



City of Haverhill
City Council Minutes

Tuesday, July 25, 2017 at 7:00 PM
City Council Chambers, Room 202
4 Summer Street

Present – President Michitson, Councillors Barrett, Vargas, McGonagle, Bevilacqua, LePage, Daly O’Brien, Macek and Sullivan.
City Clerk – Linda L. Koutoulas

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of Previous Meeting
The minutes were approved. Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor Bevilacqua was assigned the minutes.
5. Communications from the Mayor
6. Communications and Reports from City Officers and Employees
7. Utility Hearing(s) and Related Order(s)

Hearing was held on Document 51-C, a petition from National Grid of North Andover requesting petition to construct underground electric conduits on Water st & install one new SO pole on Water st; Plan 13397798-2. With David Boucher from National Grid appearing in favor. No one was opposed.

Hearing closed 51C

ORDERED: Order granting National Grid conduit locations & new pole on Water st (see document for complete text)

PASSED Yeas 9, Nays 0 51CC

Hearing was held on Document 51-D, a petition from National Grid of North Andover requesting petition to construct underground electric conduits on Merrimac rd; Plan 23732147

With David Boucher from National Grid appearing in favor. No one was opposed.

Hearing closed 51D

ORDERED: Order granting National Grid conduit locations & new pole on Merrimac rd (see document for complete text)

PASSED Yeas 9, Nays 0 51DD

Hearings and Related Order

8. Public Participation- Requests under Council Rule 28

No Schedule

9. Appointments:

Confirming Appointments

No Schedule

Non-Confirming Appointments:

Salvatore De Franco & Dana Perry, 10 Lansing av, to the Bike Committee

PLACED ON FILE Yeas 9, Nays 0 2W

10. Petitions:

Petition from National Grid of North Andover requesting permission to construct a line of underground electric conduits on Washington st; Plan 23234263

COUNCIL HEARING AUG 22 2017 Yeas 9, Nays 0 88

Applications

Applications/Handicap Parking Signs:

Karen Soucie, 30 Lancaster st, renewal

GRANTED & PLACED ON FILE Yeas 9, Nays 0 3K

Tag Days:

Knights of Columbus Council 5004 , Sat & Sun, Nov 11 & 12; *Has police approval*

GRANTED Yeas 9, Nays 0 46I

HHS Rowing Parents’ Association, Fri, Sat & Sun, Nov 17, 18, 19; *Has police approval*

GRANTED Yeas 9, Nays 0 46J

Annual License Renewals:

Drainlayer License 2017:

Gary Merrill, *new*

GRANTED Yeas 9, Nays 0 37L

John Pandelena, *new*

GRANTED Yeas 9, Nays 0 37M

Taxi Driver License

Anthony Feole, *new*

GRANTED Yeas 9, Nays 0 38N

Rafael Lebron, *new*

GRANTED Yeas 9, Nays 0 38O

Meilseoir Schwartzthal, *new*

GRANTED Yeas 9, Nays 0 38P

ON MOTION OF COUNCILLOR DALY O’BRIEN TO RECONSIDER

RECONSIDERATION PASSED Yeas 9, Nays 0

July 25, 2017

On motion of Councillor Daly O'Brien to approve license
NOT GRANTED Yeas 0, Nays 9 38P
Cheryl Zuccola, *new*
GRANTED Yeas 9, Nays 0 38Q
William Hatin, *renew*
GRANTED Yeas 9, Nays 0 38R
Matthew Paquette, *renew*
GRANTED Yeas 9, Nays 0 38S
Taxi License
Haverhill Taxi, 127 White st, 10 Taxicabs, *renew*
GRANTED Yeas 9, Nays 0 89
A Family Cab, 21 White st, 12 Taxicabs, *renew*
GRANTED Yeas 9, Nays 0 89B
Bowling:
All Saints Parish Bowling Center, 26 Broadway, 9 Lanes, *renew*
GRANTED Yeas 9, Nays 0 76B

11. Motions and Orders

Orders

ORDERED: That the Mayor is authorized to appoint the Rocks Village Memorial Association and the Rocks Village Historic District Commission as the administrators of the Rocks Village Hand Tub and Meeting House, the Toll House-Shoe Shop and the land between the Hand Tub House and the Rocks Village Bridge; with *Related communication from Mayor Fiorentini*

PASSED Yeas 9, Nays 0 54C

ORDERED: That the city transfer \$44,000 from City Council Expenses to City Council Salary

PASSED Yeas 9, Nays 0 29R

ORDERED: That the City transfer the sum of \$46,000 from the Capital Budget to the Capital account
Cashman Field

PASSED Yeas 9, Nays 0 29S

ORDERED: That the City transfer \$311,600 from FY17 Salary Reserve Carryover and transfer \$351,896 from FY18 Salary Reserve for regular non-union steps and fund police union arbitration award into the following accounts:

City Clerk Salaries	\$ 4,678
Auditor's Salaries	\$ 2,737
Mayor's Office Salaries	\$ 4,547
Constituent Services Salaries	\$ 900
Human Resources Salaries	\$ 4,967
Information Technology Salaries	\$ 2,438
Law Salaries	\$ 1,889
Library Salaries	\$ 7,445
Police Salaries	\$632,395

ON MOTION OF COUNCILLOR BARRETT TO PULL OUT & VOTE ON CITY CLERK SALARIES

MOTION PASSED & CITY CLERK SALARIES PASSED Yeas 8, Nays 0, Abstain 1(Bevilacqua) 29T

ON MOTION OF COUNCILOR MACEK TO VOTE ON BALANCE OF ORDER

PASSED Yeas 9, Nays 0 29T

ORDERED: That City Council approves the arbitration award issued by the joint labor-management commission concerning the police patrolmen; *Related communication from Mayor Fiorentini*

MAYOR FIORENTINI SUMMARIZED THE ARBITRATION AWARD.

PASSED Yeas 9, Nays 0 90

ON MOTION OF COUNCILLOR LEPAGE TO SUSPEND THE RULES TO ALLOW MEMBERS OF HOPE TASK FORCE TO SPEAK

SUSPENSION PASSED Yeas 9, Nays 0 92

Kim Boiselle and Tracy Fuller gave details of a movie, IF ONLY, that will be shown at Haverhill High School on August 17 at 6:00PM sponsored by HOPE Task Force & YMCA*

PLACED ON FILE Yeas 9, Nays 0 92

Ordinances (File 10 days)

MUNICIPAL ORDINANCE

AN ORDINANCE RELATING TO SALARIES

CHAPTER

LAW ENFORCEMENT

POLICE OFFICERS

Be it Ordained by the City Council of the City of Haverhill that Document 82-G of 2013 is hereby amended and replaced with the following:

Amend Section 21: Salaries by the following:

Effective 7/1/14 1.5%

Effective 7/1/15 1.5%

Effective 7/1/16 2.5%

Amend Section 9: Private details and overtime by the following:
July 25, 2017

Effective immediately (one week after the City Council votes to fund the award) increase the private detail rate to \$46 per hour. (See document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 13D

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 as follows to § 240-85 Schedule B: Parking Restrictions and Prohibitions
Downing Avenue - No Parking Downing Avenue – Both sides from its intersection with Primrose st westerly to the dead end

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 91

MUNICIPAL ORDINANCE CHAPTER 240
An Ordinance Relating to Parking

207 Groveland St. Ave. – Handicapped Parking (see document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 9Y

Monthly Reports

12. Communications from Councillors

Communication from Councillors McGonagle and Macek requesting a discussion about obstructed sidewalks by means of vehicles parking on the sidewalks and overgrown plants and shrubs
COUNCILLORS EXPRESSED CONCERNS ABOUT TRUCKS/CAMPERS PARKED ON SIDEWALKS NEAR CORNERS. CARS ARE PARKED ON SIDEWALKS ON S. ELM/S. PROSPECT ALL THE WAY DOWN TO THE BRIDGE.

LETTER TO MAYOR & POLICE Yeas 9, Nays 0 74T

13. Unfinished Business of preceding Meetings

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

COUNCILLOR LEPAGE SUMMARIZED HOW THE ORDINANCE WAS DEVELOPED. THE MAYOR APPOINTED A SALARY STUDY COMMISSION IN JANUARY 2016. THE FINDINGS WERE PRESENTED TO COUNCIL IN JUNE 2016. THE MATTER WAS REFERRED TO THE ADMINISTRATION & FINANCE COMMITTEE FOR REVIEW.

ON MOTION OF COUNCILLOR BEVILACQUA TO DIVIDE THE ORDINANCE TO VOTE ON MAYOR’S INCREASE SEPARATELY.

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Bevilacqua, LePage and President Michitson 3

Nays,-Councillors Barrett, Vargas, McGonagle, Daly O’Brien, Macek and Sullivan 6

NOT PASSED

ON MOTION OF COUNCILLOR BEVILACQUA TO APPROVE ORDINANCE

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Barrett, Vargas, McGonagle, LePage, Daly O’Brien and Macek 6

Nays,-Councillors Bevilacqua, Sullivan and President Michitson 3

PASSED

13C

Document 74-O

Communication from Councillor Daly O’Brien to discuss Merrimack st Bump outs
COUNCILLOR DALY O’BRIEN REQUESTED TO HAVE ITEM POSTPONED TO AUGUST 8 BECAUSE NOAH KORETZ WAS ON VACATION

POSTPONED TO AUG 8 2017

Yeas 9, Nays 0

74O

July 25, 2017

Document 74-Q

Communication from Councillors Barrett, LePage and Daly O'Brien requesting a discussion and update concerning the status of HHS girls' softball facility to comply with Title IX and ADA requirements
DAVID VAN DAM, CHIEF OF STAFF, GAVE AN UPDATE ON STATUS OF SOFTBALL FACILITY. ARCHITECT HAS BEEN HIRED AND THEY ARE LOOKING AT 2 LOCATIONS.
ON MOTION OF COUNCILLOR DALY O'BRIEN TO HAVE THE MAYOR GIVE A COMPREHENSIVE UPDATE AT SEPT 19 COUNCIL MEETING
CONTINUED TO SEPTEMBER 19

Yeas 9, Nays 0

74Q

Document 74-R

Communication from Councillors McGonagle and LePage requesting a discussion and update concerning pending Public Safety Capital projects as recently detailed by Public Safety Officials
DAVID VAN DAM, CHIEF OF STAFF, STATED THAT THE POLICE STATION WINDOWS ARE BEING REPLACED AND THEY ARE WORKING ON THE ROOF AND OTHER ITEMS.
ON MOTION OF COUNCILLOR LEPAGE TO CONTINUE TO SEPT 19
CONTINUED TO SEPT 19

Yes 9, Nays 0

74R

Document 47

MUNICIPAL ORDINANCE CHAPTER 227
AN ORDINANCE RELATING TO TAG DAYS

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 227, as amended, is hereby further amended as follows:

§227-7. Soliciting on public ways.

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

"No solicitation on or in a public way shall be allowed

Passed April 11 2017

Vetoed by Mayor April 18 2017

Tabled and Referred to Public Safety Committee May 9 2017

ON MOTION OF COUNCILLOR MACEK TO UPHOLD THE MAYOR'S VETO

VETO SUSTAINED

Yeas 8, Nays 1(Bevilacqua)

47

ON MOTION OF COUNCILLOR MACEK TO RECONSIDER THE TAG DAY ORDINANCE

PASSED

Yeas 8, Nays 1(Bevilacqua)

47

Document 47-B

Communication from Mayor Fiorentini vetoing Document 47 Ordinance re: Tag Days and request Council accept new amendment – "*No solicitation on or in a public way shall be allowed except that on Labor Day weekend firefighters shall be allowed to solicit for the Muscular Dystrophy Association in front of the Water Street Fire Station*"; Related communication from William Cox, City Solicitor with **Amendment**
ON MOTION OF COUNCILLOR MACEK TO AMEND ORDINANCE AS STATED IN LETTER FROM SOLICITOR COX DATED JULY 18, 2017

PASSED

Yeas 8, Nays 1(Bevilacqua)

PASSED AS AMENDED

Yeas 8, Nays 1(Bevilacqua)

47B

14. Resolutions And Proclamations

15. Council Committee Reports and Announcements

Councillor Sullivan presented Minutes of the Natural Resources & Public Property Committee meeting held June 15 2017. Items discussed were 1) tree problem on City property abutting Holland's Flowers at 577 S. Main St. Committee recommended letter to City Engineer and Solicitor to discontinue street;

2) proposed uses on Rep. Dempsey Boardwalk; Committee recommended letter to Mayor

3) establishment of Adult Fitness and Wellness Zone; Committee recommended letter to Mayor

4) Wood School Playground; Committee recommended letter to Mayor

ON MOTION OF COUNCILLOR SULLIVAN TO ACCEPT THE MINUTES

MINUTES ACCEPTED AND PLACED ON FILE

Yeas 9, Nays 0

23K

Councillor McGonagle presented Minutes of the Public Safety Committee meeting held on July 10 2017 to discuss the Tag Day ordinance. The Committee voted in favor of supporting the proposed amendment by the Mayor.

ON MOTION OF COUNCILLOR MCGONAGLE TO ACCEPT THE MINUTES

MINUTES ACCEPTED AND PLACED ON FILE

Yeas 9, Nays 0

23K

16. Documents Referred To Committee Study

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

Yeas 9, Nays 0

Attest: Linda Koutoulas
City Clerk

*Doc. 92 – Handout from Kim Boiselle, If Only flyer