



City of Haverhill
City Council Minutes

Tuesday, June 5, 2018 at 7:00 PM
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

Present – President Michitson, Councillors Sullivan, Bevilacqua, Barrett, LePage, Macek, Daly O’Brien, and McGonagle.
Absent – Councillor Jordan
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 Sullivan was assigned the minutes

ON MOTION OF COUNCILLOR BEVILACQUA TO SUSPEND THE RULES TO INTRODUCE APPLICATION FROM RIVERSIDE BRADFORD BASEBALL TO CHANGE PREVIOUSLY APPROVED TAG DAY FOR JUNE 9, 2018 TO JUNE 16 & 17 2018

RULES SUSPENDED Yeas 8, Nays 0, Absent 1
On motion of Councillor Sullivan to approve the requested date change to June 16 & 17 2018
GRANTED Yeas 8, Nays 0, Absent 1 32G

5. Communications from the Mayor

Communication from Mayor Fiorentini requesting for Chief DeNaro and himself to update the City Council regarding the recent homicides in the City.
CHIEF DENARO INFORMED THAT 1 ARREST HAD BEEN MADE WITHIN A WEEK OR SO. THE FIRST HOMICIDE WAS NOT GANG RELATED. ALL SUSPECTS WILL BE BROUGHT TO JUSTICE. HE WILL BE REPLACING A MOTORCYCLE & ADDING MOTOR OFFICERS. THE CITY RECEIVED A STATE GRANT WHICH WILL PAY FOR UTEC, A STREET OUTREACH AND GANG PEACEMAKING PROGRAM. THE CHIEF ALSO REVIEWED THE 2017 SHOTS FIRED REPORT. HE STRESSED THE NEED TO ENGAGE THE YOUTH IN NONTRADITIONAL WAYS AND THAT IT MAY TAKE YEARS TO SEE POSITIVE RESULTS.

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

ON MOTION OF COUNCILLOR BARRETT TO SUSPEND THE RULES TO INTRODUCE ORDER TO TRANSFER \$29,857 FROM GENERAL FUND, CAPITAL PROJECTS TO CAPITAL ACCOUNT – POLICE STREET CAMERAS

RULES SUSPENDED Yeas 8, Nays 0, Absent 1
This funding will be used to purchase one camera to be installed at Portland Street and White Street and one camera to be installed at Emerson Street and Welcome Street
PASSED Yeas 8, Nays 0, Absent 1 32F

Communication from Mayor Fiorentini requesting to have Neal Duffy, Northeast Regional Coordinator for the Department of Energy Resources to update the City Council regarding the Energy Stretch Code and submits related Ordinance

MAYOR FIORENTINI INFORMED THAT THE STATE BUILDING CODE HAD BEEN AMENDED. MR. NEAL DUFFY GAVE AN OVERVIEW OF THE GREEN COMMUNITIES DESIGNATION & GRANT PROGRAM. 210 CITIES/TOWNS HAVE THIS DESIGNATION. 5 CRITERIA HAVE TO BE MET, ONE OF WHICH IS TO ADOPT THE STRETCH CODE, TO BE ELIGIBLE TO APPLY FOR GRANTS. APPLICATION DEADLINE IS OCTOBER 31ST.*

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

MUNICIPAL ORDINANCE CHAPTER 120
An Ordinance Relating to Building Construction

Be it Ordained by the City Council of the City of Haverhill that Chapter 120, of the Code of the City of Haverhill, as amended, being as is hereby further amended by inserting the following

“§120-17. STRETCH ENERGY CODE

(A) Definitions

International Energy Conservation Code (IECC) – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United State for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Stand.

Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of the buildings built to this code.

(B) Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

(C) Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 115.AA, as indicated (see document for complete text)
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 1JJ

6. Communications and Reports from City Officers and Employees

Communication from William Pillsbury, Jr, *Community Development Director*, requesting approval of Resolution authorizing the Mayor to submit *2018-2019 Community Development Block Grant (CDBG) Program* for the City

MR. PILLSBURY GAVE AN OVERVIEW OF THE 2018-19 CDBG PROGRAM. THE MAJORITY OF THE FUNDS WILL BE SPENT ON HOUSING WITH A SMALL PORTION GOING TOWARDS ROADWAY/SIDEWALK IMPROVEMENTS

PLACED ON FILE Yeas 8, Nays 0, Absent 1 74

RESOLUTION-Authorizing Mayor to submit the amended Consolidated Plan for the *Community Development Block Grant Program*

PASSED Yeas 8, Nays 0, Absent 1 75

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

No Schedule

Councillor Daly O'Brien left the chambers

8. Hearings and Related Orders

Doc 52: Petition from Attorney Michael Migliori representing applicant Ralph L Buzzell, Inc owner of the 24-acre parcel on East Broadway; Assessor's parcel No. 461-3-16 (the "Premises") on Assessor's Tax Maps requesting a Proposed Zoning Amendment to City Zoning Ordinance to establish a new Article XV.A "Senior Housing Overlay District" (SHOD) and if the proposed overlay district is adopted the Developer intends to promptly seek a special permit from Council to develop a 30 unit (plus 55) development on the Premises; *Hearing postponed from May 8 2018 with Zoning Ordinance; Related communication from area residents*

Communication was received from Attorney Michael Migliori requesting a continuance of the hearing to June 19 2018

ON MOTION OF COUNCILLOR SULLIVAN TO POSTPONE TO JUNE 19, 2018

POSTPONED TO JUNE 19, 2018 Yeas 7, Nays 0, Absent 2 52

Doc 52-B

MUNICIPAL ORDINANCE

CHAPTER

New Provisions to the Zoning Ordinance to Create a "Senior Housing Overlay District (WSHOD)"

Item 1. Add the following new Article XV.A SENIOR HOUSING OVERLAY DISTRICT (WSHOD)

Sec. 255-153.1 Purpose. The purpose of this Article is:

1. To create innovative land plans to promote age-restricted dwelling units consistent with the City's [Housing] Plan.
2. To provide an alternative land use not presently available in the City.
3. To provide incentives for the redevelopment of existing blighted or environmentally degraded sites.

Sec. 255-153.2. Overlay District. The SHOD shall be an overlay district superimposed on the underlying zoning districts. The initial SHOD shall consist of the 24 acres located off East Broadway identified as Assessor's Parcel No. 461-3-16 and shown on the plan entitled "Former Buzzell Gravel Pit, East Broadway", dated April 3, 2018 prepared by Meridian Engineering, Inc. and filed with the City Clerk.

(see document for complete text

ON MOTION OF COUNCILLOR SULLIVAN TO POSTPONE TO JUNE 19, 2018

POSTPONED TO JUNE 19, 2018 Yeas 7, Nays 0, Absent 2 52B

9. Public Participation- Requests under Council Rule 28

10. Appointments:

Confirming Appointments :

Victoria Pham , 38 Arthur St., reappointment to the Haverhill Cultural Council; effective immediately with appointment to expire December 31 2019

CONFIRMED Yeas 7, Nays 0, Absent 2 76

Non-Confirming Appointments:

No Schedule

Resignations

Joseph LeBlanc, Haverhill Board of Appeals

PLACED ONFILE Yeas 7, Nays 0, Absent 2 31B

11. Petitions:

Applications: The following licenses were all granted: Yeas 6, Nays 0, Absent 2, Abstain 1(McGonagle)

Junk Dealer *renewal* License:

Haverhill Steel Salvage - 81 Hale st, Paul Goldberg

53F

Pool Tables *renewals*:

<i>The Tap</i> – 1 table, 100 Washington st, Sharon Cohen	72B
Sunday Pool:	
<i>The Tap</i> – 1 Sunday table	60
Bowling:	
<i>Academy Lanes</i> – 48 Lanes, 725 South Main st	77
Sunday Bowling:	
<i>Academy Lanes</i> – 48 Sunday Lanes	6P
Buy & Sell Second Hand Articles:	
<i>House of Pawn</i> -24 Emerson st, Aidria Torres	53G
Buy & Sell Second Hand Clothing:	
<i>Chris & Bella</i> -146 Orchard Hill rd, Nataliya Todor	53H
Pawnbroker license:	
<i>House of Pawn</i> -24 Emerson st, Aidria Torres	53I
Buy & Sell Old Gold:	
<i>House of Pawn</i> – 24 Emerson st, Aidria Torres	53J
Roller Skating Rink:	
<i>Skateland</i> – 19 Railroad av, Marc Pyche	53K
Sunday Skating:	
<i>Skateland</i> – Sunday skating	6Q

12. Motions and Orders

ORDERED: That the City Council approve the request of National Grid to excavate at the streets listed below at the locations specified. Each street has been rebuilt within the last 5 years and in accordance with Chapter 222, Section 11. Restrictions on future paving of the Municipal Ordinances, Council approval is necessary Cedar st at #13, Franklin st at #28, Laurel av at #88, Whittier rd at #153, Chadwick rd at #204, East Broadway at #240, Water st at Bethany

Communication from City Engineer, John Pettis with conditions for excavations

ON MOTION OF COUNCILLOR MACEK TO APPROVE WITH ATTACHMENT OF CONDITIONS GRANTED WITH CONDITIONS Yeas 7, Nays 0, Absent 2 65C

13. Ordinances (File 10 days)

14. Monthly Reports

15. Communications from Councillors

Communication was received from Councillor McGonagle and President Michitson requesting to introduce Chief DeNaro to address the two recent murders in Haverhill

SEE COMMUNICATION FROM MAYOR, ITEM 1-I

PLACED ON FILE Yeas 7, Nays 0, Absent 2 63K

Communication was received from Councillor Macek requesting to discuss the need for additional procedure in relation to Public Participation

COUNCILLOR MACEK INFORMED THAT HE HAS REVIEWED PUBLIC PARTICIPATION POLICY FROM OTHER CITIES/TOWNS AND WOULD LIKE TO REVIEW STRUCTURE & PROCEDURE REFERRED TO ADMINISTRATION & FINANCE COM Yeas 7, Nays 0, Absent 2 63L

Communication was received from Councillor Macek requesting to discuss the cutbacks with MVRTA COUNCILLOR MACEK EXPRESSED CONCERN ABOUT POSSIBLE CUTBACKS TO MVRTA BUDGET WHICH WOULD IMPACT SUNDAY AND SATURDAY SERVICE TIMES. HE ASKED THE COUNCIL TO SUPPORT SENATE BUDGET LINE ITEM 1595-6370 BY WRITING TO STATE DELEGATION AND POSSIBLY JOINING WITH THE MAYOR ON THIS ACTION. MR. DANA LOVELL SPOKE ABOUT HOW BUDGET CUT WOULD NEGATIVELY IMPACT EZTRAN.

COUNCILLOR MACEK INFORMED THAT MVRTA ADMINISTRATOR, JOSEPH COSTANZO ENCOURAGED THE GENERAL PUBLIC TO SUPPORT THIS BUDGET LINE ITEM. HE WOULD PROVIDE A FORM LETTER EITHER BY SENDING EMAIL TO MARKETING@MVRTA.COM OR WRITE TO HIM AT 85 RAILROAD AVE, HAVERHILL.

LETTER TO LEGISLATIVE DELEGATION Yeas 7, Nays 0, Absent 2 63M

Communication was received from Councillor Bevilacqua requesting a discussion regarding new industrial Opportunities

COUNCILLOR BEVILACQUA URGED THE CITY TO IDENTIFY NEW & EXISTING INDUSTRIAL PARK PROPERTIES TO BE INCLUDED IN THE MASTER PLAN AND TO WORK ON IMMEDIATE ASSESSMENT

LETTER TO MAYOR Yeas 7, Nays 0, Absent 2 63N

Communication was received from Councillor Barrett requesting to discuss the need for a stop sign on Colby st at the intersection of Shawmut av, Byron st and Academy av

COUNCILLOR BARRETT WANTED THE TRAFFIC & SAFETY COMMITTEE TO REVIEW THE REQUEST FOR A STOP SIGN SINCE THE ROAD IS WIDE & MOTORISTS SPEED THRU COLBY ST. REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 7, Nays 0, Absent 2 63O

Communication was received from Councillor LePage requesting to introduce the Haverhill Education Coalition to discuss funding for FY2019

MS. JOANNA DIX AND MR. TOM GRANNEMAN ADVOCATED FOR \$425,000 .00 IN ADDITIONAL SPENDING FOR THE SCHOOL BUDGET. THEY REVIEWED ITEMIZED LIST OF ITEMS FOR ADDITIONAL FUNDING. COUNCILLORS EXPRESSED CONCERN WITH THEIR INABILITY TO ADD TO MAYOR'S PROPOSED BUDGET. *

PLACED ON FILE Yeas 7, Nays 0, Absent 2 63P

16. Unfinished Business of preceding Meetings

Document 73

MUNICIPAL ORDINANCE

CHAPTER 120

An Ordinance Relating to Building Construction

Be it Ordained by the City Council of the City of Haverhill that Chapter 120, of the Code of the City of Haverhill, as amended, being and is hereby further amended by inserting the following:

§120-16. Residential or Nonresidential Accessory Uses – PODS, Metal Framed Trailers or Containers and Membrane Structures (see document for complete text)

Related communication from Mayor Fiorentini & City Solicitor William Cox

ON MOTION OF COUNCILLOR MACEK TO ADD THE WORDS “WITHOUT WHEELS” AFTER EACH REFERENCE TO METAL FRAMED TRAILERS

Yeas 7, Nays 0, Absent 2

PASSED AS AMENDED

Yeas 7, Nays 0, Absent 2

73

17. Resolutions And Proclamations

PROCLAMATION – *Superintendent James F Scully Day, Monday, June 11 2018*

ADOPTED

Yeas 7, Nays 0, Absent 2

39L

18. Council Committee Reports and Announcements

19. Documents Referred To Committee Study

Meeting adjourned at 8:54 o'clock P.M.

Yeas 7, Nays 0, Absent 2

Attest: Linda Koutoulas
City Clerk

*Doc. 1J – Handout from Neal Duffy, Green Communities

*Doc. 63P – Handout from Tom Grannemann – Haverhill Public Schools budget