



City of Haverhill

City Council Minutes

Amended Agenda

Tuesday, July 24, 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, Daly O’Brien, and McGonagle.

Assistant City Clerk – Laura Angus

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of Prior Meeting
The minutes were approved Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor LePage was assigned the minutes

ON MOTION OF COUNCILLOR BARRETT TO REQUEST A MOMENT OF SILENCE FOR MARIANA MORSE, FORMER CITY ASSESSOR & COMMUNITY ACTIVIST Yeas 9, Nays 0

5. Communications from the Mayor
6. Communications and Reports from City Officers and Employees
7. Utility Hearing(s) and Related Order(s)
Document 84; Petition from National Grid for Pole and Wire locations on Overlook av – Plan 26158526

COUNCILLOR BARRETT INFORMED THAT SHE HAD CALLED NATIONAL GRID INQUIRING ABOUT THE PETITION AND DID NOT RECEIVE A CALL BACK

RESCHEDULED TO AUG 7 2018 Yeas 9, Nays 0 84

ORDERED: Grant National Grid Pole & Wire Locations on Overlook av (see document for complete text)
RESCHEDULED TO AUG 7 2018 Yeas 9, Nays 0 84B

8. Hearings and Related Orders
9. Public Participation- Requests under Council Rule 28
10. Appointments:

Confirming Appointments

Andrea Watson, 166 Winter st, to the Commission on Disability, effective immediately; commission to expire July 24, 2019.

MS. WATSON INTRODUCED HERSELF

CONFIRMED Yeas 9, Nays 0 76B

Sarah Lo Vasco, 222 Lawrence st, to the Washington st Historic District Commission, effective immediately; commission to expire July 24, 2019.

MS. LO VASCO INTRODUCED HERSELF

CONFIRMED Yeas 9, Nays 0 76C

Nathan Webster, 24 South Kimball st, to the Cultural Council, effective immediately; commission to expire July 24, 2021

MR. WEBSTER INTRODUCED HIMSELF

CONFIRMED Yeas 9, Nays 0 76D

Stephanie Garafolo, 14 Forest av, to the Cultural Council, effective immediately; commission to expire July 24, 2019

CONFIRMED Yeas 9, Nays 0 76E

Non-Confirming Appointments

Jessica Winiecki, 67 Maxwell st, to the Harbor Commission; commission to expire July 24, 2019

PLACED ON FILE Yeas 9, Nays 0 17J

Resignations

Katrina K. Jagroop-Gomes, Haverhill Cultural Council

PLACED ON FILE Yeas 9, Nays 0 31C

Christopher Smith, Haverhill Cultural Council

PLACED ON FILE Yeas 9, Nays 0 31D

11. Petitions:

Petition for Special Permit from Attorney Michael Migliori for owner/applicant, Bread & Roses Housing, Inc requesting to construct 10 residential units to be owner-occupied at property located on 432 Washington st; Assessor’s Map 503-236-6, 7,8,8A and 12A – which is located in the “RU” District

REFERRED TO PLANNING BOARD

COUNCIL HEARING SEPTEMBER 11, 2018 Yeas 9, Nays 0 89

Petition for Special Permit from Lee Properties, LLC, Jonathan Cozzens, Managing Partner – to build 14 residential apartment units consisting of 13 1-bedroom units and 1 studio unit as well as up to 2 commercial spaces in an existing 5-story building at 2-12 Washington st which is located in the sub-zone D of the

Downtown Smart Growth Overlay District
REFERRED TO PLANNING BOARD
COUNCIL HEARING OCTOBER 16, 2018

Yeas 9, Nays 0

90

Applications:

Applications/Handicap Parking Sign – new

Cristina Perez for 37 Curtis st

REFERRED TO PLANNING

Yeas 9, Nays 0

47E

Robert Baker, 112 Emerson st Apt 4, with sign placed on Grand av

REFERRED TO PLANNING

Yeas 9, Nays 0

47F

Tag Days

One Day Liquor License:

Tiffany Parsons - All Alcohol for wedding at Winnekenni Castle, Saturday, September 1st; 5 pm – 11 pm;
Has Police & License Commission approval

GRANTED

Yeas 9, Nays 0

28B

Kristina Leeman & Justin Holloway - All Alcohol for wedding at Winnekenni Castle, Saturday, September 15th. 5 pm – 11 pm; *Has Police & License Commission approval*

GRANTED

Yeas 9, Nays 0

28C

Joseph LeBlanc for Team Haverhill – Beer & Wine for River Ruckus at Riverfront Park, Washington Historic District, Saturday, September 22nd. 12 noon to 9 pm; *Has Police approval & License Commission approval pending review of detail officers*

GRANTED WITH CONDITION OF DETAIL OFFICERS

Yeas 9, Nays 0

28D

Patricia Nollet – All Alcohol for wedding at Winnekenni Castle, Saturday, October 6th, 12:30 pm to 8:30 pm; *Has Police & License Commission approval*

GRANTED

Yeas 9, Nays 0

28E

Annual License Renewals

Buy & Sell Second Hand Articles – *renewal*

In a Blue Moon Antiques, 99 Merrimack st, Michelle Edwards

GRANTED

Yeas 8, Nays 0, Abstain 1(Barrett)

53N

Buy & Sell Second Hand Clothing – *renewal*

All Saints Parish – 120 Bellevue av

GRANTED

Yeas 9, Nays 0

53O

12. Motions and Orders

ORDERED: That the State Primaries to be held in the several wards in the City on TUESDAY, THE FOURTH day of SEPTEMBER, 2018; the polls to open at seven o'clock in the forenoon and to close at eight o'clock in the evening, and to be held in accordance with the provisions of Chapter 53 of the General Laws and amendments thereto. (see document for complete text)

PASSED

Yeas 9, Nays 0

91

ORDERED: That the City transfer the sum of \$21,625 from Capital Budget to the Capital account: Police Motorcycle Purchase

PASSED

Yeas 9, Nays 0

34P

13. Ordinances (File 10 days)

MUNICIPAL ORDINANCE

CHAPTER 173

An Ordinance Relating to Littering

Reduction of Checkout Bags by Retail Establishments

Be it Ordained by the City Council of the City of Haverhill that Chapter 173, Littering, of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

173-10. Checkout Bags

A. Definitions

1. "Checkout Bag" means a carryout bag provided by a store to a customer at the point of sale, Checkout Bags shall not include:

a. Bags, whether plastic or not, in which loose produce or products are placed by a consumer to deliver such items to the point of the sale or check-out area of a Retail Establishment; or

b. Laundry or dry-cleaner bags; or

c. Newspaper bags; or

d. Bags used to contain or wrap frozen foods, meat or fish, whether prepackages or not, to prevent or contain moisture.

2. "Recyclable Bag" means a paper bag that is (1) 100% recyclable including the handles; (2) contains at least 40% post-consumer recycled paper content; and (3) displays the words "Recyclable" and "made from 40% post-consumer recycled content" (or other applicable amount) in a visible manner on the outside of the bag; or (4) certified biodegradable bags made with starches from renewable crops which can readily be composted with organic waste.

3. "Reusable Bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and is either polyester, polypropylene, cotton or other durable material, or durable plastic that is at least 3.0 mils in thickness.

4. "Retail Establishment" means any person, corporation, partnership, business venture, or vendor that sell or provide merchandise, goods or materials directly to a customer, whether for or not for profit, including but not limited to restaurants, pharmacies, convenience or grocery stores, liquor stores, seasonal and temporary businesses, jewelry stores, and household goods stores; however, the term

Retail Establishment as used herein does not include bazaars or festivals operated by nonprofit organizations or religious institutions, outdoor Farmer's Markets, or, any establishments with an interior finished floor area under 3,000 square feet. (see document for complete text)

PLACED ON FILE for at least 10 days

Yeas 9, Nays 0

92

14. Monthly Reports:

No Schedule

15. Communications from Councillors:

Communication was received from Council President Michitson requesting to introduce Barbara Donegan to speak about Ruth's House 25th Anniversary Fundraiser

MS. DONEGAN SPOKE ABOUT RUTH'S HOUSE MISSION. THEY HAVE GIVEN OUT 7,300 ARTICLES OF CLOTHING THIS YEAR. THEIR 25TH ANNIVERSARY FUNDRAISER WILL BE HELD SEPT. 14 AT HAVERHILL COUNTRY CLUB. *

PLACED ON FILE

Yeas 9, Nays 0

63Z

Communication was received from Council President Michitson requesting to address outreach: Is there a challenge within your organization or department that could be solved by the Haverhill Civic Hackathon, where a group of programmers, project managers, and subject-matter –experts compete to build the best software to solve the challenge

PRESIDENT MICHITSON INFORMED THIS IS OUTREACH TO GOVERNMENT AGENCIES & NON-PROFITS TO SEE IF THERE IS A CHALLENGE THAT COULD BE SOLVED WITH HACKERS AT A 2 DAY EVENT AT THE iHub AT HARBOR PLACE IN NOVEMBER. HE IS CO-CHAIRING EVENT WITH REP. VARGAS. THE HACKATHON IS BEING SPONSORED BY MAYOR FIORENTINI AND THE GREATER HAVERHILL CHAMBER OF COMMERCE. PRIZE MONEY OF \$10,000 IS BEING DONATED BY THE MADDOX FOUNDATION. DEADLINE FOR ENTRIES IS JULY 30

PLACED ON FILE

Yeas 9, Nays 0

93

Communication was received from Councillor Sullivan requesting to introduce Patti Gleason, Board of Directors member, Haverhill Community Violence Prevention Coalition (HCVC) to discuss donation of sculpture at Winnekenni Park

MS. GLEASON AND MEMBERS OF THE BOARD SUSAN KANE AND DAMON THOMAS SPOKE ABOUT THE WORK OF THE COALITION AND PROPOSED LOCATION FOR THE DALE ROGERS SCULPTURE. THEY INFORMED THAT THE BOARD HAD VOTED TO DISSOLVE THE COALITION. ON MOTION OF COUNCILLOR SULLIVAN TO SEND LETTER TO MAYOR TO WORK OUT DETAILS OF INSTALLATION

Yeas 9, Nays 0

93B

Communication was received from Councillor LePage requesting to introduce Amanda Buckley, Haverhill Recycling Coordinator, to discuss the curbside recycling program and other related matters

ON MOTION OF COUNCILLOR LEPAGE TO TABLE TO AUG 7

Yeas 9, Nays 0

93C

Communication was received from Councillor Daly O'Brien requesting to discuss a ballot initiative for recreational marijuana

COUNCILLOR DALY O'BRIEN STATED HER REASON FOR PUTTING THIS ITEM ON THE AGENDA WAS TO FIND OUT WHAT THE COMMUNITY WAS THINKING ABOUT IN TERMS OF PROVIDING RECREATIONAL MARIJUANA IN THE CITY. SHE AND OTHER COUNCILLORS RECEIVED MANY EMAILS IN SUPPORT OF IT AND THE FACT THAT HAVERHILL RESIDENTS HAD VOTED IN FAVOR. THEREFORE, SHE WOULD NOT SUPPORT PUTTING IT ON THE BALLOT. EACH COUNCILLOR OFFERED THEIR OPINION. THE MAYOR INFORMED THAT HE WAS OPPOSED TO HAVING A NEW REFERENDUM ON THE MATTER AND THAT IN NOV 2016 54% OF VOTERS VOTED FOR IT .

PLACED ON FILE

Yeas 9, Nay 0

93D

Communication was received from Councillor Daly O'Brien requesting to discuss the closure of Central Plaza Rite Aid effects on surrounding neighborhood

COUNCILLOR DALY O'BRIEN SPOKE ABOUT THE NEGATIVE IMPACT TO THE WALKING PUBLIC WHO USE THIS RITE AID AND SUGGESTED LETTER TO THE MAYOR TO HAVE HIM CONTACT WALGREENS ABOUT HOME DELIVERY SERVICE FOR PRESCRIPTIONS

LETTER TO MAYOR

Yeas 9, Nays 0

93D

Communication was received from Councillor Daly O'Brien requesting to discuss the need to better communicate when events require extensive road closures in any section of the City; such as the recent bicycle race

COUNCILLOR DALY O'BRIEN INFORMED THAT THERE WAS A LACK OF COMMUNICATION TO BUSINESSES AND RESIDENTS ABOUT THE BICYCLE RACE WHICH NEGATIVELY IMPACTED BUSINESS SALES AND ABILITY FOR PEOPLE TO RETURN TO THEIR HOMES

LETTER TO MAYOR

Yeas 9, Nays 0

93E

Communication was received from Councillor McGonagle requesting to remove handicap parking spaces at 13 Ford st & 81 Pilling st that are no longer needed

REFERRED TO PLANNING

Yeas 9, Nays 0

93G

Communication was received from Councillor McGonagle requesting to submit recommendations of the Traffic & Safety Committee held on July 18 2018

COUNCILLOR MCGONAGLE PRESENTED THE 10 ITEMS THAT WERE DISCUSSED AT THE JULY 18 TRAFFIC & SAFETY COMMITTEE. ITEM 1) REQUEST FOR NO PARKING SIGNAGE ON AVON PLACE WILL BE REFERRED TO THE PLANNING DEPARTMENT FOR DRAFTING OF AN ORDINANCE; ITEM 5) ROCK'S VILLAGE BRIDGE & EAST MAIN ST WILL BE REFERRED TO THE HIGHWAY DEPARTMENT TO REPAINT DOUBLE YELLOW LINE ON EAST MAIN ST.

On motion of Councillor McGonagle to accept Traffic & Safety Committee minutes as presented and place on file.

Yeas 9, Nays 0

93H

Communication was received from Councillor Bevilacqua requesting a discussion regarding possible

relocation of Water Street Fire Station to create a waterfront development site opportunity
ON MOTION OF COUNCILLOR BEVILACQUA TO TABLE TO AUG 21 Yeas 9, Nays 0 93I

Communication was received from Councillor Bevilacqua requesting a discussion regarding traffic and loud motorcycle noise at intersection of North Broadway and Monument Streets

ON MOTION OF COUNCILLOR BEVILACQUA TO REFER TO TRAFFIC & SAFETY COMMITTEE
TO MONITOR THE AREA Yeas 9, Nays 0 93J

16. Unfinished Business of preceding Meetings :

Document 24-C: Loan Order

ORDERED: That \$9,500,000.00 is appropriated for the purpose of financing the engineering and construction of improvements to water transmission and distribution mains including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor and the Auditor is authorized to borrow \$9,500,000.00 and issue bonds or notes therefor Chapter 44 of the General Laws and/or Chapter 29C of the General Laws (see document for complete text)

MR. ROBERT WARD, DEPUTY DPW DIRECTOR, INFORMED THAT THIS IS THE 2nd PHASE OF 3 PHASES. RATE IMPACT IS APPROXIMATELY \$0.25 PER HUNDRED CUBIC FEET. THE PROJECT WILL GO OUT TO BID NEXT YEAR.

PASSED Yeas 9, Nays 0 24C

ORDERED: Certifying Authority to File on behalf of applicant to file applications and execute agreements relating to Loan Order (see document for complete text)

PASSED Yeas 9, Nays 0 24CC

17. Resolutions And Proclamations

18. Council Committee Reports and Announcement

Councillor LePage presented minutes and recommendations of the Administration and Finance Committee meeting held on July 17 2018; items discussed were Doc. 120-X&Z/2017 oversight and education in all areas of concern related to underage and/or illegal use of marijuana as well as adult use of marijuana and guidelines issued by MA Cannabis Control Commission and Doc. 7-C – discussion about single -use plastic bags.

ON MOTION OF COUNCILLOR LEPAGE TO HAVE THE ADMINISTRATION & FINANCE COMMITTEE CONDUCT SITE VISITS OF POTENTIAL COMMERCIAL HIGHWAY AND DOWNTOWN ZONING LOCATIONS AND REPORT FINDINGS AT NEXT COMMITTEE MEETING TO BE SCHEDULED FOR AUG 14.

MOTION PASSED Yeas 9, Nays 0

THE COMMITTEE REVIEWED THE DRAFT “Ordinance Relating to Littering-Reduction of Checkout Bags by Retail Establishments” SUBMITTED BY SOLICITOR COX. THE ORDINANCE WILL BE PLACED ON THE COUNCIL AGENDA FOR THE JULY 24TH MEETING AND DISCUSSED AT THE AUG 7TH MEETING.

On motion of Councillor LePage to accept the minutes as presented and place on file.

Yeas 9, Nays 0 8I

Councillor Bevilacqua presented the minutes and recommendations of the Planning & Development Committee meeting held on July 19 2018 for acceptance and discussion of items Doc. 58I/2017, assistance to new businesses; Doc 63-D, re-purpose of Washington sq.; Doc. 63W – creation of comprehensive City-wide plan for establishment of 55+ housing overlay zoning districts

ON MOTION OF COUNCILLOR BEVILACQUA TO SEND LETTER TO MAYOR ASKING HIM TO EXPLORE THE IDEA OF HAVING CITY HALL OPEN ONE NIGHT. MOTION PASSED

ON MOTION OF COUNCILLOR BEVILACQUA TO SEND LETTER TO MAYOR ASKING WHEN THE MVRTA LEASE IS UP. MOTION PASSED Yeas 9, Nays 0

ON MOTION OF COUNCILLOR MACEK TO SEND LETTER TO WILLIAM PILLSBURY INQUIRING IN WHICH ZONING DISTRICTS MULTI-FAMILY HOUSING & MULTI-UNIT DEVELOPMENTS ARE ALLOWED. MOTION PASSED Yeas 9, Nays 0

On motion of Councillor Bevilacqua to accept the minutes as presented and place on file.

Yeas 9, Nays 0 8J

SUSPENSION OF THE RULES

Drainlayer License (new) Timothy Roy

ON MOTION OF COUNCILLOR MACEK TO SUSPEND THE RULES TO REVIEW APPLICATION OF NEW DRAINLAYER, TIMOTHY ROY.

RULES SUSPENDED Yeas 9, Nays 0 10T

On motion of Councillor Macek to grant the application

GRANTED Yeas 9, Nays 0 10T

ON MOTION OF COUNCILLOR SULLIVAN TO SUSPEND THE RULES TO APPROVE ORDER TO TRANSFER \$13,000 FROM CAPITAL BUDGET TO CAPITAL ACCOUNT – WINNEKENNI REPAIRS/UPGRADES

RULES SUSPENDED Yeas 9, Nays 0 34Q

On motion of Councillor Sullivan to approve transfer

PASSED Yeas 9, Nays 0 34Q

Councillor Sullivan announced the Natural Resources & Public Property Committee meeting scheduled for July 31, at 7:00PM in the City Council office, room 204. Agenda items will be the Vietnam Veterans memorial, tree problem on city property impacting Holland’s Flowers and request to purchase city land on Atlanta Street

19. Documents Referred To Committee Study

Meeting adjourned at 9:14 o'clock P.M.

Yeas 9, Nays 0

Attest: Laura Angus
Assistant City Clerk

*Doc. 63Z – Handout from Barbara Donegan – Ruth's House pamphlet