



City of Haverhill
City Council Minutes
Tuesday, January 28, 2020
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

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

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of Prior Meeting

The minutes of the Jan. 14 City Council meeting were tabled. On motion of Councillor Bevilacqua with a second from Councillor Michitson to ask the City Solicitor to review the action taken on Doc. 21-F/2019, resubmission of order to authorize the Mayor to execute Parking License Agreement with Haverhill Stem for 2 parking spaces. Yeas 8, Nays 1(Sullivan)

4. Assignment of the minutes review for the next Meeting
Councillor Jordan was assigned the minutes

5. Communications from the Mayor

Communication from Mayor Fiorentini requesting to speak regarding an update on the organization of our Facilities Maintenance Department and also submitting related Order.

MAYOR FIORENTINI REMINDED THE COUNCIL THAT FUNDING WAS APPROVED AT BUDGET TIME TO HIRE CITY-WIDE MAINTENANCE DIRECTOR BUT SINCE THEN THE SCHOOL DEPARTMENT HAS EXPRESSED CONCERNS. HE WOULD LIKE TO HIRE MATRIX TO STUDY THE CITY’S NEEDS.

COUNCILLORS EXPRESSED THEIR FRUSTRATION WITH THE LENGTH OF TIME IT HAS TAKEN TO MOVE FORWARD WITH THE POSITION AND MAINTENANCE NEEDS WITH CITY BUILDINGS. SOME COUNCILLORS WANT THE CITY MAINTENANCE TO BE SEPARATE FROM SCHOOL MAINTENANCE DEPARTMENT.

ORDERED: That the City transfer the sum of \$12,500 from Building Maintenance Salaries to Building Maintenance Expenses in order to fund the City share of a study to review city wide building maintenance operations

PASSED Yeas 7, Nays 2(Michitson, Jordan) 21B

Communication from Mayor Fiorentini regarding Statement of Interest requesting Council approval for applying for funding from MA School Building Authority (MSBA) to replace the Tilton Elementary School boiler.

Assistant Superintendent Mike Pfifferling informed that one of the two boilers at Tilton School is not working at all and the second one is not working properly. Mr. Pfifferling stated they are applying to the MSBA Accelerated Repair Program and applications are due Feb. 14, 2020.

Councillors suggested other funding/grant opportunities to also consider such as incentives from utility companies and Green Communities program.

CITY CLERK KOUTOULAS READ THE FOLLOWING STATEMENT OF INTEREST INTO THE RECORD:

Resolved: Having convened in an open meeting on January 28, 2020, prior to the SOI submission closing date, the City Council of Haverhill, MA, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 13, 2020 for the Tilton Elementary School located at 70 Grove Street, Haverhill, MA 01832, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future, Tilton Elementary School Boiler Replacement (Priority 1); and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority.

ON MOTION OF COUNCILLOR SULLIVAN WITH SECOND FROM COUNCILLOR DALY O’BRIEN TO APPROVE THE SOI.

STATEMENT OF INTEREST PASSED Yeas 9, Nays 0 21C

Communication from Mayor Fiorentini regarding Statement of Interest requesting Council approval for applying for funding from MA School Building Authority (MSBA) to replace Haverhill High School roof.

Assistant Superintendent Mike Pfifferling informed that the Statement of Interest was written last year and the high school roof was replaced 22 years ago, not 25 as indicated on pages 6 and 7. He suggested that the number be amended to reflect 22 years.

CITY CLERK KOUTOULAS READ THE FOLLOWING STATEMENT OF INTEREST INTO THE RECORD:

Resolved: Having convened in an open meeting on January 28, 2020, prior to the SOI submission closing date, the City Council of Haverhill, MA, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 13, 2020 for the Haverhill High School located at 137 Monument Street, Haverhill, MA 01832, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future, Haverhill High School Roof Replacement (Priority 1); and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority.

ON MOTION OF COUNCILLOR BEVILACQUA WITH SECOND FROM COUNCILLOR MACEK TO AMEND THE SOI TO REFLECT 22 YEARS ON PAGES 6 & 7 OF THE GENERAL DESCRIPTION AND TO APPROVE THE SOI.

AMENDMENT PASSED	Yeas 9, Nays 0	
STATEMENT OF INTEREST PASSED AS AMENDED	Yeas 9, Nays 0	21D

6. Communications and Reports from City Officers and Employees:

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

8. Hearings and Related Orders:

Document 99 - Petition from Attorney Robert Harb requesting a Special Permit for seasonal storage in the Watershed District of road salt and other material used for the removal of snow and ice on roads at 977 Amesbury rd: Assessor's Map 439-8-3 & 3A; Filed in Council September 17 2019; *Comments are included from City Departments*

HEARING OPENED

ATTORNEY ROBERT HARB REPRESENTED THE APPLICANT BOSTON HILL FENCE LLC. HIS ORIGINAL APPLICATION DATED AUGUST 15 2019 ASKED FOR A WAIVER. SINCE THEN THE CITY AMENDED THE ZONING ORDINANCE RELATING TO WATERSHED PROTECTION. THE ORDINANCE PROHITS UNCOVERED SALT AND WAS CHANGED TO COVERED SALT. THE SHED WILL BE ON A BITUMINOUS CONCRETE SLAB SURROUNDED BY BERM. HE HAS BEEN WORKING WITH THE WATER DEPARTMENT. THIS DOES NOT IMPACT THE WATER SHED – NO WETLANDS. THE APPLICANT MEETS ALL STATE REQUIREMENTS FOR ALLOWED SALT AND SALT MATERIALS. THIS IS FOR SEASONAL ROAD SALT STORAGE. A SITE PLAN REVIEW IS REQUIRED. ATTORNEY HARB PROVIDED A PHOTO OF THE LOCATION OF THE SHED.* NO ONE SPOKE IN FAVOR OR AGAINST THE APPLICATION.

HEARING CLOSED.

ON MOTION OF COUNCILLOR MACEK TO APPROVE THE APPLICATION WITH SECOND FROM COUNCILLOR DALY O'BRIEN.

PASSED	Yeas 9, Nays 0	99/2019
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9. Public Participation- Requests under Council Rule 28

10. Appointments:

Confirming Appointments:

Ismael Matias, 235 Farrwood dr to the Haverhill Planning Board; appointment effective immediately and to expire January 31 2021

CONFIRMED	Yeas 9, Nays 0	1C
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Non-Confirming Appointments

Susan Schumacher, 19 Jeffrey Lane, to Council on Aging; appointment effective immediately and to expire December 31 2020

PLACED ON FILE	Yeas 9, Nays 0	2B
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Resignations

Alison Colby-Campbell – Planning Board, effective immediately

PLACED ON FILE	Yeas 9, Nays 0	3B
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11. Petitions:

Applications Handicap Parking Sign

Donald Lawler Jr. for 135 South Elm st – *renewal*

RENEWAL GRANTED	Yeas 9, Nays 0	14D
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Amusement/Event Applications:

Tag Days:

Korean War Veterans, May 28, 29, 30

GRANTED	Yeas 9, Nays 0	14N
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HHS Soccer Team, September 18, 19, 20		
GRANTED	Yeas 9, Nays 0	14O
DAV Chapter 20, October 1, 2, 3		
GRANTED	Yeas 9, Nays 0	14P

Annual License Renewals:

Coin-Op License Renewals for Weekly/Sunday 2020		
The following were all GRANTED	Yeas 9, Nays 0	
Papa Gino's 782 River st 2 Coin-ops & 2 Sunday		22
GLS Associates-Rink 7 Parkridge rd 12 Coin-ops & 12 Sunday		22B
Academy Lanes 725 South Main st 12 Coin-ops & 12 Sunday		22C
Market Basket 2 Water st 2 Coin-ops & 2 Sunday		22D
Cedardale Amazement 888 Boston rd 20 Coin-ops & 20 Sunday		22E
Market Basket 400 Lowell av 2 Coin-ops & 2 Sunday		22F
Skateland 19 Railroad av 11 Coin-ops & 11 Sunday		22G
<i>All have police approval</i>		

Taxi Driver Licenses for 2020

Alexander Holmes, 25A High st renewal; Has police approval		
GRANTED	Yeas 9, Nays 0	23
Limousine/Livery License/Chair Cars		
Naser Zorrok, 7 Mackenzie Way, 1 Livery		
GRANTED	Yeas 9, Nays 0	24
John Jalbert, 102 Hale st ,7 Limousines		
GRANTED	Yeas 9, Nays 0	24B
Victor Gonzalez, 143 Essex st, 3 Livery		
GRANTED	Yeas 9, Nays 0	24C
<i>All have Police approval</i>		

12. Motions and Orders:

ORDERED: That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bills of the previous years and to further authorize the payment from current year departmental appropriations as listed below;

	<u>Vendor</u>	<u>Amount</u>	<u>Account</u>	
	Educational Testing Service	\$ 55.00	School Dept	
	Bale Company	394.00	School Dept	
	Stericycle	8,090.00	Wastewater	
	Mainstar Inc	6,147.00	Highway	
	Comei Electric Inc	1,986.00	Fire Dept	
PASSED		Yeas 9, Nays 0		25

ORDERED: That the City transfer \$35,000 from the Capital Budget to the General Fund Account:
Street Light Expenses

PASSED	Yeas 9, Nays 0	18B
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13. Ordinances (File 10 days)

Bond

ORDERED: That the Order of this City Council identified as Document 54-F passed on October 15, 2019 providing for the borrowing of \$400,000 to pay costs of roof repairs at the Haverhill High School Pool Building is hereby amended in its entirety to read as follows in order to increase the amount of the authorized borrowing by \$170,000:

ORDERED: That the City appropriates Five Hundred Seventy Thousand Dollars (\$570,000) to pay costs of roof repairs at the Haverhill High School Pool Building, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount pursuant to M.G.L. c.44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; (see document for complete text) *

PLACED ON FILE for at least 10 days	Yeas 9, Nays 0	26
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14. Monthly Report

15. Resolutions and Proclamations

16. Communications from Councillors:

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding the use of solar car ports at City owned lots to reduce City's energy consumption costs.

COUNCILLOR BEVILACQUA STATED THIS COULD BE AN ALTERNATIVE TO PUTTING SOLAR PANELS ON THE HIGH SCHOOL ROOF. THE USE OF A CANOPY PROVIDES FOR LIGHTING AND COLLECTS SOLAR POWER FOR USE IN THE BUILDING.

ON MOTION OF COUNCILLOR BEVILACQUA TO SEND LETTER TO MAYOR, ORLANDO PACHECO, AND SCHOOL DEPARTMENT TO LOOK AT THE USE OF SOLAR CAR PORTS

Yeas 9, Nays 0 11I

Communication was received from Councillor William Macek requesting to introduce Fred Simmons from Haverhill's Post 4 American Legion to request permission to display 2 pieces of military equipment on the property.

MR. FRED SIMMONS INFORMED THAT THE LEGION IS REQUESTING THE CITY COUNCIL TO APPROVE THE PLACEMENT OF A REFURBISHED TANK AND HELICOPTER ON THE GRASS NEAR THE PARKING LOT. THIS WOULD PROVIDE AN ATTRACTION TO THE GENERAL PUBLIC.

ON MOTION OF COUNCILLOR MACEK TO APPROVE THE REQUEST Yeas 9, Nays 0 11J

Communication was received from Councillors Sullivan and McGonagle requesting new crosswalk signs in front of Benedetti's Deli and Riley's Convenience Store located in the area of 350 Washington st MS. JOYCE THIBODEAU, COMMISSION ON DISABILITIES, QUESTIONED IF THE CROSSWALK WAS ADA COMPLIANT BECAUSE IT WAS RE-PAINTED AFTER IT WAS REMOVED.

ON MOTION OF COUNCILLOR SULLIVAN TO REFER TO TRAFFIC & SAFETY COMMITTEE FOR SIGNAGE, REVIEW OF CROSSWALK SAFETY AND ADA COMPLIANCE REFERRED TO TRAFFIC & SAFETY COMMITTEE

Yeas 9, Nays 0 11K

Communication was received from Councillor Michael McGonagle requesting to submit recommendations of the Traffic & Safety Committee held on January 22 2020 COUNCILLOR MCGONAGLE READ THE JANUARY 22 MINUTES OF THE TRAFFIC & SAFETY COMMITTEE INTO THE RECORD. JOYCE THIBODEAU AND LYNNE KEOGH SPOKE ABOUT KLONDIKE AVENUE

ON MOTION OF COUNCILLOR MCGONAGLE TO ACCEPT MINUTES AS PRESENTED WITH APPROPRIATE ACTION TAKEN ON ITEMS

Yeas 9, Nays 0 11L

Communication was received from Councillor Colin LePage requesting a discussion regarding Document 2-C/2018; parking in the Central District Business District parking fees, rates and terms.

This item was taken out of order with Document 2-C/2018

Councillors Barrett, Bevilacqua and McGonagle recused themselves and left the Chambers

Councillor Sullivan announced that he has given up his parking pass and goes to Topsfield the majority of his time and is away from the downtown.

Councillor LePage informed that in the past there were problems with conflicts due to ethics constraints and that 5 votes were needed to pass ordinances. Since they were at an impasse, they haven't been able to do anything. Mayor Fiorentini also mentioned the conflicts of interest and the issue was stymied. He would consider selling parking passes to any Councillors and then the council could invoke the Rule of Necessity.

PLACED ON FILE 11M

Communication was received from Councillor Colin LePage requesting a discussion regarding the Central Business District Parking Program, including the financial solvency of the program, the existing and future parking space capacity and boundaries of the district, and the disparate regulations regarding Merrimack Street and Washington Street.

Councillors Barrett, Bevilacqua and McGonagle remained out of the Chambers

Councillor LePage expressed his frustration with the inability of the Council/Mayor to move forward with the downtown parking plan due to the conflicts of interest and inaction of the Central Business District Parking Commission. He asked the Mayor to schedule a commission meeting to start the process of doing a comprehensive review of the downtown parking plan.

COUNCILLOR LEPAGE TABLED THE ITEM FOR DISCUSSION BEFORE THE UPCOMING BUDGET 11N

Councillors Barrett, Bevilacqua and McGonagle returned to Chambers

Communication was received from Councillor John Michitson requesting to introduce Jeff Grassie to request that City Council approve sponsor banners above Farmers Market for 2020.

MR. JEFF GRASSIE INFORMED THAT THIS IS THE 12TH YEAR OF THE FARMERS MARKET AND LAST YEAR THEY BEGAN ASKING FOR SPONSORS. COUNCILLOR JORDAN DISCLOSED THAT HE HAS A BANNER BUT THAT IT WON'T BE HUNG ON THE GOECKE DECK.

BANNERS APPROVED Yeas 9, Nays 0 11O

17. Unfinished Business of Preceding Meeting:

Document 2-C/2018

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 240-108, Article XVI. Parking Fees, Rates, and Terms is hereby amended as follows:

By deleting Footnote ** on the CENTRAL BUSINESS DISTRICT PARKING FEES, RATES AND

TERMS chart in its entirety, and by inserting in place thereof the following:

“** Permit parking available to residents and employees of the Central Business District (District). Those persons who regularly conduct business in the District, but are not a resident or employed within the District or a regular MBTA/Amtrak train or bus commuters, may apply to the Central Business Parking Commission for authorization to obtain a parking permit.

Councillors Barrett, Bevilacqua and McGonagle recused themselves and left the Chambers

ON MOTION OF COUNCILLOR LEPAGE TO AMEND THE DOCUMENT TO REFLECT LIMIT PARKING PASSES TO 5

AMENDMENT PASSED

Yeas 6, Nay 0, Abstain 3

PASSED AS AMENDED

Yeas 6, Nays 0, Abstain 3 2-C/2018

Councillor Barrett, Bevilacqua and McGonagle returned to Chambers

Document 8

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Traffic and Vehicles

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 adding the following to Section 240-85 Schedule B: Parking Restrictions and Prohibitions:

Location	Regulations	Hours/Days
3 spaces on the Northerly side off street parking areas in front of Goecke Deck	Veteran’s Clinic patrons only	Veteran’s Clinic Business Hours

Councillors Barrett and McGonagle recused themselves and left the Chambers

Councillor Macek informed that the Mayor had expressed to him his concerns about the parking ordinance as it relates to the downtown parking map and the authority of the Central Business District Parking Commission.

ON MOTION OF COUNCILLOR MACEK TO TABLE TO FEB. 4 COUNCIL MEETING TO

REVIEW DOCUMENTATION

Yeas 5, Nays 2 (Bevilacqua, Sullivan), Abstain 2

TABLED TO FEB 4 2020

8

Councillor Barrett returned to Chambers

Document 9

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Parking

459 Washington St. – Establish Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, Section 240-1302 Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by Establishing the following:

Location	Regulation	Hours/Days
459 Washington Street In front of No. 459 Washington Street Except for one 24 Hour Handicap parking space	No Parking	24 Hours

PASSED

Yeas 8, Nays 0, Absent 1

9

Document 9-B

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Parking

59 Hancock St. – Establish Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, Section 240-1302 Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by Establishing the following:

Location	Regulation	Hours/Days
59 Hancock Street In front of No. 59 Hancock Street Except for one 24 Hour Handicap parking space	No Parking	24 Hours

PASSED

Yeas 8, Nays 0, Absent 1

9B

Document 9-C

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Parking

461 Washington St. – Establish Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, Section 240-1302 Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further

amended by Establishing the following:

Location	Regulation	Hours/Days	
461 Washington Street In front of No. 461 Washington Street Except for one 24 Hour Handicap parking space PASSED	No Parking	24 Hours	Yeas 8, Nays 0, Absent 1 9C

Document 9-D
MUNICIPAL ORDINANCE CHAPTER 240
An Ordinance Relating to Parking
24 Essex St. – Establish Handicapped Parking

Be it Ordained by the City Council of the City of Haverhill that Article XIII, Section 240-1302
Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further
amended by Establishing the following:

Location	Regulation	Hours/Days	
24 Essex Street In front of No. 24 Essex Street Except for one 24 Hour Handicap parking space PASSED	No Parking	24 Hours	Yeas 8, Nays 0, Absent 1 9D

18. Council Committee Reports and Announcements:
DOCUMENTS REFERRED TO COMMITTEE STUDY

Meeting adjourned 9:10 o'clock P.M. Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas
City Clerk

- *Doc. 99/2019 – Handout from Attorney Robert Harb – Photo of location of salt shed
- *Doc. 26 – Handout from Assistant Supt. Mike Pfifferling – Pool Roof Project