



City of Haverhill
City Council Minutes

Tuesday, February 27, 2018 at 7:00 PM
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

Present – President Michitson, Councillors Sullivan, Bevilacqua, Barrett, LePage, Jordan, Macek, and McGonagle.

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 7, Nays 0, Absent 2(Daly O’Brien & Barrett)

4. Assignment of the minutes review for the next Meeting

Councillor Jordan was assigned the minutes

5. Communications from the Mayor

Mayor Fiorentini submits an Order regarding a six month extension on a license to occupy real property on behalf of the City of Haverhill; at 4 Summer st, Second Floor, Haverhill for Mass Trial Court
PLACED ON FILE

Yeas 7, Nays 0, Absent 2(Daly O’Brien & Barrett) 1D

ORDERED: That the Mayor be and is hereby authorized to enter into and execute a “License to Occupy Real Property” on behalf of the City of Haverhill with the Commonwealth of Massachusetts/Division of Capital Asset Management and Maintenance (DCAMM) on behalf of the Massachusetts Trial Court for a portion of the premises located at 4 Sumer Street, Second Floor for an additional six (6) month period through August 31, 2018, and, that said space is hereby declared surplus for the purpose of entering into said License

PASSED

Yeas 7, Nays 0, Absent 2(Daly O’Brien & Barrett) 20C

Councillor Barrett arrived

Mayor Fiorentini submits a request from Steve Bucuzzo, *City Purchasing Director*, requesting Council vote to declare surplus property located at 20 Newcomb st along with 2 other adjacent parcels
COUNCILLORS EXPRESSED CONCERN ABOUT THE MAYOR’S INTENTION FOR THIS PROPERTY. STEVE BUCUZZO, PURCHASING DIRECTOR, INFORMED THAT THE MAYOR WANTS TO ISSUE RFP TO SEE WHAT TYPE OF INTEREST THERE IS AND THAT THE MAYOR WOULD FORM COMMITTEE TO REVIEW AND EVALUATE RESPONSES. THE MAYOR DOES NOT NEED COUNCIL APPROVAL TO ISSUE RFP.

ON MOTION OF COUNCILLOR MACEK TO CONTINUE TO 6 WEEKS TO ALLOW FOR FURTHER REVIEW AND STUDY.

CONTINUED TO APRIL10 2018

Yeas 8, Nays 0, Absent 1

25

ORDERED – That real property at 20 Newcomb st and the two adjacent parcels, located on Assessor’s Map 202, Block 37, Lots 5A, 9A and 9B, containing approximately 0.549 acres total, be and hereby is declared surplus and available for disposition.

ON MOTION OF COUNCILLOR MACEK TO CONTINUE TO 6 WEEKS TO ALLOW FOR FURTHER REVIEW AND STUDY.

CONTINUED TO APRIL10 2018

Yeas 8, Nays 0, Absent 1

25B

6. Communications and Reports from City Officers and Employees

Communication from John Pettis, City Engineer, submitting Orders that have been *redone* regarding the *Broadway Reconstruction Project* along Route 97 in Haverhill from Research Drive to Silver Birch Lane
JOHN PETTIS INFORMED THAT LEGAL COUNSEL HAS ADVISED CITY TO REDO THE TAKING AND RE-RECORD IT SINCE THE START OF THE PROJECT WAS PUSHED OUT TO 2018.

PLACED ON FILE

Yeas 8, Nays 0, Absent 1

26

Broadway Reconstruction Project - Acquisition of Land and Easements

ORDERED: That the City Council of the City of Haverhill, on behalf of the City and by virtue of and in accordance with the authority granted by Chapter 82, Sections 21-24 and Chapter 79 of the Massachusetts General Laws, as amended, the City of Haverhill Charter and General Ordinance Chapter 222, and any and every other power and authority which is hereunto in any way enabling: take by eminent domain, for any and all purposes for which public ways are used in the City of Haverhill, including, without limitation, for the construction, alteration, installation, maintenance, improvement, repair, replacement and /or relocation of rights of way, sidewalks, drainage, utilities, slope, grading, rounding, construction and other easements and to enable the City to undertake the Broadway Reconstruction Project, the fee in three (3) parcels of land and permanent and temporary easements in, on and under the parcels of land within, abutting or near Broadway, which parcels taken and which land subject to said easements are shown more particularly on a plan of land entitled “Taking Plan of Broadway (Route 97) Prepared for the City of Haverhill, Massachusetts Essex County,” dated March 16, 2017, prepared by Greenman-Pendersen, Inc (9 sheets), a copy of which is on file with the City Clerk, and, in connection therewith, adopt and execute the Order of Taking provided this date by counsel and, further, award the total sum of \$42,749.14 to be paid as damages for the taking to the owners identified in Schedule A attached to the Order of Taking (see document for complete text)

PASSED

Yeas 8, Nays 0, Absent 1

26B

ORDERED: Order of Taking – Broadway Reconstruction Project

At a regularly convened meeting of the City Council of the City of Haverhill held this 27th day of February, 2018, it was voted and ordered as follows:

The City Council of the City of Haverhill, duly elected, qualified, and acting on behalf of the City, in accordance with the provisions of Massachusetts General Laws, Chapter 82, Sections 21-24, Massachusetts General Laws Chapter 79, the City’s Charter, as amended, and any and every other power and authority which is hereunto in any way enabling, hereby takes, for the purpose of undertaking the Broadway (Route 97) Reconstruction Project (the “Project”) and for all other purposes for which public ways are used (see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 26C

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

Petition from National Grid & Verizon New England requesting joint Pole locations on Homestead st – Plan 25223204

COUNCIL HEARING MARCH 20 2018 Yeas 8, Nays 0, Absent 1 27

8. Hearings and Related Orders

9. Public Participation- Requests under Council Rule 28

Theodore Gaiero Jr., 9 Highland st, requests to discuss Haverhill’s future including plans for new industrial parks or any plans to develop 495, North and South with signage off each exit; for example: John Greenleaf Whittier

MR. GAIERO SPOKE ABOUT ATTRACTING NEW BUSINESSES TO HAVERHILL & ENCOURAGED SIGNAGE ON INTERSTATE 495

PLACED ON FILE Yeas 8, Nays 0, Absent 1 16B

10. Appointments:

No Schedule

11. Petitions:

Applications:

Anthony Nnorom, 5 Charles st requests One Day All Alcohol Liquor License for baby shower at Citizen Center, 10 Welcome st; Saturday, March 3rd 4pm to 10pm; *Has police approval*

GRANTED Yeas 8, Nays 0, Absent 1 28

Petition from Anthony Rossi for Repetitive Petition Hearing for construction of a multi-family structure at 108 Harrison st

REFERRED TO PLANNING BOARD

COUNCIL HEARING APRIL 17, 2018 Yeas 8, Nays 0, Absent 1 29

Petition from Anthony Rossi for Special Permit Hearing for multi-family dwelling units at 108 Harrison st; consisting of 17 residential units with 3 loft/one bedroom units, 12 two-bedroom units and 2 three-bedroom units

ON MOTION OF COUNCILLOR MCGONAGLE TO PLACE ON FILE Yeas 8, Nays 0, Absent 1 30

ON MOTION OF COUNCILLOR MACEK FOR RECONSIDERATION BECAUSE PETITION SHOULD HAVE BEEN REFERRED TO THE PLANNING BOARD Yeas 8, Nays 0, Absent 1 30

ON MOTION OF COUNCILLOR MACEK TO REFER TO PLANNING BOARD Yeas 8, Nays 0, Absent 1 30

COUNCIL HEARING APRIL 17, 2018 Yeas 8, Nays 0, Absent 1 30

Tag Days:

Amvets Ladies Auxiliary, August 10 & 11

GRANTED Yeas 8, Nays 0, Absent 1 13Y

Coin-Op License Renewals 2018

Upscale Cutz Barbershop, 98 River st – 1 Machine

GRANTED Yeas 8, Nays 0, Absent 1 5L

Laundro Day, 200 Main st – 3 Machines

GRANTED Yeas 8, Nays 0, Absent 1 5M

Market Basket, 2 Water st – 2 Machines

GRANTED Yeas 8, Nays 0, Absent 1 5N

Sunday Coin-Op License Renewals 2018

Laundro Day – 1 Sunday Machine

GRANTED Yeas 8, Nays 0, Absent 1 6L

Market Basket – 2 Sunday Machines

GRANTED Yeas 8, Nays 0, Absent 1 6M

Taxi Driver Licenses for 2018:

Richard Gerrish , 187 Main st – *renew, Has police approval*

GRANTED Yeas 8, Nays 0, Absent 1 18D

Mary Minion, 37 Cedar st – *new, Has police approval*

GRANTED Yeas 8, Nays 0, Absent 1 18E

12. Motions and Orders

13. Ordinances (File 10 days)

14. Monthly Reports

15. Communications from Councillors

Communication was received from Councillors Melinda Barrett and William Macek requesting a discussion about asking for a formal review of MBTA impact study work done at the time of the original siting of the layover station in Bradford

COUNCILLOR BARRETT INFORMED THAT RESIDENT BERT LACERTE HAS REQUESTED THAT THE CITY FORMALLY ASK FOR AN IMPACT STUDY AND ASSOCIATED PERMITS FOR WHEN THE MBTA WAS SITED THERE.

ON MOTION OF COUNCILOR BARRETT TO SEND LETTER TO ATTORNEY GENERAL’S OFFICE WITH CC TO MBTA/KEOLIS AND LEGISLATIVE DELEGATION ASKING FOR FORMAL REVIV OF MBTA IMPACT STUDY. ALSO, LETTER TO MAYOR ASKING HIM TO CONSIDER REQUESTING GOVERNOR BAKER VISIT BRADFORD TRAIN STATION AREA Yeas 8, Nays 0, Absent 1 7U

16. Unfinished Business of preceding Meetings

Document 1-Communication from Mayor Fiorentini regarding request from Rivers Edge Apartments to purchase parking permits for the Goecke Parking Deck and also submitting Ordinance relating to this request MS. CHRISTINA TERELLI, PROPERTY MANAGER, INFORMED THAT SHE DID A COMPREHENSIVE STUDY AND 12/15 RESIDENTS NEED DAY/NIGHT PARKING WITH 20 RESIDENTS WHO NEED PARTIAL PARKING. ARROWPOINT PROPERTIES ARE REQUESTING 20 TO 40 PARKING SPACES. COUNCILLORS EXPRESSED CONCERN ABOUT AVAILABILITY FOR HARBOR PLACE, DOWNTOWN PATRONS, AND SUGGESTED BUILDING OF A ONE FLOOR PARKING LEVEL ON THE PREMISES

PLACED ON FILE Yeas 8, Nays 0, Absent 1 1

Document 2

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, §108. Schedule: Central Business District Parking Fees, Rates and Terms, as amended, is hereby further amended as follows:

By adding the following at the end of the section “NOTES: **Permit parking.”.

“The residents of 1 Water Street shall be considered residents of the Central Business District solely for the purposes of purchasing parking permits for use of the Herbert H. Goecke, Jr Parking Deck.”

(see document for complete text)

RELATED LETTER FROM DIRECTOR OF PUBLIC WORKS FOR AN AMENDMENT TO ORDINANCE

ON MOTION OF COUNCILLOR MACEK TO PASS ORDINANCE

On the question of passage the yeas and nays are as follows

Yeas,-Councillor Jordan 1

Nays,-Councillors Bevilacqua, LePage, Macek and President Michitson 4

Abstain,-Councillor Sullivan, Barrett, McGonagle 3

Absent,-Councillor Daly O’Brien 1

NOT PASSED 2

Document 22

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

9 Thorndike – Delete Handicap Parking (see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 22

Document 24

ORDERED: That \$990,000 is appropriated to pay costs of the construction of restoring and stabilizing the Merrimack Riverbank along the parking area behind the stadium, including the payment of all costs incidental and related thereto, and that to meet this 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, and to issue bonds or notes of the City therefor. (see document for complete text) *Related communication from Robert Ward, Deputy DPW Director. Mr. Ward informed that the project includes restoring approximately 750’ of riverbank along the parking area behind the stadium at Riverside Park. It is mandated as part of the Environmental Protection Agency Consent Decree issued by Department of Justice. There will be selective tree cutting and restoring from river to top of slope with rip rap. The increase in wastewater rate equates to \$4.00 per year.*

PASSED Yeas 8, Nays 0, Absent 1 24

Document 24-B

ORDERED: That \$500,000 is appropriated to pay costs of the construction of Marsh Avenue/Main Street sewer repairs, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under that 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. Mr. Ward informed that this project is mandated as part of the Environmental Protection Agency Consent Decree issued by Department of Justice. All outflows were inspected. There was a high bacteria count in this area.*

PASSED Yeas 8, Nays 0, Absent 1 24B

17. Resolutions And Proclamation

18. Council Committee Reports and Announcements

Councillor Colin LePage presented Minutes and Recommendations for discussion and acceptance of the Administration & Finance Committee meeting held February 20th. Items discussed were draft regulations issued by MA Cannabis Control Commission and President Michitson's draft goals for Haverhill 2018-2020:

1. Document 120-X/2017 - Communication from Councillor Macek regarding strengthening City's control, oversight and education in all areas concerning underage/illegal use of marijuana & other controlled substances. *A follow up Administration & Finance Committee meeting will be held March 22 to review final state regulations to be issued March 15.*

2. Document 120-Z/2017 - Communication from Councillor Bevilacqua requesting to discuss State Cannabis Panel actions regarding recreational marijuana guidelines. *The Committee recommended: 1) sending a letter to Mayor asking engineering dept. in conjunction with Planning Director to plot and map locations where "package stores" sales are allowed; 2) have the City Solicitor draft ordinance accepting the local sales tax option to collect a 3% tax on sale of marijuana; 3) schedule regular meetings of the Administration & Finance Committee to further discuss these and other related issues; next scheduled meeting will be March 22*

3. Document 7 - Communication from Council President Michitson requesting to establish City Council goals for Haverhill in 2018-2020; *President Michitson informed that the Mayor will do a pilot program to set city goals and standards with some departments and will incorporate into city budget. Letter to Mayor to include draft of Haverhill Goals & Key Performance Indicators*

ON MOTION OF COUNCILLOR LEPAGE TO
ACCEPT MINUTES AS PRESENTED

Yeas 8, Nays 0, Absent 1

8C

Councillor McGonagle presented the Recommendations of the Traffic & Safety Committee meeting held on February 21, reporting on items 3 thru 9, which were brought to the Committee at the City Council's request:

3. "No Parking Anytime" sign located near 25 Essex st with curb cut - postponed
4. Status of crosswalk signal on Broadway @Carleton st - postponed
5. Review traffic pattern on So. Pleasant st - no action
6. Request for crosswalk on Washington st in front of Wang's Table - no action
7. Request for crosswalk on Carleton st at Casablanca ct - Letter to DPW to install crosswalk
8. Safety concerns at intersection of Saltonstall sq & Kenoza av- Letter to DPW to remove crosswalk on Mill St
9. Discuss intersection of So. Main st & Laurel av - recommended to have additional crossing guard at this location - school will be notified; traffic signal sequence is being reviewed by city engineer and fire department

ON MOTION OF COUNCILLOR MCGONAGLE TO ACCEPT MINUTES AND
PLACE ON FILE

Yeas 8, Nays 0, Absent 1

8D

19. Documents Referred To Committee Study

Meeting adjourned at 8:55 o'clock P.M.

Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas
City Clerk