



City of Haverhill
City Council Minutes
Tuesday, September 24, 2019
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

Present – President Michitson, Councillors Sullivan, Bevilacqua, Barrett, LePage, Jordan, Daly O’Brien, and McGonagle.

Councillor Macek participated remotely due to geographic distance.

City Clerk – Linda L. Koutoulas

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of prior Meeting – Minutes were not available.
4. Assignment of the minutes review for the next Meeting

Councillor Barrett was assigned to review minutes for this meeting and Sept. 10 & 17

5. Communications from the Mayor

Communication from Mayor Fiorentini submitting the following Memorandum of Agreement (MOA) and Salary Ordinance between City of Haverhill and the Teamsters 170 Water Purification Group

PLACED ON FILE Yeas 9, Nays 0 20M

Memorandum of Agreement between the City of Haverhill and
Water Purification Group Teamsters Local #170
(see document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 52G

MUNICIPAL ORDINANCE CHAPTER
An Ordinance Relating to Salaries Water Purification Group

Be it Ordained by the Council of the City of Haverhill that Document 28-I of 2016 is hereby deleted in its entirety and the following inserted in its place thereof: (see document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 11

6. Communications and Reports from City Officers and Employees:
7. Utility Hearing(s) and Related Order(s)
8. Hearings and Related Orders

Document 55-F – Petition from Christopher Edwards CEO on behalf of Haverwell Market, LLC, 24 R Pleasant st, Newburyport, MA, requesting Special Permit for an Adult Use Marijuana Establishment – LME-4 for 399 Amesbury rd, proposing to build a new 6600 s/f structure on a vacant lot; Related communications from Applicant’s Attorney William Faraci requesting that applicant be allowed to withdraw without prejudice and letter from Attorney Migliori for owner of property.

Councillor McGonagle recused himself and left the Chambers

Attorney Faraci informed that due to the last minute information that was presented to the Council at the Special Permit hearing the matter was postponed to this evening. The applicant has requested to have the petition withdrawn without prejudice and that the Council traditionally allows this type of request. Attorney Faraci informed that there are 2 interests, the applicant and the landowner. Solicitor Cox was asked if the special permit runs with the land or the applicant. He informed that generally speaking a special permit runs with the land “unless otherwise specified”. Attorney Michael Migliori informed that he represents the landowner who was in support of Haverwell Market’s request to withdraw without prejudice.

ON MOTION OF COUNCILLOR SULLIVAN TO ALLOW PETITIONER TO WITHDRAW SPECIAL PERMIT WITHOUT PREJUDICE AND SECOND FROM COUNCILLOR DALY O’BRIEN

On motion for passage, the yeas and nays were as follows:

Yeas – Councillors Sullivan, Barrett, Jordan, Macek, Daly O’Brien and President Michitson	6
Nays – Councillors Bevilacqua and LePage	2
Abstain – Councillor McGonagle	1

APPLICATION WITHDRAWN WITHOUT PREJUDICE 55F

Councillor McGonagle returned to Chambers

On motion of Councillor Sullivan to suspend the rules at the request of President Michitson to address status of the Merrimack Street/Goecke Parking Deck foundation and allow order to come forward for repairs.

RULES SUSPENDED Yeas 9, Nays 0

President Michitson informed that he had received notification from a citizen about pieces falling in the deck and contacted Mayor Fiorentini who had the area immediately blocked off. Mike Stankovich, DPW Director, informed that the deck is over 40 yrs. old and over the last decade they have spent \$600,000 for repairs to concrete, lighting, fire suppression system. The East side is in pretty good shape, but West side has challenges with concrete spawning. The temporary repairs will be completed in 2/3 weeks.

Mayor Fiorentini suggested that an engineering study be done and to make immediate repairs; RFP parcel as was suggested a few years ago in the UTILE study.

ORDERED: That the City transfer the sum of \$25,000 from the Capital Budget to the Capital account Goecke parking deck repairs.

PASSED Yeas 9, Nays 0 41Y

Document 92- Petition from Yesenia Gil, Executive Director of Bread and Roses Housing seeks Modification of a Special Permit previously granted in 2018 to reduce the number of units from 10 to 7 to build 3 duplexes and 1 single family dwelling rather than 2 larger buildings housing 6 and 4 units at 430 Washington st; Comments from City Departments are included

HEARING OPENED

Ms. Gil informed that she had come before Council almost a year ago and is seeking a modification to the Special Permit that was approved. The project has been delayed and they have re-thought the density. They are seeking to decrease density which will improve the quality of life for homeowners and generally the modification is a better project. They are currently removing the asbestos then the building will be demolished. They plan to get started with building 2 units this fall. No one spoke in favor or against the modification. Councillors felt this was a better plan.

HEARING CLOSED

ON MOTION OF COUNCILLOR SULLIVAN TO APPROVE THE MODIFICATION TO THE SPECIAL PERMIT WITH ALL COMMENTS/ LETTERS/CONDITIONS FROM DEPARTMENTS AND SECOND FROM COUNCILLOR BEVILACQUA

PASSED WITH CONDITIONS

Yeas 9, Nays 0

92

9. Public Participation - Requests under Council Rule 28

10. Appointments:

Confirming Appointments:

Nate Robertson, 54 Highland av, to the Haverhill Planning Board; confirmation takes effect immediately with appointment to expire Nov. 19 2020

NATE ROBINSON INTRODUCED HIMSELF. CURRENTLY WORKING AT MVPC, FORMER HAVERHILL ASSISTANT DIRECTOR OF ECONOMIC DEVELOPMENT

CONFIRMED

Yeas 9, Nays 0

3J

Non-Confirming Appointments:

Resignations:

Haverhill Cultural Council , John R Buzzell, 9 Hunters Run pl

PLACED ON FILE

Yeas 9, Nays 0

69B

11. Petitions:

Amusement/Event Applications:

Application from Marlene Stasinis, Chris's Farm Stand, for Pumpkin Festival, September 27 to November 2nd; Friday – Sunday, all day at 436 Salem st; *Pending all approvals*

ON MOTION OF COUNCILLOR BEVILACQUA TO APPROVE SUBJECT TO CONDITIONS

GRANTED

Yeas 9, Nays 0

101

Councillor Bevilacqua left the Chambers

12. Motions and Orders:

ORDERED: That in accordance with the provisions of Section 63, Chapter 54 of the General Laws, notice is hereby given that Meetings of citizens of the City qualified to vote for City Officers will be held in the several polling places designated for that purpose by the Mayor on TUESDAY, the FIFTH day of NOVEMBER 2019, and all such citizens will, on said date, in the several precincts in which they are entitled to vote, give in their votes on one ballot for not more than one candidate for the office of the MAYOR for the term of two years, for not more than nine candidates for the office of CITY COUNCILLOR for the term of two years, and for not more than three candidates for the office of SCHOOL COMMITTEE for the term of four years. (see document for complete text)

PASSED

Yeas 8, Nays 0, Absent 1

72B

ORDERED: That the real property located at Room 3 of City Hall, 4 Summer Street, being and is hereby declared surplus. Further, that the Mayor being and is hereby authorized to execute a Lease Agreement with HTM Credit Union for lease of said property. (see document for complete text)

PASSED

Yeas 8, Nays 0, Absent 1

102

Related communication from City Solicitor, William D Cox Jr.

Councillor Bevilacqua returned to Chambers

ORDERED: That the sum of \$81,292 be transferred from the Capital Projects Budget to the Capital Account: City Hall Exterior Door Replacement

PASSED

Yeas 9, Nays 0

41X

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

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Bradford Plumbing & Heating	\$ 384.17	Water Department
Innovative Safety Services Inc	\$ 2,130.00	Wastewater
Eagle Tribune	\$ 165.00	Water Dept
Comcast Business	\$ 2,048.91	Police “
3SI Security Systems (2)	\$ 1,296.00	Police Dept

Maguire Pest Control (2)	\$ 96.00	Police “	
L W Bills Alarm Engineering	\$ 906.98	Police “	
North Mechanical Services Inc	\$ 950.00	Police “	
Corporate Cost Control (3)	\$ 2,195.00	Human Resources	
Vertical Communications Inc	\$ 107.50	Public Property	
Amesbury Chevrolet	\$ 149.88	Police Dept	
Main St Animal Hospital	\$ 88.37	Insp/Health	
Follett School Solutions Inc	\$ 298.90	School Dept	
FloWrite	\$ 1,586.00	Water Dept	
PASSED		Yeas 9, Nays 0	94C

13. Ordinances (File 10 days)

14. Monthly Report

15. Resolutions and Proclamations

16. Communications from Councillors:

Communication was received from Council President Michitson requesting to introduce Carol Ireland and students from Haverhill VIP to discuss the march for peace on September 28 2019
GABBY VARGAS AND VIP TEAM MEMBERS GABRIEL NUNEZ, JAYLEE OLETT AND MEFUS BREYA INVITED PUBLIC TO JOIN MARCH FOR PEACE ON 9/28 STARTING AT GAR PARK AT 1PM AND ENDING AT YMCA.

PLACED ON FILE Yeas 9, Nays 0 100B

Communication was received from Council President Michitson requesting to discuss traffic and safety issues regarding the intersection of Park and Webster Streets

COUNCILLOR DALY O’BRIEN INFORMED THAT DUE TO THE INCREASE IN TRAFFIC AND SPEEDING, SHE IS SUGGESTING THAT THE TRAFFIC & SAFETY COMMITTEE REVIEW INTERSECTIONS OF PARK/WEBSTER AND ARLINGTON/WEBSTER FOR A 4 WAY STOP SIGN; COMMITTEE REVIEW THE NEED FOR EXISTING TRAFFIC LIGHTS AT END OF WEBSTER ST/KENOZA AVE. ALSO, CROSSWALKS BE PAINTED

REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 9, Nays 0 100C

Communication was received from Councillor LePage requesting a discussion of accounting of revenue funds received from Licensed Marijuana establishments and their allocation to mitigate costs and impacts to City and also submits related Minutes of the Administration and Finance Committee meeting held on August 5 2019.

Councillor McGonagle left the Chambers

COUNCILLOR LEPAGE INFORMED THAT HE HAD RAISED THIS ISSUE IN MARCH 2019 ABOUT HAVING THESE FUNDS GOING INTO A CITY STABILIZATION ACCOUNT INSTEAD OF THE GENERAL FUND.

ON MOTION OF COUNCILLOR LEPAGE TO SEND A LETTER TO THE MAYOR ASKING HIM TO CREATE A STABILIZATION ACCOUNT FOR LME REVENUE FUNDS AND FORWARD TO COUNCIL FOR APPROVAL.

Yeas 8, Nays 0, Abstain 1 100D

17. Unfinished Business of Preceding Meeting

Document 29-X

MUNICIPAL ORDINANCE CHAPTER 240
 94 River Street - Delete – Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, §240-1302 – Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by Deleting the following:

LOCATION	REGULATION	HOURS/DAYS
94 River Street	No Parking	24 Hours

(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 29X

Document 54-D

BOND

ORDERED: That \$700,000 is appropriated to pay costs of the construction of a High School Track, including the payment of all costs incidental and related thereto, and that to meet the appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority (see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 54D

18. Council Committee Reports and Announcements

19. Documents Referred to Committee Study

Meeting adjourned 8:53 o’clock P.M. Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas

City Clerk