



City of Haverhill  
City Council Minutes

Tuesday, July 11, 2017 at 7:00 PM  
City Council Chambers, Room 202  
4 Summer Street

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

Absent – Councillor Vargas

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 McGonagle was assigned the minutes

ON MOTION OF COUNCILLOR DALY O’BRIEN TO SUSPEND THE RULES TO INTRODUCE LANE GLENN, PRESIDENT, NORTHERN ESSEX COMMUNITY COLLEGE , TO GIVE AN UPDATE ON COLLEGE HAPPENINGS.

RULES SUSPENDED Yeas 8, Nays 0, Absent 1 74S

Mr. Glenn’s update included being the new operator for the ValleyWorks Career Center, with an RFP looking for space in downtown Haverhill; 5<sup>th</sup> Police Academy graduation this week; offering Corrections Academy Training; new Culinary Arts Center; Spurk Building just underwent \$15M renovation and will be coming back on line soon; Opportunity Works moved into the campus from Lawrence; offering Competency Based Education Program for early Childhood 74S

5. Communications from the Mayor  
Mayor Fiorentini submits letter of recommendation from the City of Haverhill’s Energy Advisor, Orlando Pacheco and a contract for a *Power Purchase Agreement* between *Sunwealth Power LLC* and the City of Haverhill. The credits will be applied towards the City’s Pump Station on South Mill st  
PASSED Yeas 8, Nays 0, Absent 1 61B

Mayor Fiorentini submits letter of recommendation from the City of Haverhill’s Energy Advisor, Orlando Pacheco and a contract for a *Power Purchase Agreement* between *Spencer Meadows Solar LLC*, a subsidiary of *ECOS Energy* and the City of Haverhill. The credits will be applied towards the City’s Wastewater Treatment Plant on S. Porter st  
PASSED Yeas 8, Nays 0, Absent 1 61C

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

Petition from National Grid requesting conduit locations on Water st and also install 1 new SO pole 101-1 on Water st; Plan 13397798-2  
COUNCIL HEARING JULY 25, 2017 Yeas 8, Nays 0, Absent 1 51C

Petition from National Grid requesting conduit locations on Merrimac rd to provide electrical service to new homes at #'s 69A & B; Plan 23732147  
COUNCIL HEARING JULY 25, 2017 Yeas 8, Nays 0, Absent 1 51D

8. Hearings and Related Order  
Document 63; *Sanders Currier Realty Trust/Trustee* – Phil Rice requesting Special Permit to Build 4 residential units within the WD Zone (Waterfront District); on the upper 2 vacant floors of an existing building at 116-122 Washington st; Comments from City departments are included; Favorable recommendation with conditions from Planning Director  
HEARING OPENED. MR. PHILIP RICE GAVE AN OVERVIEW OF HIS PROPOSAL TO CONVERT UPPER FLOORS TO TWO 2 BEDROOM APARTMENTS AND TWO 3 BEDROOM APARTMENTS. THESE WILL BE RENTAL UNITS. PARKING HAS BEEN SECURED AT THE MVRTA PARKING DECK. THERE WAS NO ONE IN OPPOSITION. HEARING CLOSED.  
ON MOTION OF COUNCILLOR MACEK TO GRANT THE SPECIAL PERMIT TO INCLUDE ALL LETTERS FROM DEPARTMENTS STATING CONDITIONS AND REQUIREMENTS . ALSO, TO WAIVE LOW INCOME AFFORDABILITY.  
GRANTED WITH CONDITIONS &  
WAIVER OF AFFORDABILITY APPROVED Yeas 8, Nays 0, Absent 1 63

Public Participation- Requests under Council Rule 28  
No Schedule

9. Appointments:  
Confirming Appointments  
Lum-Bih Tashi, 51 North Ave, to the Cultural Council; appointment to expire July 31 2018  
CONFIRMED Yeas 8, Nays 0, Absent 1 11

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Non-Confirming Appointments:

Alicia McOsker, 121 Kingsbury Ave, as Real Estate Custodian  
PLACED ON FILE Yeas 8, Nays 0, Absent 1 2T  
Lisa DeMeo, 24 Hunters Run Place, to Cable TV Advisory Committee  
PLACED ON FILE Yeas 8, Nays 0, Absent 1 2U  
Jeffrey Berenson, 19 Dorian Dr, to Cable TV Advisory Committee  
PLACED ON FILE Yeas 8, Nays 0, Absent 1 2V

Resignations

No Schedule

**10. Petitions:**

Applications

Application for permit from Jennifer Arndt/*Creative Haverhill*, to hold third annual "Movies by the River" Outdoor Summer Movie Series at 192 Merrimack st; between *Rent-A-Center* and *Haverhill Bank* to take place Thursday evenings for period of 6 weeks beginning July 13th and ending August 17th; in case of rain movies will be indoors at *Haverhill Citizen Center*, 10 Welcome st from 6:30PM to 10:00PM; and also requests that permit fees be waived; *Has police approval*

GRANTED & PERMIT FEES WAIVED Yeas 8, Nays 0, Absent 1 83B

Application from Dennis Howes for One Day All Alcohol Liquor License for Wedding on September 23rd, at Winnekenni Castle; 3:30PM to 9:00PM; *Has License Commission Approval*

GRANTED Yeas 8, Nays 0, Absent 1 59F

Applications/Handicap Parking Signs:

Leonardo Hernandez, 81 Pilling st – renewal

GRANTED Yeas 8, Nays 0, Absent 1 9U

Paul DiNoto, 17 Temple st – renewal

GRANTED Yeas 8, Nays 0, Absent 1 9V

Sandra Curtis, 36 Bellevue av – renewal

GRANTED Yeas 8, Nays 0, Absent 1 9W

John W Woolf Sr., 207 Groveland st – new

REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 9X

Tag Days:

Haverhill High Football Boosters – Sun Aug 20; *Has police approval*

GRANTED Yeas 8, Nays 0, Absent 1 46F

Haverhill High Cheerleaders – Sat & Sun, Aug 5 & 6; *Has police approval*

GRANTED Yeas 8, Nays 0, Absent 1 46G

**ON MOTION OF COUNCILLOR BARRETT TO SUSPEND THE RULES FOR PENTUCKET FOOTBALL CHEERING APPLICATION FOR TAG DAYS**

RULES SUSPENDED Yeas 8, Nays 0, Absent 1

Pentucket Football Cheering, Sat & Sun, July 21 & 22; *Has police approval*

GRANTED Yeas 8, Nays 0, Absent 1 46H

Annual License Renewals:

Drainlayer License 2017 :

James Boraczek - renewal

GRANTED Yeas 8, Nays 0, Absent 1 7UU

Taxi Driver License

Edward Espin, *denied by police*

NOT GRANTED Yeas 0, Nays 8, Absent 1 38L

Iesha M Ellen

GRANTED Yeas 8, Nays 0, Absent 1 38M

Buy & Sell Second Hand Articles :

Honeybee Children's Shoppe, 800 Broadway, Jennifer Levy

GRANTED Yeas 8, Nays 0, Absent 1 4Q

House of Pawn, 24 Emerson st, Aidria Torres

GRANTED Yeas 8, Nays 0, Absent 1 4R

Pawnbroker license :

House of Pawn, Aidria Torres

GRANTED Yeas 8, Nays 0, Absent 1 4S

Exterior Vending Machines :

Redbo Automated Retail LLC at the following locations:

ALL GRANTED Yeas 8, Nays 0, Absent 1

A. CVS Pharmacy, 150 Lafayette sq 86

B., C. Market Basket, 2 Water st (2 machines) 86B,C

D. Market Basket, 400 Lowell ave 86D

E. CVS Pharmacy, 425 Lowell ave 86E

F., G. Walgreens, 800 River st (2 machines) 86F,G

H. Market Basket, 285 Lincoln ave 86H

*All above have police approval*

**11. Motions and Orders**

Orders

ORDERED – That the Mayor is hereby authorized to execute a Purchase and Sales Agreement with *Haverhill Housing Authority* for sale of real property, including the buildings thereon, located at 60 Brown st; formerly known as the *Department of Public Property Barn*, located on Assessors’ Map 423, Block 151, Lot 17, containing approximately 0.786 acres, a copy of which is attached hereto and incorporated herein. The Mayor is also authorized to execute a deed to *Haverhill Housing Authority* pursuant to the terms of the Purchase and Sales Agreement, and any other documents necessary to effectuate the sale of said real property. This property is hereby declared surplus for sale.

PASSED Yeas 8, Nays 0, Absent 1 87

ORDERED – That the sum of \$464,893.16 be transferred from the following Water Capital and Expense accounts and transferred to Capital Projects Accounts as listed below:

FROM	
Water Capital	\$214,893.16
Water Expense	\$250,000.00
TO	
Water Supply Capital	\$ 58,699.48
Water Distribution Capital	\$ 55,112.00
Water Meter Replacement	\$351,081.68

PASSED Yeas 8, Nays 0, Absent 1 71J

ORDERED– That the sum of \$85,000 be transferred from the following Wastewater Salary & Benefit accounts and transferred to the following Wastewater Expense accounts:

FROM	
Wastewater Health	\$22,000
Wastewater Salary	\$36,000
Stormwater Salary	\$27,000
TO	
Wastewater Expense	\$85,000

PASSED Yeas 8, Nays 0, Absent 1 71K

ORDERED: That the sum of \$1,035,771 be transferred to/from the following accounts as stated below to close out FY2017:

FROM:	TO:	
\$ 39,100 Constituent Services Salary	\$ 19,600 Mayor Salary	
\$ 31,600 Salary Reserve	\$ 19,000 Human Resources Salary	
\$ 53,000 Health Insurance-City	\$ 500 Constituent Services Expense	
\$128,000 Health Insurance-School	\$ 3,300 Auditing Salary	
\$ 43,534 Health Insurance-School	\$ 2,700 Purchasing Salary	
\$ 21,100 Police Expense	\$ 7,300 Assessing Salary	
\$ 2,120 Legal Expense	\$ 1,300 Conservation Salary	
\$ 7,250 Treasurer Expense	\$ 16,000 Human Resources Expense	
\$ 2,650 Assessing Expense	\$ 1,000 Veterans Salary	
\$ 6,325 Council Expense	\$ 53,000 Veterans Benefits	
\$ 5,200 Planning Expense	\$128,000 State Assessment-Charter School	
\$ 2,250 Highway Salary	\$ 43,534 State Assessment-Special Education	
\$ 3,450 Municipal Garage Expense	\$ 2,120 Legal Salary	
\$102,120 Snow & Ice Salary	\$ 7,250 Treasurer Salary	
\$528,952 Budget Reserve	\$ 2,650 Assessing Salary	
\$ 20,120 Refuse Collection Expense	\$ 6,325 Council Salary	
\$ 39,000 Liability Insurance	\$ 5,200 Planning Salary	
	\$ 2,250 Public Works Admin Salary	
	\$ 3,450 Public Works Admin Exp	
	\$102,120 Snow & Ice Expense	
	\$528,952 Snow & Ice Expense	
	\$ 20,120 Refuse Collection Salary	
	\$ 39,000 Police Salary	
	\$ 21,100 Police Salary	

On motion of Councillor LePage to amend the year end transfer order

Remove the following items listed in the “From” column:

- \$21,100 Police Expenses
- \$39,000 Liability Insurance

Remove the following items listed in the “To” column:

- \$21,100 Police Expenses
- \$39,000 Liability Insurance

For an adjusted total of \$975,671

PASSED Yeas 8, Nays 0, Absent 1  
 PASSED AS AMENDED Yeas 8, Nays 0, Absent 1 71L

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**11.1.** Ordinances (File 10 days)

**11.2.** Monthly Reports

**12.** Communications from Councillors

Communication was received from Councillor Daly O'Brien requesting a discussion about Merrimack st bump outs

COUNCILLOR DALY O'BRIEN EXPRESSED CONCERN ABOUT THE ATTRACTIVENES, SAFETY AND LONG TERM PLANS FOR THE BUMPOUTS. THE MAYOR ASKED THAT THIS ITEM BE POSTPONED FOR 2 WEEKS TO ALLOW NOAH KORETZ TO GIVE THE COUNCIL AN UPDATE POSTPONED TO JULY 25 2017

Yeas 7, Nays 0, Abstain 1(Barrett) Absent 1 74O

Communication was received from Councillor Macek requesting a discussion regarding traffic and public safety concerns on Groveland rd in Bradford

COUNCILLOR MACEK STATED THAT THE POLICE DEPARTMENT WAS MONITORING THE AREA WITH INCREASED ENFORCEMENT & THAT TRAFFIC COUNTERS HAVE BEEN INSTALLED. LETTER TO POLICE

Yeas 8, Nays 0, Absent 1 74P

Communication was received from Councillors Barrett, LePage and Daly O'Brien requesting a discussion and an update concerning the status of the HHS girls' softball facility to comply with Title IX and ADA requirements

POSTPONED TO JULY 25 AT THE MAYOR'S REQUEST Yeas 8, Nays 0, Absent 1 74Q

Communication was received from Councillors McGonagle and LePage requesting a discussion and an update concerning pending Public Safety Capital projects as recently detailed by Public Safety officials POSTPONED TO JULY 25 2017

Yeas 8, Nays 0, Absent 1 74R

**13.** Unfinished Business of preceding Meetings

Document 74-M - Communication from President Michitson requesting to introduce Ronald MacLeod to speak about North av improvements

PLACED ON FILE AT REQUEST OF MR. MACLEOD Yeas 8, Nays 0, Absent 1 74M

Document 9-T

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

23 Arch Ave. – Delete Handicap Parking (see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 9T

Document 13-C

MUNICIPAL ORDINANCE CHAPTER

An Ordinance Relating to Salaries for Administrative and 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:

“Mayor	Mayor	\$90,000
City Council	President	\$14,384.00**
	Councillors (8)	\$12,884.00***”

By inserting in place thereof the following:

“Mayor	Mayor	\$110,000.00
City Council	President	\$18,000.00**
	Councillors (8)	\$15,000.00***”

\*\*The Mayor and 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.”

An Elected Official Salary Study Commission shall be appointed by the Mayor on or about November 1, 2020, and every four years thereafter, to review and make recommendations for adjustments to the salary schedule for elected officials.

Effective Date: January 1, 2018

POSTPONED TO JULY 25 AT REQUEST OF COUNCILLOR LEPAGE Yeas 8, Nays 0, Absent 1 13C

Document 81

MUNICIPAL ORDINANCE CHAPTER 222

An Ordinance Relating to Outdoor Dining

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill is amended by adding a new Chapter 222, as amended, be further amended by adding the following:

Article XI

OUTDOOR DINING

222-63 Allowed Use of Sidewalk Areas

By adding the following words at the beginning of the first paragraph:

“Food and Beverage Service” (see document for complete text)

SOLICITOR COX EMPHASIZED THAT THIS ALLOWS BUSINESSES TO PUT TABLES, CHAIRS, BENCHES OUT BUT NO FOOD SERVICE IS ALLOWED

*Related communication dated July 6, 2017 from City Solicitor William Cox with following amendments:*

- 1) That the document be amended by deleting the words “ARTICLE XI” and by inserting in place thereof the words “ARTICLE XII”; and by deleting the numbers “222-63” and by inserting in place thereof the numbers “222-66”.

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- 2) That the document be amended by deleting the numbers “222-66 to 222-69” and by inserting in place thereof the numbers “222-66 and 222-69”
- 3) That the document be amended by the adding of the words “or his/her designee,” after the words “Director of Public Works,”; and,
- 4) That the document be amended by deleting the words “permit holder” from the last sentence and by inserting in place thereof the words “establishment who completes a sidewalk placement notice”

ON MOTION OF COUNCILLOR BEVILACQUA TO ADD AMENDMENTS AS STATED BY SOLICITOR COX

PASSED AS AMENDED

Yeas 7, Nays 0, Abstain 1(Barrett) Absent 1 81

Document 82

MUNICIPAL ORDINANCE

CHAPTERS 36, 104 & 191

An Ordinance Relating to Fees and Receipts; Amusements – Public Shows and Exhibitions; and, Peddling and Soliciting

Be it Ordained by the City Council of the City of Haverhill that Chapter 36 of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

§ 36.7 Waiver of Fee or Charge

By deleting this section in its entirety and inserting in place thereof the following:

“The City Council and Mayor shall have authority to waive fees or charges due to the City of Haverhill which are set by order, ordinance or state law. No fees or charges due to the City of Haverhill shall be waived where prohibited by state law. The waiving of any fee or charges by the City Council and Mayor shall be subject to the conditions below: (see document for complete text)

Be it Ordained by the City Council of the City of Haverhill that Chapter 104, Article IV. Public Shows and Exhibitions, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

June 20, 2017

§ 104-29. Application fee; maximum number of licenses.

By deleting this section in its entirety and inserting in place thereof the following: (see document for complete text)

Be it Ordained by the City Council of the City of Haverhill that Chapter 191 of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

§ 191-12 Special Events.

Be deleting sub-section “B” in its entirety

*Related communication from Bill Cox City Solicitor*

PASSED

Yeas 8, Nays 0, Absent 1 82

**14. Resolutions And Proclamations**

**15. Council Committee Reports and Announcements**

**16. Documents Referred To Committee Study**

Meeting adjourned at 8:13 o'clock P.M.

Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas  
City Clerk