



City of Haverhill
City Council Minutes

Tuesday, October 16, 2018 at 7:00 PM
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

Present – President Michitson, Councillors Sullivan, Barrett, LePage, Jordan, Macek and McGonagle.
Councillor Bevilacqua participated remotely due to geographic location.
Absent – Councillor Daly O’Brien
City Clerk – Linda L. Koutoulas

1. Opening Prayer

2. Pledge of Allegiance

3. Approval of Minutes of Prior Meeting

The minutes were approved

Yeas 8, Nays 0, Absent 1

4. Assignment of the minutes review for the next Meeting

Councillor LePage was assigned the minutes.

5. Communications from the Mayor:

Communication from Mayor submitting Order to move Haverhill Vietnam Veterans Memorial & letter from Vietnam Veterans Memorial Ad Hoc Commission with a related communication in support from Ralph P. Basiliere, Chair of Vietnam Veterans Memorial Ad Hoc Commission

COUNCILLOR SULLIVAN THANKED THE FOLLOWING GROUPS FOR THEIR DONATION OF SERVICES TO MOVE THE EXISTING VIETNAM VETERANS MEMORIAL – DAVCO CONSTRUCTION, ATWOOD MEMORIAL, HAVERHILL EXCHANGE CLUB AND LINWOOD CEMETERY; RALPH BASILIERE ALSO OFFERED HIS SUPPORT & THANKED ALL INVOLVED. THE MEMORIAL WILL BE MOVED AND RE-DEDICATED THE WEEKEND OF VETERANS DAY, NOV.10-11

PLACED ON FILE

Yeas 8, Nays 0, Absent 1

1Q

ORDERED: That the City owned real property located on Mill Street more particularly described and shown on Assessor’s Map 409, Block 112, Lot 1, and containing 0.281 acres +/-, shall be henceforth known and named “The Vietnam Veterans Memorial at Mill Brook Park”. Also, the Mayor is hereby authorized to accept the following gifts to be installed or utilized at The Vietnam Veterans Memorial at Mill Brook Park: several related gifts: (see document for complete text)

PASSED

Yeas 8, Nays 0, Absent 1

116

6. Communications and Reports from City Officers and Employees

Communication from City Tax Assessor, Christine Webb, requesting to present the Tax Classification Hearing on November 13 2018

TAX CLASSIFICATION HEARING SCHEDULED NOV 13, 2018

Yeas 8, Nays 0, Absent 1

117

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

8. Hearings and Related Orders

Hearing was held on Document 90, petition for Special Permit from Lee Properties, LLC, Jonathan Cozzens, Managing Partner – to build 14 residential apartment units consisting of 13 1-bedroom units and 1 studio unit as well as up to 2 commercial spaces in an existing 5-story building at 2-12 Washington st which is located in the sub-zone D of the Downtown Smart Growth Overlay District. Favorable conditional recommendation was received from Planning Board & Planning Director.

President Michitson opened the hearing. Attorney Robert Harb described the plans for the property. The historic building will be restored to its 1882 look. Apartments will be market rate because the developer will be seeking historic tax credits and TIFs. Attorney Harb asked the Council to approve the special permit, waive the affordable housing because the city has already met the 10% rate and allow the placement of a dumpster on Phoenix Row. The developer has a 10 year lease with the MVRTA for 18 parking spaces. Architect Angelo Petrozzelli provided details of the proposed project. There will be a 5 story elevator with access from the rear; basement level will have 1 bedroom unit and an efficiency unit, each unit will have washer/dryer, full kitchen, will use existing fire escape which will be completely upgraded, the building will have a full sprinkled fire alarm.

Hearing closed

ON MOTION OF COUNCILLOR SULLIVAN TO MOVE FOR APPROVAL FOR ALL REQUESTS BY APPLICANT AND TO INCLUDE LETTERS FROM DEPARTMENT HEADS.

ON MOTION OF COUNCILLOR BEVILACQUA THAT THE OPTION FOR PARKING FOR AN ADDITIONAL 10 YEARS BE A CONDITION OF THE SPECIAL PERMIT FOR A PERIOD OF AT LEAST 20 YEARS

PASSED WITH CONDITIONS

Yeas 8, Nays 0, Absent 1

ON MOTION OF COUNCILLOR BARRETT THAT IF RESIDENTS HAVE A SPACE AT THE MVRTA PARKING GARAGE, PURCHASE OF A PARKING SPACE BE PROHIBITED

PASSED

Yeas 7, Nays 1(Sullivan) Absent 1

ON MOTION OF COUNCILLOR BARRETT THAT THE BUILDER PROVIDE AN AREA FOR LOADING AND UNLOADING FOR TENANTS OF THE BUILDING IN THE BACK Yeas 8, Nays 0, Absent 1

ON MOTION OF COUNCILLOR SULLIVAN TO APPROVE THE 3 ORIGINAL REQUESTS BY ATTORNEY HARB AND 3 AMENDMENTS

PASSED AS AMENDED

Yeas 8, Nays 0, Absent 1

90

Migliori representing Owner JR Builders Inc; Rezoning of Emma Rose Circle from “RR” Residential Rural to “RM” Residential Medium; Assessor’s Map 539, Block 439, Lots 10E-3 and 10E-4; Related communication from Attorney Michael Migliori for owner JR Builders requesting a continuance of Hearing to November 27 2018

CONTINUED TO NOV 27, 2018 AT REQUEST OF ATTY. MIGLIORI Yeas 8, Nays 0, Absent 1 95

ORDERED: Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 255, §8 – Zoning Map, as amended, be and is hereby further amended as follows:

Property on Emma Rose Circle, City of Haverhill; Assessor’s Map 539, Block 43, Lots 10E & 10E-4, also as shown on a plan filed with a petition from JR Builders, Inc., shall be re-zoned from Rural Residential (RR) to Residential Medium (RM)

CONTINUED TO NOV 27, 2018 AT REQUEST OF ATTY. MIGLIORI Yeas 8, Nays 0, Absent 1 95B

Hearing was held on Document 109, application from David Atkins representing owner of land, Tenney Place Apt II LLC requesting flammable license to store 4,000 gallons of Liquid Propane gas to be held in 4 – 1,000 gallon temporary tanks aboveground at 535 West Lowell av. Mr. David Atkins informed that they need a license to store more than 2,000 gallons as they already have 2,000 gallons on site. Eric Kazarski informed that due to the National Grid lock out, they are seeking approval for aboveground storage. There will be a fence around the tanks. It was noted that the State has stopped National Grid from doing any gas work. Fire Chief Laliberty answered questions from Councillors about safety and lent his support along with William Pillsbury, Economic Development Director. Their intention is to convert to natural gas when allowed. Opposed to the tanks were George Clough and Tara Murphy-Volz.

Hearing closed

ON MOTION OF COUNCILLOR MACEK TO ALLOW FOR TEMPORARY APPROVAL FOR PERIOD NOT TO EXCEED 1 YEAR AND TO COME BACK TO CITY COUNCIL FOR EXTENSION

PASSED Yeas 7, Nays 1(Bevilacqua), Absent 1 109

9. Public Participation- Requests under Council Rule 28

10. Appointments:

Confirming Appointments:

No Schedule

Non-Confirming Appointments:

11. Petitions:

Petition from SPS New England requesting permission to occupy and obstruct portions of Haverhill’s public right of way along River Valley Road in conjunction with the ongoing MassDOT I-495 Haverhill Bridge Replacement Project that will take place over the next 45 months. The section requesting to be used has been blocked off by Jersey Barriers for at least a decade. Related communication in support of this request from City Engineer John Pettis.

GRANTED Yeas 8, Nays 0, Absent 1 118

Applications:

Applications/Handicap Parking Sign:

Carole DeBlois for 30 Bellevue av on corner of Alexander way – *new*
REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 47I

Deborah L Condo for 51 Bellevue av – *new*
REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 47J

Michelle Roldan-Schena for 123 Cedar st – *new*
REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 47K

Nicola Spera for 9 Hancock st – *renewal*
GRANTED Yeas 8, Nays 0, Absent 1 47L

Joseph Jones for 127 Webster st, #2 – *renewal*
GRANTED Yeas 8, Nays 0, Absent 1 47M

Darlene G. Nuzzi for 96 Broadway (sign on Bedford st) – *renewal*
GRANTED Yeas 8, Nays 0, Absent 1 47N

Cynthia Catlin for 94 River st, Unit 2 – *renewal*
GRANTED Yeas 8, Nays 0, Absent 1 47O

Annual License Renewals

Drainlayer License for 2018:

Gerald J Pittorino, Jr. - *renewal*
GRANTED Yeas 8, Nays 0, Absent 1 10U

Limousine/Livery License/Chair Cars – *new*
Victor Khan, All Ride Transportation, 189 Farrwood dr - *livery*
GRANTED Yeas 8, Nays 0, Absent 1 110D

12. Motions and Orders:

12.4 Ordinances (File 10 days)

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

(120 Street – DELETE Handicapped Park (see document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 22Q

MUNICIPAL ORDINANCE	CHAPTER 240	
An Ordinance Relating to Parking (491 Washington Street #1 – DELETE Handicapped Park (see document for complete text)		
PLACED ON FILE for at least 10 days	Yeas 9, Nays 0	22R

MUNICIPAL ORDINANCE	CHAPTER 240	
An Ordinance Relating to Parking (21 Cedar Street – DELETE Handicapped Park (see document for complete text)		
PLACED ON FILE for at least 10 days	Yeas 9, Nays 0	22S

13. Monthly Reports:

Preliminary financial reports for the month of August 2018 from City Auditor, Charles Benevento		
PLACED ON FILE	Yeas 8, Nays 0, Absent 1	48F

Abatement report from City Assessor, Christine Webb for the month of September 2018		
PLACED ON FILE	Yeas 8, Nays 0, Absent 1	19J

14. Communications from Councillors:

Communication was received from Council President Michitson announcing that the neighbors wish to discuss the Crystal water booster station.
Ms. Kiki Bernard submitted a list of questions she is seeking answers to,* alleging that the location was changed. Also speaking about the water booster station were James Remmes, Lisa Palmisano, Vance Grazio, Leotta Sarrette, Charles Patras, Alexander Halks and Wayne Barnard.
ON MOTION OF PRESIDENT MICHITSON TO GET WRITTEN ANSWERS TO QUESTIONS SUBMITTED FROM THE MAYOR’S OFFICE THRU THE DEPARTMENTS IN 2 WEEKS (OCT 30)

Yeas 8, Nays 0, Absent 1	107S
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Communication was received from Council President Michitson and Councillor McGonagle requesting a discussion about the intersection of Fountain and Lawrence Streets		
REFERRED TO TRAFFIC & SAFETY COMMITTEE	Yeas 8, Nays 0, Absent 1	107T

Communication was received Councillor Joseph Bevilacqua requesting to introduce Bobbi Roffo to discuss East Parish Meeting Hall and events		
MS. ROFFO GAVE AN UPDATE ON REHAB WORK AT THE MEETING HALL & UPCOMING EVENTS*		
PLACED ON FILE	Yeas 8, Nays 0, Absent 1	197U

Communication was received from Councillor McGonagle requesting to discuss the intersection of Main st and Peppercorn st		
REFERRED TO TRAFFIC & SAFETY COMMITTEE	Yeas 8, Nays 0, Absent 1	107V

15. Unfinished Business of Preceding Meetings:

Document 2-D

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 making the following change to Section 240-85 Schedule B: Parking Restrictions and Prohibitions:

Revise Central Business District Parking Map by adding two Service Zones to the south side of Merrimack Street, in front of #132		
PASSED	Yeas 8, Nays 0, Absent	2D

Document 22-N

MUNICIPAL ORDINANCE	CHAPTER 240
An Ordinance Relating to Parking	

(69 Harrison Street – DELETE Handicapped Park (see document for complete text)		
PASSED	Yeas 8, Nays 0, Absent	22N

Document 22-O

MUNICIPAL ORDINANCE	CHAPTER 240
An Ordinance Relating to Parking	

(187 Grove Street-Apt. 2 – DELETE Handicapped Park (see document for complete text)		
PASSED	Yeas 8, Nays 0, Absent	22O

Document 22-P

MUNICIPAL ORDINANCE	CHAPTER 240
An Ordinance Relating to Parking	

(25 Currier Avenue – DELETE Handicapped Park (see document for complete text)		
PASSED	Yeas 8, Nays 0, Absent	22P

16. Resolutions And Proclamations

17. Council Committee Reports and Announcement

Councillor Colin LePage submits Minutes and Recommendations of the Administration & Finance Committee meeting held on October 3 2018 for acceptance and discussion. Item Doc. 110-U – Communication from Councillor Bevilacqua regarding Citizen Inquiry/request referral system; Review procurement procedures for smaller bids to ensure licensing and permits
ON MOTION OF COUNCILLOR LEPAGE TO ACCEPT MINUTES AS PRESENTED & PLACE ON FILE (this included an amendment to City Council Rules and Regulations, Rule 11)

Yeas 7, Nays 1(Bevilacqua) Absent 1 80

ON MOTION OF COUNCILLOR LEPAGE TO SEND A LETTER TO SOLICITOR COX TO REVISE CHAPTER 80 LANGUAGE TO INCLUDE RECOMMENDATIONS OF COMMITTEE

Yeas 8, Nays 0, Absent 1 80

Councillor Michael McGonagle submits the Recommendations of the Traffic & Safety Committee meeting held October 2 2018

Councillor McGonagle reported that the first item, intersection of Liberty and Crystal Streets was discussed and reported out by Councillor Barrett at the Oct. 2 Council meeting. The remaining items 2-8 will be followed up on as recommended.

ON MOTION OF COUNCILLOR MCGONAGLE TO ACCEPT THE MINUTES AS PRESENTED & PLACE ON FILE

Yeas 8, Nays 0, Absent 1 8P

18. Documents Referred To Committee Study

19. Adjourn

Meeting adjourned at 9:53o'clock P.M.

Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas
City Clerk

*Doc. 107-S – Handout from Kiki Sanders-Bernard Crystal Water Booster Station questions

*Doc. 107-U – Handout from Bobbi Roffo – Historic East Parish Meeting House flyer of events