



City of Haverhill
City Council Minutes
Tuesday, August 11, 2020
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street
Virtual and In-Person Meeting

Present – President Barrett, Councillors LePage, Bevilacqua, Michitson, Sullivan, Jordan, McGonagle, Daly O’Brien and Macek.
City Clerk – Linda L. Koutoulas

President Barrett read the following statement: This meeting of the Haverhill City Council is being conducted remotely consistent with Governor Baker’s Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the “COVID-19 Virus”.

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment.

Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order temporarily suspending certain provisions of the Open Meeting Law, G.L. c. 30A sec. 20. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means."

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of minutes of prior meeting
The minutes were approved Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor Sullivan was assigned the minutes
5. Communications from the Mayor:
Mayor Fiorentini gives his recommendation to restore \$1M that was taken from stabilization back into stabilization and submits the following Orders:
PLACED ON FILE 71J
Order: As part of FY2021 Budget the sum of \$1,000,000 be appropriated from additional Unrestricted Local Aid and transferred to Stabilization
POSTPONED TO AUG 25 AT REQUEST OF MAYOR Yeas 9, Nays 0 71K

Order: As part of the Fiscal Year 2021 Budget the sum of \$10,000 be appropriated from additional Unrestricted Local Aid and transferred to the following accounts:
Constituent Services for Over Time \$5,000
Mayors Salaries \$5,000
POSTPONED TO AUG 25 AT REQUEST OF MAYOR Yeas 9, Nays 0 71L

Order- As part of the Fiscal Year 2021 Budget the sum of \$130,000 be appropriated from additional Unrestricted Local Aid and transferred to the following accounts:
Highway Expenses for roadway/sidewalk maintenance \$50,000
Highway Expenses for lease payment of mini excavator \$55,000
Street Marketing Expenses \$25,000
POSTPONED TO AUG 25 AT REQUEST OF MAYOR Yeas 9, Nays 0 71M

Order- As part of the Fiscal Year 2021 Budget the sum of \$450,000 be appropriated from additional Unrestricted Local Aid and transferred to the following accounts:
Capital Projects Budget Line Item \$350,000
Salary Reserve Budget Line Item \$100,000
POSTPONED TO AUG 25 AT REQUEST OF MAYOR Yeas 9, Nays 0 71N

Order- As part of the Fiscal Year 2021 Budget the sum of \$400,000 be appropriated from additional Unrestricted Local Aid and transferred to the following capital account:

Sidewalk and Street Repairs and Improvements \$400,000

POSTPONED TO AUG 25 AT REQUEST OF MAYOR Yeas 9, Nays 0 71O

Order- As part of the Fiscal Year 2021 Budget the sum of \$40,000 be appropriated from additional Unrestricted Local Aid and transferred to the following accounts: City Clerk Salaries \$40,000

POSTPONED TO AUG 25 AT REQUEST OF MAYOR Yeas 9, Nays 0 71P

6. Communications from Councillors to introduce an individual(s) to address the Council:

Council President Barrett and Councillor LePage request to introduce Anthony Parolisi to address Council regarding the Resolution submitted requesting their support for the funding of the 2019 Student Opportunity Act

MR. ANTHONY PAROLISI, PRESIDENT-HAVERHILL EDUCATION ASSOCIATION, READ THE RESOLUTION INTO THE RECORD. THIS RESOLUTION CALLS FOR FEDERAL, STATE AND LOCAL GOVERN- MENTS TO SHARE EDUCATION EXPENSES IN COVID-19 ERA

ON MOTION OF COUNCILLOR SULLIVAN WITH SECOND FROM COUNCILLOR LEPAGE TO ADOPT THE RESOLUTION

Yeas 9, Nays 0 55E

Councillor Thomas Sullivan wishes to introduce Anne Doughty, representing the City's Commission on Disability Issues, for the purpose of announcing the two winners of this year's CDI Scholarships; John Davies and Derek Marczak

MS. ANNE DOUGHTY AND MS. JOYCE THIBODEAU SPOKE ABOUT THE PROGRAM WHICH WAS INITIATED AT WHITTIER VO TECH.

CITATIONS PRESENTED TO JOHN DAVIES AND DEREK MARCZAK BY COUNCILLOR SULLIVAN PLACED ON FILE

55F

Councillors Colin LePage and William Macek request to introduce Travis Parker of People Speak to make a presentation regarding how to conduct asynchronous and remote public meetings

MR. TRAVIS PARKER OF PEOPLE SPEAK GAVE A POWERPOINT PRESENTATION ABOUT THE USE OF ASYNCHRONOUS ONLINE PUBLIC HEARINGS. THE GOAL IS TO INCREASE CITIZEN PARTICIPATION BY USING TECHNOLOGY AND REDUCE ADMINISTRATIVE TIME. THIS WOULD BE A MONTHLY SUBSCRIPTION SERVICE – NO CONTRACTS REQUIRED. REIMBURSEMENT WOULD COME FROM CARES ACT FUNDS. COUNCILLORS SUPPORTED THE CONCEPT BUT HAD QUESTIONS ABOUT CYBERSECURITY AND IT ISSUES.

ON MOTION OF COUNCILLOR LEPAGE WITH SECOND FROM COUNCILLOR DALY O'BRIEN TO SEND LETTER TO MAYOR

Yeas 9, Nays 0 55G

7. Public Participation- Requests under Council Rule 28

8. Communications and Reports from City Officers and Employees:

City Clerk Linda Koutoulas is proposing to change 2 Polling locations for Haverhill, September 1st and November 3rd Elections due to COVID 19 and submits related Order. Ward 1, Precinct 02 - Move the existing polling place from Washington Square Elderly Housing to Haverhill Citizen Center on Welcome St; Ward 7, Precinct 01 – Move the existing polling place from Greystone Elderly Housing on South Webster St. to Bradford Elementary School

PLACED ON FILE Yeas 9, Nays 0 6E

ORDERED: That the following locations are hereby established as Polling Places for all Elections to be held during the year 2020, in accordance with Chapter 54, Section 24 of the Massachusetts General Laws:

(see document for complete text)

PASSED Yeas 9, Nays 0 6F

Abatement report from Board of Assessors for month of July 2020

PLACED ON FILE Yeas 9, Nays 0 32G

Preliminary financial reports from City Auditor for month of June 2020

PLACED ON FILE Yeas 9, Nays 0 19F

9. Utility Hearing(s) and Related Order(s)

Hearings and Related Orders:

Document 68: Petition from Richard Carter requesting Special Permit approval to convert a building at 417 Washington st; Assessor's Map 511, Block 276, Lot 6; into 4 single-bedroom apartments to be rentals *Conditional favorable recommendation from Planning Board & Planning Director*

PRESIDENT BARRETT OPENED THE HEARING. RICHARD AND AMY CARTER SPOKE ABOUT THEIR PLANS TO CONVERT THE BARN AT 417 WASHINGTON STREET INTO 4 SINGLE BED-ROOM APARTMENTS FOR RENTALS. THEY WILL USE THE EXISTING STRUCTURE AND NO CHANGES WILL BE MADE TO THE VICTORIAN 3 FAMILY BUILDING THAT IS ATTACHED TO IT. THERE IS AN UNUSUAL AMOUNT OF ON-SITE AND OFF-STREET PARKING. NO ONE SPOKE IN FAVOR OR AGAINST THE SPECIAL PERMIT.

HEARING CLOSED.

COUNCILLORS SPOKE IN FAVOR AND COMMENDED THE CARTERS FOR THEIR INVESTMENT IN THE CITY AND FOR RECOGNIZING THE NEED FOR ONE BEDROOM RENTALS. ON MOTION OF COUNCILLOR SULLIVAN WITH SECOND FROM COUNCILLOR MACEK TO MOVE FOR PASSAGE OF THE SPECIAL PERMIT TO INCLUDE LETTERS FROM DEPARTMENT HEADS.

PASSED WITH CONDITIONS Yeas 9, Nays 0 68

10. Appointments:

Confirming Appointments:

Magdiel A Matias, 44 Dudley st to the Board of Appeals, Associate Member. He will fill the unexpired term of Louise Bevilacqua. Effective immediately with appointment to expire Dec 31 2021

CONFIRMED Yeas 9, Nays 0 1K

Non-Confirming Appointments:

No Schedule

11. Petitions:

Amusement/Event Applications:

Bold Media, Holtsville, NY requests permit for drive-thru only holiday light show to be held November 19th to December 31st; at 75 Willow av; *City Department approval/comments are included*

MR. MATHEW GLAZER OF BOLD MEDIA INFORMED THAT THIS IS A HOLIDAY DRIVE THRU SHOW, 1 MILE LONG ON PRIVATE PROPERTY. THERE WILL BE NO FOOT TRAFFIC. MUSIC WILL BE BROADCAST INTO THE CARS. THERE IS NO LIGHT POLLUTION. HOURS OF OPERATION, SUNDAY TO THURSDAY 5PM TO 9PM; FRIDAY AND SATURDAY 5PM TO 11PM. \$25 PER CARLOAD. COUNCILLORS SUGGESTED CONSIDERATION FOR THOSE WITH DISABILITIES THAT CAN NOT DRIVE AND AN EVENT TO SUPPORT FOOD PANTRIES

GRANTED Yeas 9, Nays 0 77

Councillor Bevilacqua left the chambers

Petition

Petition from City Engineer John Pettis for City of Haverhill requesting Hearings to accept the following streets as Public Ways:

Amy Lynne Lane 78

Ryan Patrick Way 79

Cortland Road 80

Pear Tree Road 81

Russett Hill Road 82

REFERRED TO PLANNING BOARD

COUNCIL HEARING OCTOBER 6 2020 Yeas 8, Nays 0, Absent 1

Petition from Anthony Rossi, Manager Emerson Street Investment LLC requesting Hearing for Special Permit to re-development the property at 66 Emerson st; Assessors Map 3200, Block 54, Lots 1,2 & 19-24 consisting of 24 rental apartments

REFERRED TO PLANNING BOARD

COUNCIL HEARING OCTOBER 6 2020 Yeas 8, Nays 0, Absent 1 83

Councillor Bevilacqua returned to chambers

Petition from Attorney Russell Channen for Atlantis Development, LLC requesting Hearing for Special Permit for development of a 3-story building at 42 Lafayette Square - for mixed commercial/multifamily use within the CG zone; commercial on first floor and residential on the second and third

REFERRED TO PLANNING BOARD

COUNCIL HEARING OCTOBER 6 2020 Yeas 9, Nays 0 84

Petition from Ernest M Cioto, Trustee of Cioto Realty Trust for a special permit to allow construction in the Waterfront District (Zone F) with site sitting directly on the Merrimack River to build 54 condos at 38 Railroad St; Assessor's Map 701, Block 630, Lot 9

COUNCIL HEARING SEPTEMBER 15 2020 Yeas 9, Nays 0 85

Annual License Renewals:

Drainlayer License for 2020 - new

Danny Gill

GRANTED Yeas 9, Nays 0

John Russo Jr.

GRANTED Yeas 9, Nays 0

12. Motions and Orders

ORDERED: That the City of Haverhill accept General Law Chapter 59, Section 5, Clause 22G, that provides in part that real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause twenty-second, twenty-second A, twenty-second B, twenty-second C, twenty-second D, twenty-second E or twenty-second F if the person were the owner of the real estate. Said exemption shall be effective for the exemptions granted for fiscal year beginning on or after July 1, 2021.

Related communication from Chris Webb, City Assessor

MS. WEBB INFORMED THAT AS PART OF THE BRAVE ACT OF 2018 THERE ARE TWO NEW VETERANS EXEMPTIONS, SHE SUGGESTED THE CITY SHOULD ADOPT TO ASSIST VETERANS
PASSED Yeas 9, Nays 0 62B

ORDERED: That the City of Haverhill accept General Law Chapter 59, Section 5, Clause 22H, that provides in part for the surviving parents and guardians of active duty military personnel (including National Guardsmen on active duty) who went missing in action and are presumed to have died and active duty military personnel (including National Guardsmen on active duty) and veterans who died as a proximate result of injuries sustained or diseases during active duty will be entitled to a full exemption from taxation on their domiciles. Said exemption shall be effective for the exemptions granted for fiscal year beginning on or after July 1, 2021.

Related communication from Chris Webb, City Assessor

MS. WEBB INFORMED THAT AS PART OF THE BRAVE ACT OF 2018 THERE ARE TWO NEW VETERANS EXEMPTIONS SHE SUGGESTED THE CITY SHOULD ADOPT TO ASSIST SURVIVING PARENTS OR GUARDIANS OF A VETERAN WHO DIED IN ACTIVE DUTY OR DUE TO AN INJURY OR ILLNESS THAT WAS THE PROXIMATE CAUSE OF THEIR DEATH
PASSED Yeas 9, Nays 0 62C

ORDERED: That the State Primaries be held in the several wards in the City on TUESDAY, THE FIRST day of SEPTEMBER, 2020; the polls to open at seven o'clock in the forenoon and to close at eight o'clock in the evening, and to be held in accordance with the provisions of Chapter 53 of the General Laws and amendments thereto.

The voters of the Democratic, Republican, Green Rainbow and Libertarian Parties are requested to meet at their respective ward room, as designated, on the above date and give in their vote for the nomination of candidates of their respective parties for: (see document for complete text)

PASSED Yeas 9, Nays 0 6G

ORDERED: That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bills of previous years and to further authorize the payment from current year departmental appropriations as listed:

Vendor	Amount	Account
Federal Eastern International	\$ 443.84	Police Dept
Atlantic Tactical (19)	\$19,223.62	Police Dept
Francis H Maroney	\$ 4,960.00	Highway Dept
CN Wood	\$ 1,943.26	Highway Dept
Capital Waste Service	\$266,334.81	Refuse & Recycling
AFC Urgent Care-N Andover	\$ 565.00	Human Resources

PASSED Yeas 9, Nays 0 25F

13. Ordinances (File 10 days)

BOND

ORDERED: That Five Hundred Four Thousand Dollars (\$504,000) is appropriated to acquire a sewer system cleaning truck, 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. (see document for complete text)

Related communication from Robert Ward Deputy DPW Director

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 26E

14. Communications from Councillors:

Communication was received from Council President Barrett requesting to discuss the need for a Washington Square Post Office Task Force.

PRESIDENT BARRETT RAISED CONCERN ABOUT THE POSSIBILITY OF THE WASHINGTON SQ. POST OFFICE CLOSING IN THE NEAR FUTURE. THE COUNCIL SUPPORTED SENDING A LETTER TO CONGRESSIONAL DELEGATION ASKING FOR THEIR ASSISTANCE FOR CITY'S FIRST RIGHT OF REFUSAL AND THE FORMATION OF A MAYORAL TASK FORCE TO EXPLORE FUTURE IMPROVEMENTS FOR THIS AREA.

LETTER TO CONGRESSIONAL DELEGATION & MAYOR Yeas 9, Nays 0 69V

Communication was received from Councillor Joseph Bevilacqua to recognize the 100th Anniversary of the ratification of the 19th Amendment granting all women the right to vote – women’s suffrage – and its importance in bringing women closer to equality in job opportunities, fairer wages and education
 PLACED ON FILE Yeas 9, Nays 0 69W

Communication was received from Councillors Michitson and McGonagle requesting on behalf of the residents of Rocks Village, to reduce the speed limit from 35 MPH to 25 MPH in the Village
 REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 9, Nays 0 69X

Communication was received from Councillors Sullivan and McGonagle requesting the Traffic & Safety Committee review a request for “15 MPH” signage on Crosby Street Extension
 COUNCILLOR SULLIVAN INFORMED THAT THE REQUEST IS ALSO TO HAVE THE STREET MARKER REPLACED, “NO THROUGH” SIGNAGE, “DANGEROUS CURVE AHEAD” SIGNAGE AND SPEED LIMIT SIGNS.
 REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 9, Nays 0 69Y

Communication was received from Councillor Mary Ellen Daly O’Brien requesting a discussion regarding Batchelder Court one-way signage next to *Smith’s Tavern* and *Kruegar Flatbread*
 COUNCILLOR DALY O’BRIEN EXPRESSED CONCERN THAT DUE TO COVID-19, A PORTION OF BATCHELDER CT. IS BEING USED FOR OUTSIDE DINING AND PATRONS MAY NOT KNOW THAT THERE IS PARKING AVAILABLE IN THE AREA AND MAY BE CONFUSED ABOUT EGRESS.
 REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 9, Nays 0 69Z

Communication was received from Councillor Michael McGonagle requesting a review of speed and public safety concerns on Brookline Avenue by the Traffic and Safety Committee
 REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 9, Nays 0 86

Communication was received from Councillor Michael McGonagle requesting Traffic and Safety Committee review request for “Caution Children” signage in the area of 80 Fifth av
 REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 9, Nays 0 86B

Communication was received from Councillor Michael McGonagle requesting Traffic and Safety Committee review request for “No Skateboarding Allowed” signage in area of 89 Washington st per City Code Chapter 222 Section 55-61
 REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 9, Nays 0 86C

Communication was received from Councillor John Michitson requesting to address economic development ideas resulting from the pandemic
 COUNCILLOR MICHITSON GAVE A POWERPOINT PRESENTATION ON THE AGILE WORK MODEL INFORMING THAT THE WORK-LIFE BALANCE IS SHIFTING AND PANDEMIC IS ADVANCING RATE OF CHANGE TO REMOTE WORK. HIS RECOMMENDATION WAS TO HOLD A CITY COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING INVITING BUSINESS COMMUNITY AND KEY STAKEHOLDERS.
 REFERRED TO PLANNING & DEVELOPMENT COMMITTEE Yeas 9, Nays 0 86D

15. Unfinished Business of Preceding Meeting:

Document 9-I:

MUNICIPAL ORDINANCE CHAPTER 240
 An Ordinance Relating to Parking
 38 Hancock Street– ADD Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by adding the following in §240-85 Schedule B: Parking Restrictions and Prohibitions:

Location	Regulation	Hours/Days	
Hancock Street In front of No.38 except For 1-24 Hour Handicap Parking space at No. 38 Hancock Street	No Parking	24 hours	
PASSED		Yeas 9, Nays 0	9I

Document 26-D:

BOND

ORDERED: That Five Hundred Four Thousand Dollars (\$504,000) is appropriated to acquire a fire truck, 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 note of the City therefor. (see document for complete text)
 PASSED Yeas 9, Nays 0 26D

Document 31-B:

MUNICIPAL ORDINANCE CHAPTER 240
 An Ordinance Relating to Vehicles and Traffic

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by adding the following in §240-85 Schedule B: Parking Restrictions and Prohibitions:

Fountain Street North side, between driveways to #92-94 and #98, length approx. 16'	No Parking	24 hrs.	
PASSED		Yeas 9, Nays 0	31B

16. RESOLUTIONS and PROCLAMATIONS:

17. Council Committee Reports and Announcements:

18. Documents referred to committee study

19. Long term matters study list

Meeting adjourned 9:37 o'clock P.M. Yeas 9, Nays 0

Attest: Linda Koutoulas
City Clerk