



City of Haverhill
City Council Minutes

Tuesday, May 16, 2017 at 7:00 PM
City Council Chambers, Room 202
4 Summer Street

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

Absent – Councillor McGonagle

City Clerk – Linda L. Koutoulas

1. Opening Prayer

2. Pledge of Allegiance

3. Approval of Minutes of Previous Meeting

The minutes were approved.

Yeas 8, Nays 0, Absent 1

4. Assignment of the minutes review for the next Meeting

Councillor Bevilacqua was assigned the minutes.

5. Communications from the Mayor

Mayor Fiorentini establishes a new advisory committee, the Haverhill Tree Advisory Committee and appoints David Lefcourt, 86 Bradford av to this committee; appointment to expire December 31 21017

PLACED ON FILE

Yeas 8, Nays 0, Absent 1

2Q

6. Communications and Reports from City Officers and Employees

No Schedule

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

Hearing was held on Document 64, a petition from National Grid requesting pole & wire location on Harding av, Plan 19374186. With Paul Osantia from National Grid appearing in favor. No one was opposed.

Hearing closed.

64

ORDERED: Order granting National Grid pole & wire location on Harding av (see document for complete text)

PASSED

Yeas 8, Nays 0, Absent 1

64B

8. Hearings and Related Orders

9. Public Participation- Requests under Council Rule 28

10. Appointments:

Confirming Appointments

Non-Confirming Appointments:

Stanley Colten, 62 Upland av to the Cable TV Advisory Committee

PLACED ONFILE

Yeas 8, Nays 0, Absent 1

2R

11. Petitions:

Petition from National Grid requesting Pole and Wire location on South Webster st; Plan 24053307

COUNCIL HEARING MAY 30 2017

Yeas 8, Nays 0, Absent 1

66

Applications

Application for Permit from Stephen Iannalfo/Victor Emmanuel Lodge No. 1646 to hold its Annual Memorial Mass parade that pays homage to deceased members of the lodge; on Sunday, May 21; leaving the Lodge at 124 Merrimack st 10:30AM for 11:00 mass at All Saints Church; has police approval

GRANTED

Yeas 8, Nays 0, Absent 1

16J

Application for One Day All Alcohol Liquor License from Caitlin Burke for birthday party at Winnekenni Castle; Saturday, May 20 ; 6:00PM to 12 midnight; has police approval

GRANTED

Yeas 8, Nays 0, Absent 1

59C

12. Motions and Orders

ORDERED: That each prior order of the City Council that authorizes the borrowing of money to pay costs of capital projects is hereby supplemented to provide that, in accordance with Chapter 44, Section 20 of the General Laws, as most recently amended by the Municipal Modernization Act, so-called, the premium received by the City upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied

PASSED

Yeas 8, Nays 0, Absent 1

67

ORDERED: That the City approves the issuance of a Right of Way Permit for a permanent unlocked gate across SCOTLAND HILL ROAD, in accordance with Chapter 222, Section 43

(See related communication from John Pettis, City Engineer

PASSED

Yeas 8, Nays 0, Absent 1

68

Ordinances (File 10 days)

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 §240-85 Schedule B: Parking Restrictions and Prohibitions:

Revise Central Business District Parking Map (Plan 2B/3418 in City Engineer’s Office) by adding two

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Service Zones to the south side of Merrimack st, in front of #20 to #44
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 69

Monthly Reports
Abatement report from Board of Assessors for month of April 2017
PLACED ON FILE Yeas 8, Nays 0, Absent 1 22E

13. Communications from Councillors

Communication from Councillor Macek requesting to present an Order to name the Bradford Rail Trail in honor of Mayor James J. Fiorentini
COUNCILLOR MACEK SPOKE ABOUT THE MAYOR'S VISION FOR THE RAIL TRAIL AND CREDITED OTHERS INVOLVED WITH THE RAIL TRAIL. DEDICATION WILL BE IN LATE JUNE
PLACED ON FILE Yeas 8, Nays 0, Absent 1 58Q

ORDERED: That the full length of the Bradford Rail Trail, on the Southerly side of the Merrimack River, between the Basiliere Bridge to the Comeau Bridge, currently existing or contemplated in the future, shall be dedicated and named as: *The Mayor James J. Fiorentini Bradford Rail Trail*
PASSED Yeas 8, Nays 0, Absent 1 58R

ON MOTION OF COUNCILLOR BEVILACQUA TO SUSPEND THE RULES TO INTRODUCE ORDER THAT FREEMAN STREET PLAYGROUND BE DEDICATED AND NAMED AS BISHOP HOBBS OF REHOBOTH LIGHTHOUSE FULL-GOSPEL CHURCH PARK.
RULES SUSPENDED Yeas 8, Nays 0, Absent 1 70

KAT EVERETT SPOKE ABOUT THE CHURCH'S INVOLVEMENT WITH THE PARK AND HER FATHER'S DEDICATION TO THE COMMUNITY AND CHURCH
ORDERED: That the Freeman Street Playground, located at the corner of Freeman and Washington Streets, shall be dedicated and named as the Bishop Hobbs of Rehoboth Lighthouse Full-Gospel Church Park.
PASSED Yeas 8, Nays 0, Absent 1 70

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding proposed uses on the new Merrimack Street Representative Dempsey Boardwalk for enhanced usage.
COUNCILLOR BEVILACQUA MENTIONED THE POTENTIAL USES OF THE BOARDWALK FOR FESTIVALS
REFERRED TO NATURAL RESOURCES & PUBLIC PROPERTY COMMITTEE Yeas 8, Nays 0, Absent 1 58S

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding needed sidewalk improvements on North Broadway from Monument Street to West Rochambault
LETTER TO MAYOR Yeas 8, Nays 0, Absent 1 58T

Communication was received from Councillor Daly O'Brien requesting a discussion to propose changing signage and regulations to allow right on red at Laurel and South Main st
COUNCILLOR DALY O'BRIEN SPOKE WITH CITY ENGINEER WHO IS WORKING WITH MASS DOT TO IMPLEMENT CHANGE
PLACED ON FILE Yeas 8, Nays 0, Absent 1 58U

14. Unfinished Business of preceding Meetings

Document 13-B
MUNICIPAL ORDINANCE CHAPTER
An Ordinance Relating to
Salaries for Administrative & Professional Positions
Be it Ordained by the City Council of the City of Haverhill that Document 40-B of 2011, and any subsequent amendments thereto, be and are hereby amended by deleting the following words and figures:
"CITY COUNCIL PRESIDENT \$9,500.00
COUNCILLORS (S) \$8,000.00*, and,
By inserting in place thereof the following:
"CITY COUNCIL PRESIDENT \$14,384.00**
COUNCILLORS (8) \$12,884.00**
SCHOOL COMMITTEE SCHOOL COMMITTEE
MEMBER \$8,250.00**

**Members of the City Council and School Committee shall not be paid any monies for expenses, except for documented reimbursable expenses as appropriated from time to time."

*Note: Councillors currently receive compensation for salary and expenses in the amount of \$12,884.00 per year. School Committee Members currently receive an annual salary of \$8,250.00

Related Communication from City Solicitor, William Cox, Jr.

Solicitor Cox consulted with the State Ethics Commission with regard to the City Council voting on this ordinance. Solicitor Cox explained that it was his understanding that there was a conflict of interest as each Councilor is a member of the Haverhill Retirement System and the proposed ordinance would increase the amount of retirement contributions from them, that where all Councilors are retirement members the Council lacks a quorum because of conflicts of interest, that there is a legal requirement that the Council

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act as they need to comply with IRS regulations concerning payment of compensation, that only the Council can enact ordinances as provided for by the Charter, that the Council is acting on advice of counsel, and that the Council is able to vote on the matter because of the rule of necessity.

The ordinance incorporates the expenses into Council salary. It does not increase their annual pay.

PRESIDENT MICHITSON INVOKED THE RULE OF NECESSITY

PASSED

Yeas 9, Nays 0

13B

Document 58-H

Communication from President Michitson requesting to propose a Comprehensive Plan for Haverhill based on community support at Reach Higher School Success Forum last Thursday at Hunking School
ON MOTION OF PRESIDENT MICHITSON TO POSTPONE TO MAY 23 2017

POSTPONED TO MAY 23

Yeas 8, Nays 0, Absent 1

58H

Document 58-P

Communication from Councillor Joseph Bevilacqua requesting to discuss Welcome to Haverhill signs
COUNCILLOR BEVILACQUA SPOKE ABOUT THE NEED FOR THE CITY TO BRAND ITSELF
OFFERING SUGGESTION OF "CITY OF INNOVATION"

LETTER TO MAYOR & PLANNING DIRECTOR FOR REVIEW

Yeas 8, Nays 0, Absent 1

58P

15. Resolutions And Proclamations

16. Council Committee Reports and Announcements

17. Documents Referred To Committee Study

Meeting adjourned at 7:57 o'clock P.M.

Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas
City Clerk