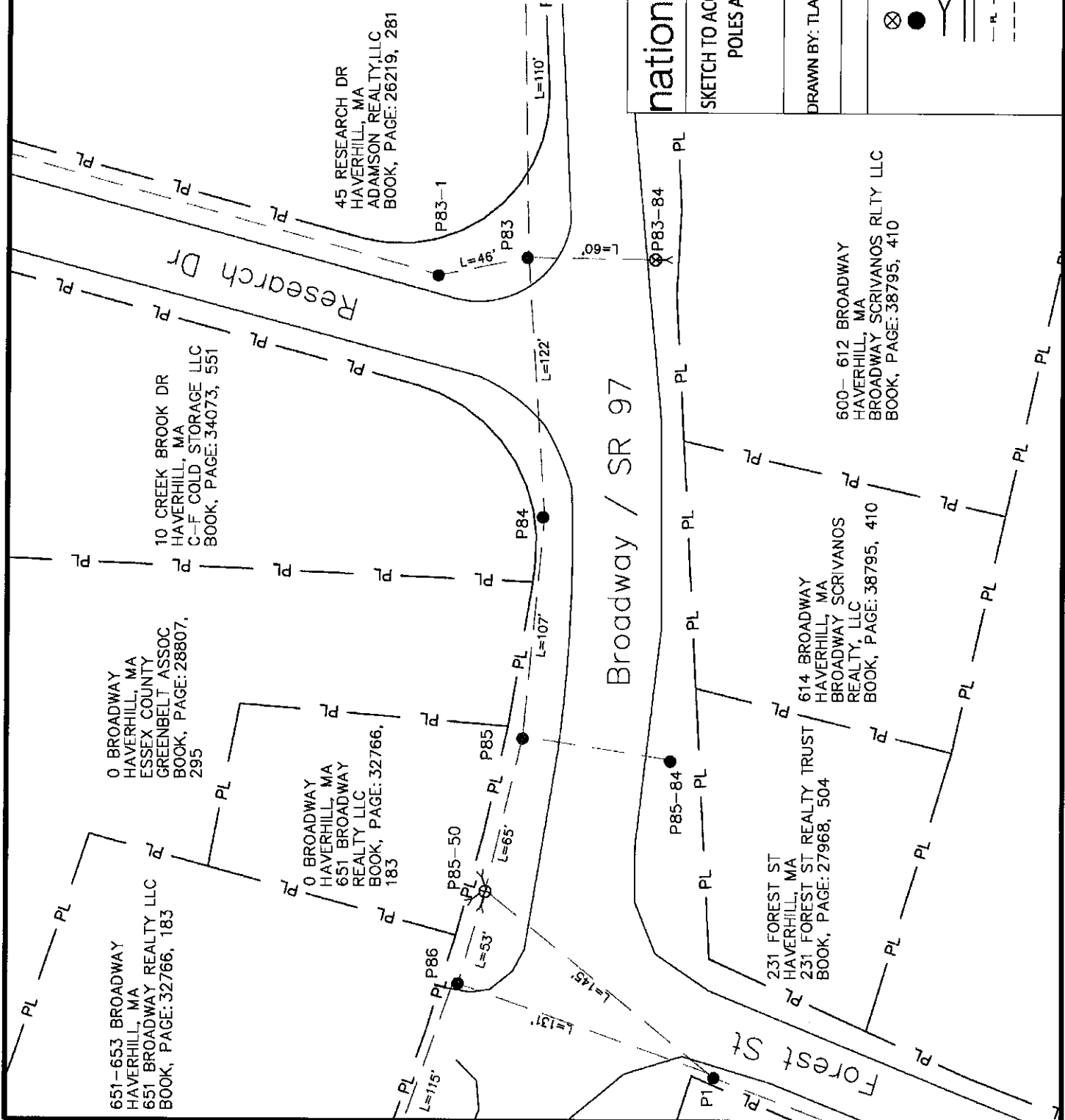
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____
Manager / Right of Way

February 2, 2022

30497003 – Broadway JO petition



nationalgrid/verizon

SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
POLES AND ANCHOR ON BROADWAY/ SR 97
HAVERHILL, MA

ENGINEER: NICHOLAS A.
DRAWN BY: TLA WR#30497003 PHONE: 508-9351724
DATE: 01/26/2022

LEGEND

- ⊗ PROPOSED POLE
- REFERENCE POLE
- Y PROPOSED ANCHOR
- ||| ROAD
- - - PROPERTY LINES
- - - OVERHEAD LINE

Hearing April 26, 2022

Questions contact James Laferriere 508-916-8609

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Haverhill, Massachusetts

Rochambault St

HAV CITY CLERK MAR 14/22 AM 12:55

9, 3, 4

4.

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Rochambault St. - National Grid to install (1) JO pole 13-50 on Rochambault St. beginning at a point approximately 300 feet west of the centerline of the intersection Rochambault St. and Hilldale Ave.; located approximately 120 feet west of existing pole 14, and 120 feet east of existing pole 13.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Rochambault St. - Haverhill, Massachusetts.

30497920

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Dave Johnson/bba*

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY *Karen Lavoie*
Manager / Right of Way

January 21, 2022

nationalgrid

March 1, 2022

*Rochambault St
plan #30497920*

City Council of Haverhill, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

James Laferriere 508-916-8609

Please notify National Grid's Lisa Ayres of the hearing date / time to lisa.ayres@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Lisa Ayres, 1101 Turnpike Street; North Andover, MA 01845
978-725-1418

Very truly yours,






Dave Johnson/lla

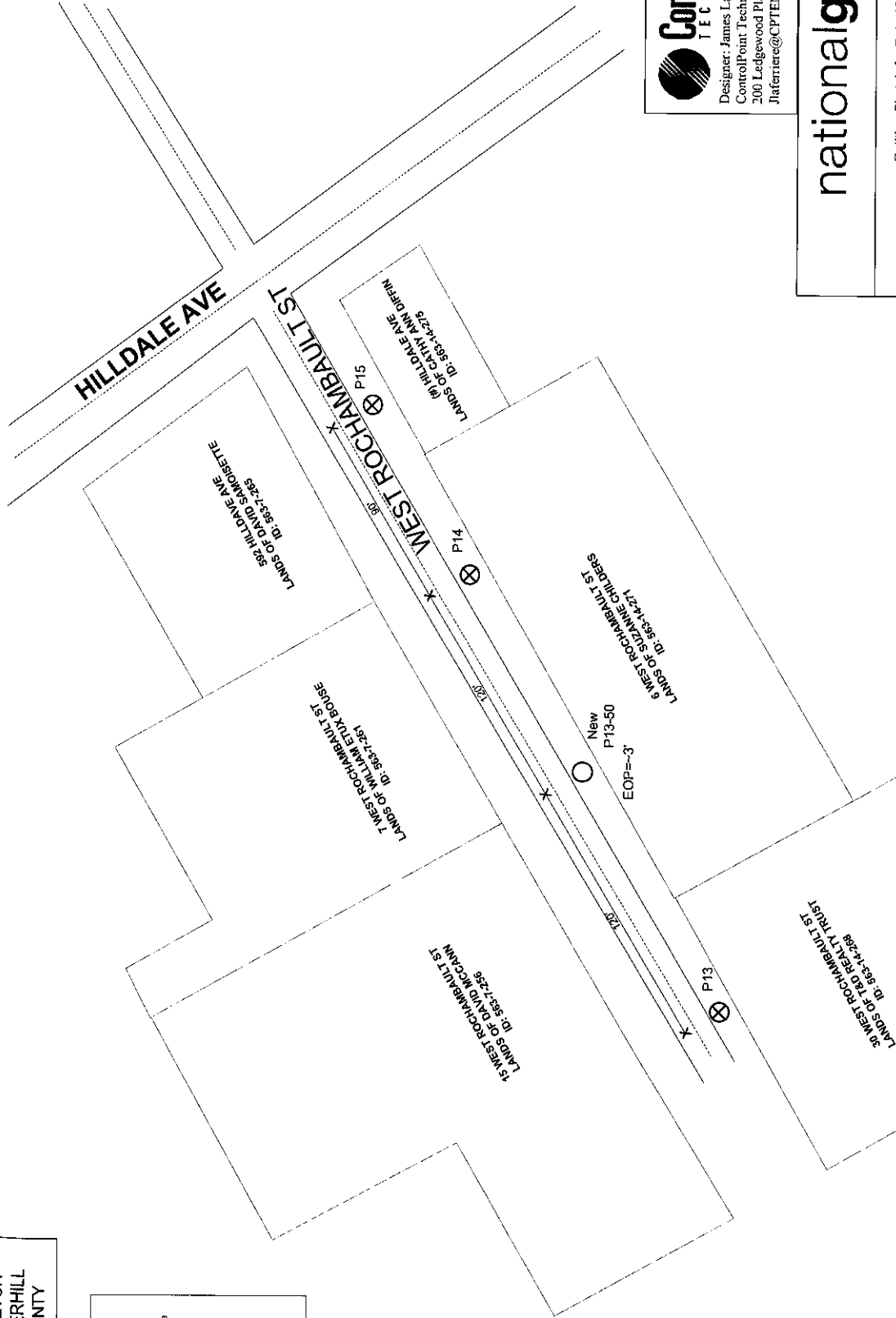
Dave Johnson
Supervisor, Distribution Design

Enclosures

PETITION SKETCH
CITY OF HAVERHILL
ESSEX COUNTY

Legend

-  Proposed JO Pole
-  Existing JO Pole
-  Center Line
-  Street
-  Property Line



Designer: James Laferriere
ControlPoint Technologies, Inc.
200 Ledgewood Place, Rockland, MA 02370
Jlaferriere@CPTENG.com

nationalgrid

Petition Sketch for Pole 13-50
West Rochambault St
Haverhill, MA
WR# 30497920

SHEET
1 OF 1

Not To Scale
Distances are
Approximate

Drawn By:
JIL

Sketch #
30497920

DATE
01/11/2022

The exact location of said
facilities to be established
by and upon the installation
and erection of the facilities
thereof.

CITY OF HAVERHILL
MASSACHUSETTS
CITY SOLICITOR'S OFFICE

145 South Main Street
Bradford, MA 01835
(978) 373-2360
FAX: 978/372-0688
EMAIL: billcoxlaw@aol.com

WILLIAM D. COX, JR.
CITY SOLICITOR

Hearing
March 22,
2022
(10.11)

February 18, 2022

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

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

RE: Ordinance - Meetings/Remote Participation

As requested at a recent Administration and Finance subcommittee meeting on the Council Rules, I have prepared an ordinance which would revise the current section of the City Code on remote participation to provide that the Council will make determinations as to the limitations on a member's ability to participate remotely.

If I can be of any further assistance, kindly advise. Thank you.

cc: James J. Fiorentini, Mayor

IN CITY COUNCIL: March 1 2022

VOTED: that COUNCIL HEARING BE HELD MARCH 22 2022

Attest:

City Clerk

Also: ordinance doc 40-13

40



Haverhill

Copy
12,2

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

February 28 2022

HYBRID HEARING

City Council Chambers, City Hall, Room 202, 4 Summer st

Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (virtual/in person) the Council Chambers, City Hall Building, on Tuesday, March 22, 2022 at 7:00 o'clock P.M. on a request from Attorney William Cox for City requesting to revise the Code by amending Chapter 66 by adding "The City Council shall determine their own limitations on a member's ability to participate remotely" (Residents who are interested in commenting on this hearing can attend in person or call the City Council office number 9778-374-2328 – Once they call in, their phone number will be taken and they will be called back and allowed into the meeting in the order in which they called in. Residents will need a phone and be willing to give their phone number to the person answering the phone in order for them to get the call back.) Interested parties may also log onto Haverhillspeaks.org to review documents and make comments before the hearing.

Information/Ordinance is on file in the City Clerk's Office.

Linda L Koutoulas
City Clerk

Advertise: March 4 & March 11, 2022
Haverhill Gazette



DOCUMENT 40-B

CITY OF HAVERHILL

In Municipal Council March 1 2022

10,1,1

~~ORDERED~~

MUNICIPAL ORDINANCE

CHAPTER 66

AN ORDINANCE RELATING TO MEETINGS

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 66, as amended, be and is hereby further amended by adding the following at the end of §66-4(d):

“The City Council shall determine their own limitations on a member’s ability to participate remotely.”

APPROVED AS TO LEGALITY


City Solicitor

PLACED ON FILE for at least 10 days

Attest:

City Clerk

for hearing March 22, 2022

JAMES J. FIORENTINI
MAYOR



**CITY OF HAVERHILL
MASSACHUSETTS**

11,2,1
CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@CITYOFHAVERHILL.COM
WWW.CITYOFHAVERHILL.COM

March 18, 2022

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

RE: William Macek, Chairman, Central District Parking Commission

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

Pursuant to the parking commission ordinance, which gives the authority to the mayor to appoint the chairperson of the parking commission, I hereby appoint former city councilor William Macek as chairperson the Central District Parking Commission. This is a non-confirming appointment. Mr. Macek is already a member of the commission and his term expires in March of 2023.

Respectfully submitted,

James J. Fiorentini
Mayor

Cc: Mike Stankovich
William Macek
Karl Brunelle

JJF/lyf



Haverhill

HAV CITY CLERK MAR 4'22 PM 2:45

12.4.1

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

Date: 3/4/22

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: K of C 6617 Applicant's Name: ANDY GAGNON

Applicant's Residence (must be Haverhill resident): 233 LOVERLY LN

Applicant's Signature: [Signature]

(3 CONSECUTIVE DAYS ONLY)

Date of Tag Day Request(s): 2 5/20/22 + 5/21/22

Canister: _____ Tag: ✓ Fee: \$ 20.00

paid ✓

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

OFF STREET LOCATIONS - PLEASE SPECIFY

DUNKIN DONUTS RT 125

***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



HAVERHILL CITY CLERK MAR 2'22 PM 2:43

Knights of Columbus

St. Jude Council #6617

P.O. Box 589 Plaistow, N.H. 03865

February 25, 2022

Haverhill City Council,

The Knights of Columbus are asking for permission to collect donations at the Dunkin Donuts located at 20 Plaistow Rd, Haverhill on Thursday May 19th thru Sunday May 22nd as part of our annual Tootsie Roll Drive. The purpose of the Tootsie Roll Drive is to assist the mentally and physically challenged in our local communities. The main beneficiary of our Tootsie Roll Drive over the last several years has been the Haverhill Club House. The Club House works with those that are recovering from mental illness. We have formed a very good partnership with the Club House and the Tootsie Roll Drive and we are very proud of that partnership.

The Knights of Columbus look forward to the Council approving our request.

Thank you,

A handwritten signature in black ink, appearing to read 'Andy Gagnon', written over a horizontal line.

Andy Gagnon
239 Lover's Lane
Haverhill, MA



Haverhill

12.4.2

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

Date: 6.4.22

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 Girls Softball Applicant's Name: Asia Willis
Applicant's Residence (must be Haverhill resident): 9 Montvale St, Haverhill MA 01835
Applicant's Signature: [Signature]

(3 CONSECUTIVE DAYS ONLY)

Date of Tag Day Request(s): June 3, 4, 5, 2022

Canister: _____ Tag: _____ Fee: \$ 30 -

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

OFF STREET LOCATIONS - PLEASE SPECIFY

Market Baskets
Heavenly DONUTS
Starbucks

***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

Police Chief

In Municipal Council, _____

Attest:

City Clerk

HAV CITY CLERK MAR 4 2022 PM 12:40

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

1511
CITY HALL, ROOM 204

4 SUMMER STREET

TELEPHONE: 978-374-2328

FACSIMILE: 978-374-2329

WWW.CITYOFHAVERHILL.COM

CITYCLERK@CITYOFHAVERHILL.COM

HAVERHILL CITY CLERK 978-374-2328

March 18, 2022

To: President and Members of the City Council:

Councillors Barrett and Michitson request a discussion regarding truck traffic using the Rocks Village Bridge.

Melinda Barrett /lac

City Councillor Melinda Barrett

John Michitson /lac

City Councillor John Michitson

(3.22.2022 meeting)

15.2

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

HAVERHILL CITY CLERK MAR 18 2022 4:01 PM

CITY HALL, ROOM 204

4 SUMMER STREET

TELEPHONE: 978-374-2328

FACSIMILE: 978-374-2329

WWW.CITYOFHAVERHILL.COM

CITYCNCL@CITYOFHAVERHILL.COM

March 18, 2022

To: President and Members of the City Council

Council Vice President Michitson to announce Citizen's Advisory Committee meeting to seek feedback from citizens on establishing a charter commission.


Council Vice President John A. Michitson

(meeting 3.22.2022)



42

Document 42

CITY OF HAVERHILL

In Municipal Council March 8 2022

File 10 DAYS
16.1.

Ordered: That One Million Two Hundred Thousand Dollars (\$1,200,000) is appropriated to pay the costs of City Hall retaining wall replacement and exterior repairs, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

Further Ordered: That the Treasurer is authorized to file an application with the appropriate officials of the Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

PLACED ON FILE for at least 10 days

Attest:

City Clerk

BOND ORDER

4-4
JAMES J. FIORENTINI
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

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

March 4, 2022

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

RE: Loan Order Authorizing Bond Proceeds for \$1,200,000.00 to Finance City Hall Parking Lot Retaining Wall

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

Please see attached a bond order authorizing bond proceeds for \$1,200,000.00 to pay for City Hall parking lot retaining wall repairs. See attached letter from Steve Bucuzzo with further details of this project. This bond order must be placed on file for 10 days, after which time I recommend.

approval.

Very truly yours,

James J. Fiorentini
Mayor

JJF/lyf

1611



Copy

Haverhill

Purchasing Office, Room 105
Phone: 978-420-3606 Fax: 978-521-4348
purchasing@cityofhaverhill.com

February 24, 2022

To: James Fiorentini, Mayor

From: Steven Bucuzzo, Purchasing Director *StBucuzzo*

Re: **Bond Authorization for the City Hall Parking Lot Retaining Wall Replacement Project**

Mayor, We are requesting a loan order for a \$1,200,000 bond authorization for the City Hall Parking Lot Retaining Wall Replacement Project be placed on the City Council agenda for approval as soon as possible.

We advertised the Invitation for Bids for this critically needed infrastructure project earlier this month, and received eight bid submissions. The project engineers, AECOM reviewed the bids, conducted reference checks, and have certified the low bidder as a responsive, responsible, and reputable contractor. The City will be awarding the contract to George R. Cairns and Sons, Inc. of Windham, NH when the appropriation is approved.

The general scope of work for this project includes: Demolition and removal of the existing concrete retaining wall; Construction of a new precast block retaining wall and stairs; Installation of new guardrails and railings; Removal and disposal of an underground oil tank; Demolition of the old wooden coal shed structure; Infilling the below grade vault; Foundation waterproofing; and Pavement restoration.

The \$1,200,000 appropriation request includes the cost of the construction contract, a construction contingency for unforeseen issues, and the cost for AECOM to provide construction phase services.

The main construction will begin in June on an accelerated schedule in order to take advantage of the school summer break when the parking need will be reduced at City Hall. The project is scheduled to be complete by early fall.

Please let me know if you need any additional information. Thank you for your timely consideration of this request.

Approved:

James J. Fiorentini
James J. Fiorentini, Mayor

Date: 3/2/22

Attachment: Draft Bond Authorization Order

Cc: Angel Wills, City Auditor & CFO

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

1811
CITY HALL, ROOM 204

4 SUMMER STREET

TELEPHONE: 978-374-2328

FACSIMILE: 978-374-2329

WWW.CITYOFHAVERHILL.COM

CITYCLERK@CITYOFHAVERHILL.COM

March 17, 2022

To: President and Members of the City Council:

Councillor Barrett submits the attached minutes and recommendations of the Administration and Finance Committee meeting held on February 16, 2022 for acceptance and discussion.

Melinda Barrett

City Councillor Melinda Barrett

(meeting 3.22.2022)

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

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CITYCNCL@CITYOFHAVERHILL.COM

HAU CITY CLERK APR 17 '22 PM 3:51

MINUTES OF THE ADMINISTRATION AND FINANCE COMMITTEE MEETING FEBRUARY 16, 2022

An Administration and Finance Committee Meeting was held on Wednesday, February 16, 2022 at 6:00 PM in the City Council Chambers, Room 202.

Committee Members: Committee Chairperson Melinda Barrett, Councillor John Michitson, and Councillor Shaun Toohey. Council President Timothy Jordan, Councillor Thomas Sullivan and City Solicitor Bill Cox were also in attendance.

The following items were discussed:

1. Review of Rules and Regulations of City Council.

The subcommittee discussed:

- Rule 11, last paragraph regarding "*The meetings of the standing Committees*" be changed to reflect no earlier than 6:00 PM (INSTEAD OF 7:00 PM).
Also, the Council Chambers be added in addition to the Council Office room 204
This change does not prohibit other times or locations but reflects what has become more common for subcommittee meetings.
On Motion by Councillor Michitson, second by Councillor Toohey the A&F subcommittee recommends 3-0 adoption of these changes by the City Council.
- Power Points and other presentations and recommends.
On Motion of Councillor Michitson, seconded by Councillor Toohey the addition of *Rule 28E Any Person making a presentation or Power Point Presentation shall provide the City Clerk with a copy of any documents utilized. Ideally, they would provide documents before the Agenda closes. The presentations should be in a font size legible to audience. The subcommittee supported this change 3-0 and recommends adoption by the City Council.

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 HALL, ROOM 204

4 SUMMER STREET

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CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

- Rule 27 Add additional sentence.

If a Councillor wishes to place an item on the agenda after 10 a.m. on the day the agenda closes, said Councillor shall contact the Council President directly to ensure the item will be allowed on agenda.

This change will allow the President to fulfill his/her obligations in creation of agenda, make sure all items comply with Massachusetts Open Meeting Laws and ensure duplicate items are resolved prior to final agenda.

On Motion of Councillor Michitson, second by Councillor Toohey the A&F subcommittee recommends 3-0 that the City Council adopt this change.

Councillor Bevilacqua was unable to attend the subcommittee meeting but submitted several items for discussion. Items are as follows:

- I. Councillor Bevilacqua thought the Council President should vote first when the Council votes instead of last.
Councilors in attendance discussed matter. Councillor Michitson recalled that at one time the Council President did vote first but the order was changed some 25 years ago. He did not recall what precipitated change. Council President Jordan expressed his believe that it was changed on a recommendation of Council President Hart. Those in attendance also discussed that Robert's Rules of Order have the presiding officer voting last. The discussion reflected a general consensus that no change need be made.

The recommendation that the Council President vote first was made by Councillor Michitson, seconded by Councillor Toohey. By 1-2 vote that motion failed. The subcommittee recommends no change to voting order.

- II. Councillor Bevilacqua asked that items on the Council Agenda introduced by Councillors be placed higher on the agenda before those items that Councillor Bevilacqua believes are "of little to no interest to the general public i.e. : bill paying."
A discussion by those in attendance reflected an ability by Council President to call up earlier in agenda any later items at his or her discretion. Paying bills and enacting ordinances are of interest to the community.

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

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CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

On motion by Councillor Michitson, seconded by Councillor Toohey to change Rule 31- Order of Business to reflect Councillor Bevilacqua's request failed 0-3. The subcommittee recommends no change.

- III. Councillor Bevilacqua asked that Council Members be "given Council Stationary to reduce the time and Council Secretary workload it takes for communications required to be sent by the Council to i.e., city departments." Councillors in attendance reviewed the response by Council Administrative Assistant Brown.

The discussion reflected a satisfaction in the process and the need for a Council President to review any communication sent with the Council letterhead.

On a Motion by Councillor Michitson, seconded by Councillor Toohey the request by Councillor Bevilacqua to allow individual Councillors to use Council letterhead failed 0-3.

2. Doc. 63-B - President Barrett and Councillor Michitson made request to make remote, virtual participation in public hearings and meetings a permanent fixture of city government. *While technology and Covid has shown how effective remote participation can be, Rule 6 of Council Rules restrict Councillor remote participation to six (6) times within a year. This is in accordance with City Code Chapter 66, Article 111. During discussion, those Councillors in attendance and Solicitor Cox discussed the frequency of Council Meetings as opposed to other boards which meet monthly or less.*

On motion of Councillor Michitson, seconded by Councillor Toohey the subcommittee recommends (3-0) that the full council approve a change in language of Chapter 66, Article 111 that would exclude the Council from the restriction of six (6) remote participations within a year.

3. Doc.91-G- Communication from Councilor Lepage and Macek to move and correct procedure error on Rules and Regulations. The subcommittee took up the procedural error that had occurred when the council did not follow its own rules when it voted to change Rules without sending change to Administration and Finance.

The Rule Change that the Council President must speak with both Councilors if duplicate items are placed on an agenda. This essentially is a housekeeping item.

On Motion of Councillor Michitson, second by Councillor Toohey the subcommittee recommends 3-0 that the Council Rules be changed to add Rule 28 D: If any items submitted for Council Agenda by Councillors appear to the Council President to be duplicates the President must contact each Councillor to discuss the duplication. Resolution of the duplication shall be at Council Presidents discretion with consultation with Councillors who have submitted duplicate items.

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 HALL, ROOM 204

4 SUMMER STREET

TELEPHONE: 978-374-2328

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WWW.CITYOFHAVERHILL.COM

CITYCNCL@CITYOFHAVERHILL.COM

CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

DOCUMENTS REFERRED TO COMMITTEE STUDY

38-W	Communication from Councillor Barrett requesting to give an update on response from MBTA/Keolis & US EPA about idling trains in Bradford	Citizens Outreach	4/5/16 1/31/17
10-B	Communication from President Michitson asking to request from Mayor status of facility improvements to public buildings and parks to comply with American w/ Disabilities Act (ADA)	Citizens Outreach	1/3/17 1/31/17, 8/15/17
10-U	Communication from President Michitson requesting discussion on next steps to provide comprehensive long range plan for Haverhill	Citizens Outreach	1/31/17 8/15/17, 4/23/18
38-D	Communication from Councillors Sullivan and Barrett requesting an update on City's emergency management plan and status of working generators in all public building in City	Public Safety	3/20/18 1/23/19
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
79-T	Communication from Councillors Sullivan and Barrett re: discussion with VINFEN & Haverhill Police Dept. regarding incident in neighborhood of 20 Westland Ter. group home on 7/5 and steps being taken to better supervise residents and reduce police calls to residence	Public Safety	7/23/19
89-K	Communication from Councillor Macek requesting open discussion relative to the process for Establishing a Charter Commission to review the current City of Haverhill Charter	Citizens Outreach	8/6/19
89-U	Communication from Councillor LePage re: applying for Community Compact Best Practices Program grant for benefit of city and its residents	Citizens Outreach	9/17/19
89-V	Communication from Councillor McGonagle requesting a discussion about school bus safety	Public Safety	9/17/19
11	Communication from Councilor Jordan requesting to introduce Steve Costa of Citizens for Haverhill Fire to discuss Mayor's CIP and occupational cancer	Public Safety	1/7/20
34-P	Communication from Councillor Sullivan requesting a discussion regarding the disposal of cremated remains on public property	NRPP	3/17/20
69-O	Communication from President Barrett and Councillor Sullivan requesting discussion on illegal fireworks in the City	Public Safety	7/28/20
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
4-I	Communication from Councillor Michitson requesting to address the rising inequities between high and low paid occupations in the United States	Citizens Outreach	1/12/21
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
27-X	Councillor Daly O’Brien requests discussion re: cars parking on Concord St. sidewalks and possibility of city providing off-street parking	NRPP	4/6/21
50-U	President Barrett and Vice President LePage request discussion about composting options	Citizens Outreach	5/18/21
50-W	Councillor McGonagle requests to discuss an option to reward first responders and frontline workers to receive bonus for working through pandemic	Public Safety	5/18/21
63-B	President Barrett and Councillor Michitson request to make remote, virtual participation in public hearings and meetings a permanent fixture of city government	A & F	6/15/21
63-R	Councillors Jordan and Michitson propose a Housing Forum to address affordable housing crisis, open space, impact of residential developments on City’s infrastructure and services	Citizens Outreach	8/10/21
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
92	Councillors Jordan, Michitson and LePage seeking funding for Cogswell Artspace from the \$500K account dedicated to youth and mental health services	A & F	9/28/21
91-G	Councillors LePage and Macek request to move and correct procedure error on Rules and Regulations	A & F	9/28/21
92-G	Councillor Daly O’Brien requests providing shaded areas in our City playgrounds	Citizens Outreach	10/19/21
94	Councillor Macek process of private profit organizations using public property	A&F	10/19/21
91-P	Councillor Michitson requests city adjust its process on how it handles 61A process	Planning & Dev.	12/7/21
5-B	Councillor Barrett discussion to establish a design & review board	Planning & Dev.	1/11/22
5-C	Councillor Barrett discussion for specific items and what levels need to be sent to Council for approval	Planning & Dev.	1/11/22

CITY COUNCIL

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LONG TERM MATTERS STUDY LIST

- 38-F Communication from Councillors Barrett and LePage requesting to discuss double poles in the City
A & F 3/15/16, 9/6/16, 11/3/16, 1/17/17, 5/11/17, 10/24/17, 3/6/19
- 26E City of Haverhill – Mayor's Recommendations, Capital Improvement Program – 2016-2020
A & F 5/31/16, 11/3/16, 5/11/2017, 7/25/17, 2/15/18, 3/6/19, 4/17/19
- 93-L Communication from President Michitson requesting to introduce Dave Labrode to discuss street tree
plantings
NRPP 8/7/18, 2/28/19, 2/27/20
- 38-J Communication from Councillor Macek requesting a discussion about reserve parking spaces at City
Hall designated for Registry of Motor Vehicles
NRPP 3/19/19, 2/27/20
- 13-Y Communication from Councillor LePage to discuss accounting of revenue funds received from
Licensed Marijuana establishments & their allocation to mitigate costs and impacts to city
A & F 3/12/19, 8/5/19
- 89-D Communication from Councillors LePage, Michitson, Jordan requesting discussion on reducing
exposure of persons under 21 yrs. of age to outdoor advertising (billboards) of marijuana products and
zoning regulations pertaining to smoke and/or vapor stores in Haverhill
A & F 7/23, 19, 8/16/19