



City of Haverhill
City Council Minutes
Tuesday, September 17, 2019
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.

Councillor Jordan participated remotely due to geographic distance.

City Clerk – Linda L. Koutoulas

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Amended Draft Minutes of August 20th Meeting – The amended minutes were approved
Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor Barrett was assigned the minutes

On motion of Councillor Sullivan is suspend the rules to introduce David Arnett, President of NorthPoint Bible College

RULES SUSPENDED

Yeas 8, Nays 1 (Bevilacqua)

Andrew Herlihy, CDBG Director, introduced Dr. David Arnett, President of NorthPoint Bible College, to speak about the future of Denworth Hall building. Dr. Arnett informed that he wanted to clarify the misinformation that was circulating about Denworth Hall. The Hall has been empty for over 20 years and has severe black mold in the basement. It would cost \$1M to demolish building. They do not have any plans or funds at this point to do anything with the building. It will remain as is. They have spent millions of dollars on campus improvements.

5. Communications from the Mayor

Communication from Mayor Fiorentini submitting the following Memorandum of Agreement (MOA) and Salary Ordinance between City of Haverhill and Highway/Park Group – Laborers – Local 175

PLACED ON FILE

Yeas 9, Nays 0

20L

Memorandum of Agreement between the City of Haverhill and
 Highway/Park Group – Laborers – Local #175
 (see document for complete text)

PLACED ON FILE for at least 10 days

Yeas 9, Nays 0

52F

MUNICIPAL ORDINANCE

CHAPTER

An Ordinance Relating to Salaries

Highway/Park Group

Be it Ordained by the Council of the City of Haverhill that Document 28-M of 2016 is hereby deleted in its entirety and the following inserted in its place thereof: (see document for complete text)

PLACED ON FILE for at least 10 days

Yeas 9, Nays 0

1G

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

Hearing was opened on Document 84 - Petition from City of Haverhill requesting Street Alteration – to take a portion of Bellevue av and add it to Hillside av with a Conditional favorable recommendation from Planning Board and Director. City Engineer John Pettis represented the city. He informed that there is an existing retaining wall (20 feet) down the middle of a portion of Bellevue Avenue that causes confusion. This matter was reviewed by the Planning Board and no one objected to it. There are 3 homes in this section and the address would change to Hillside Avenue. Ms. Antoinette Metheny, 21 Bellevue Ave. strongly opposed the name change stating it would cause hardship for her and that no one parks along the wall. Mr. Pettis commented that there is on-going parking along the wall.

HEARING CLOSED

84

ORDERED: It appearing that the common convenience and necessity require it, it is hereby that the following public streets herein described be altered: Bellevue Avenue and Hillside Street
 (see document for complete text)

On motion for passage, the yeas and nays were as follows:

Yeas – Councillors Bevilacqua, Barrett and McGonagle

- 3

Nays – Councillors Sullivan, LePage, Jordan, Macek, Daly O’Brien and President Michitson

- 6

NOT PASSED

84B

Document 91 – Petition from Attorney Paul Magliocchetti representing Ernest Cioto as trustee of Cioto Realty Trust for property at 38 Railroad st – submitting a proposal for Waterfront District Zoning (Subzone F) Mayor Site Plan Review to build 60 residential condos in 3 separate buildings built in phases; Comments received from various City Departments are included

HEARING OPENED

Attorney Magliocchetti represented Ernest Cioto and introduced the team, John Sava, Architect, Chris Crump from CWB Design and Brian Murphy, Millennium Engineering. Attorney Magliocchetti explained that this project was filed under the Waterfront Zoning Ordinance and fits into the category By Right Site Plan. There is a density bonus and that 40 units can be built per acre. Chris Crump gave a PowerPoint presentation. This project is called Riverview Condominiums. There will be 3 buildings built in phases, 1 per year. One and two bedrooms only. The buildings will be 55 feet high. There have been talks with the City Solicitor regarding the rail trail. 100% off street parking with grade level and underneath parking. John Sava reviewed the design. The units will be tiered and connected by decks. All units will be sold at full market rate. The center of each building will have a glass atrium front to back. There will be 2 entrances to the property. Each building will have 10 one bedrooms and 10 two bedrooms. They plan on having docks for residents and for public use.

Attorney Magliocchetti informed that they are working cross easements with the City Solicitor. This is not a special permit.

No one from the audience spoke in favor. Those opposed were William Gould Jr, Sandra Odea, Dana Fields, Leslie Gould, Lisa Corr, Linda Fields and George Frascone. Their objections were height of buildings, excessive traffic and infrastructure can't handle associated motor vehicles, loss of privacy, headlights shining into home abutting project, size of project too big for location.

Attorney Magliocchetti answered questions from abutters about traffic study, marina, screening/buffering, parking.

William Pillsbury, Economic & Development Planning Director, informed that the development of a mini-master plan was done by Harriman Associates and a sub-zone was put in place to redevelop properties. The intent is to bring the rail trail to river's edge all the way down to Groveland. The city owns the railbed and will pursue state grants for new roadways and that portion of rail trail will be constructed by this project.

HEARING CLOSED

ON MOTION OF COUNCILLOR BARRETT TO MOVE THE PERMIT WITH SECOND FROM COUNCILLOR DALY O'BRIEN WITH CONDITIONS THAT BUFFER ZONE WITH PRIVACY FENCE BE INSTALLED ON MR. FRASCONE'S SIDE OF PROPERTY, SNOW REMOVAL BE TRUCKED OFF SITE, HAVERHILL HIGH SCHOOL CREW TEAM BE ALLOWED ACCESS TO DOCKS, MITIGATION FOR 1 SO. CHARLES ST REGARDING HEADLIGHTS.

COUNCILLORS EXPRESSED CONCERNS ABOUT SIZE AND HEIGHT OF PROJECT, IMPACT TO NEIGHBORHOOD, SIZE OF ACREAGE FOR THIS PROJECT AND INABILITY OF INFRA-STRUCTURE TO HANDLE PROJECT. DEVELOPER NEEDS TO WORK WITH NEIGHBORS AND ADDRESS THEIR CONCERNS. TOO MANY CONCERNS WITH NEIGHBORS TO VOTE ON PROJECT THIS EVENING.

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR DALY O'BRIEN TO POSTPONE TO DATE TO BE DETERMINED TO ALLOW DEVELOPER TO MEET WITH NEIGHBORHOOD AND INFORM CITY COUNCIL WHEN MEETING IS PLANNED. ALSO, TO NOTIFY ABUTTERS WHEN THIS MATTER IS SCHEDULED FOR COUNCIL VOTE

Yeas 9, Nays 0

91

9. Public Participation- Requests under Council Rule 28

10. Appointments:

Confirming Appointments:

Raquel Quezada, 265 Crystal st, to the Commission on Disability; appointment to expire September 17 2020, effective immediately.

MS. QUEZADA INTRODUCED HERSELF AND THANKED COUNCIL FOR APPOINTMENT CONFIRMED

Yeas 9, Nays 0

31

Non-Confirming Appointments:

Councillor Daly O'Brien left the chambers

Councillor Jordan's connection dropped

11. Petitions:

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

COUNCIL HEARING OCT 8 2019

Yeas 7, Nays 0, Absent 2

99

Petition from Wade Dempsey requesting to extend his currently active Hawker/Peddler license at Bradford Common (Double D's Hotdogs) from October 31st through December 31st weather permitting GRANTED

Yeas 6, Nays 0, Abstain 1 (Barrett), Absent 2

56CC

Applications Handicap Parking Sign

William Barrett for 11 Munroe st - new

REFERRED TO PLANNING

Yeas 7, Nays 0, Absent 2

16X

Annual License Renewals

Hawker Peddlers License 2019 - Seasonal renewal

Charles Hibbert to sell Christmas trees, wreaths, kissing balls, baskets and decorations at 297 Lincoln av; November 28th to December 24th; Saturday to Sunday; 9 am to 9 pm (this item was discussed earlier)

GRANTED

Yeas 9, Nays 0

56G

Taxi Driver Licenses for 2019:

Ann Marie Lindberg, 27 Observatory av new

GRANTED Yeas 7, Nays 0, Absent 2 27V

Buy & Sell Second Hand Articles:
Krispy Clean Kicks, Marcus Bunch, 108 River st, *new*
GRANTED

Yeas 7, Nays 0, Absent 2 61H

12. Motions and Orders:

13. Ordinances (File 10 days)

MUNICIPAL ORDINANCE CHAPTER
An Ordinance Relating to Salaries Water Group

Be it ordained by the City Council of the City of Haverhill that Document 1-D of 2019 is hereby deleted in its entirety and the following inserted in place thereof – CORRECTED (see document for complete text)
PLACED ON FILE for at least 10 days

Yeas 7, Nays 0, Absent 2 1H

14. Monthly Report

Abatement report for month of August from City Assessor, Christine Webb
PLACED ON FILE

Yeas 7, Nays 0, Absent 2 19I

15. Resolutions and Proclamations

16. Communications from Councillors:

Communication was received from Councillor LePage requesting a discussion applying for a Community Compact Best Practices Program grant for the benefit of the City and its residents
COUNCILLOR LEPAGE GAVE A POWERPOINT PRESENTATION OF MASS. GOV'T BEST PRACTICES. ALLISON HEARTQUIST, CHIEF OF STAFF, REVIEWED A LIST OF PROJECTS/PROGRAMS THAT THE CITY IS/HAS BEEN INVOLVED WITH RELATED TO BEST PRACTICES

REFERRED TO CITIZEN OUTREACH AND ADMINISTRATION & FINANCE COMMITTEES AND LETTER TO MAYOR

Yeas 7, Nays 0, Absent 2 89U

Communication was received from Councillor McGonagle requesting a discussion about school bus safety

COUNCILLOR MCGONAGLE SUGGESTED THE USE OF CAMERAS ON BUSES
ON MOTION OF COUNCILLOR MCGONAGLE TO REFER TO PUBLIC SAFETY COMMITTEE
REFERRED TO PUBLIC SAFETY COMMITTEE

Yeas 7, Nays 0, Absent 2 89V

Communication was received from Councillor Macek requesting to introduce Mike Veves so that he may discuss traffic and safety issues along with road and environmental concerns in the River st and Cliffe av area

MR. VEVES INFORMED THAT CARS SPEED ON UPPER RIVER ST, DRIVING EAST, AND PASS IN THE BREAKDOWN LANE; THERE IS A SWALE ON RIVER ST/CLIFFE AVE AREA; SINKHOLE DEVELOPING IN AREA & ROAD NEEDS REPAVING; VEGETATION NEEDS TO BE CUT BACK*
ON MOTION OF COUNCILLOR MACEK TO REFER TO TRAFFIC & SAFETY COMMITTEE
REFERRED TO TRAFFIC & SAFETY COMMITTEE

Yeas 7, Nays 0, Absent 2 89W

Communication was received from President Michitson and Councillor Barrett requesting a discussion on incorrectly set manholes on Salem st

COUNCILLOR BARRETT INFORMED THAT THERE ARE 3 MANHOLES NEAR ENTRANCE TO ORCHARD HILL RD THAT ARE INCORRECTLY SET WHICH CAUSES JARRING TO CARS
ON MOTION OF COUNCILLOR BARRETT TO SEND LETTER TO DPW & MAYOR TO FIX MANHOLES

Yeas 7, Nays 0, Absent 2 89X

Communication was received from Councillors Macek and Bevilacqua requesting a discussion regarding City Ordinances 240-25 and 240-85 Parking locations and prohibitions

MS. LISA CORR ASKED ABOUT THE ORDINANCE THAT STATES THERE IS A TIME LIMIT FOR PARKING ON A DOWNTOWN STREET TWICE IN THE SAME DAY
ON MOTION OF COUNCILLOR MACEK TO SEND LETTER TO MAYOR TO REVIEW THE DOWNTOWN PARKING AND SUGGEST APPOINTING LISA CORR TO THE DOWNTOWN PARKING COMMISSION

Yeas 7, Nays 0, Absent 2 89Y

Communication was received from Councillors Sullivan and Macek requesting a discussion regarding Traffic and Stop Signs at the intersection of Klondike and Grandview and to introduce Joyce Thibodeau for firsthand information

MS. JOYCE THIBODEAU INFORMED THAT THERE IS AN INFLUX OF CARS PARKING ON THE CURVE OF KLONDIKE AND GRANDVIEW AVE CREATING A SERIOUS PUBLIC SAFETY ISSUE*
ON MOTION OF COUNCILLOR MACEK TO REFER TO TRAFFIC & SAFETY COMMITTEE TO INQUIRE ABOUT 4 WAY STOP SIGN AND NO PARKING ON EITHER SIDE BEYOND CHURCHILL APARTMENTS DRIVEWAY. ALSO, TO SEND TO LETTER TO MAYOR TO FIND OUT STATUS OF REPAVING FLETCHER AVE

Yeas 7, Nays 0, Absent 2 89Z

Communication was received from Councillor Sullivan requesting the City Council ask the State Legislative delegation to file legislation banning marijuana advertising from billboards

COUNCILLOR SULLIVAN QUESTIONED WHY THE STATE BANS ADVERTISING FOR SMOKING BUT ALLOWS ADVERTISING FOR MARIJUANA
ON MOTION OF COUNCILLOR SULLIVAN TO SEND LETTER TO DELEGATION TO FILE LEGISLATION BANNING MARIJUANA ADVERTISING ON BILLBOARDS

Yeas 7, Nays 0, Absent 2 100

17. Unfinished Business of Preceding Meeting

18. Council Committee Reports and Announcements

Councillor McGonagle announced that the Public Safety Committee meeting to discuss group homes had been cancelled.

19. Documents Referred to Committee Study

Meeting adjourned 10:37 o'clock P.M.

Yeas 7, Nays 0, Absent 2

Attest: Linda Koutoulas
City Clerk

*Doc. 89-W – Handout from Mike Veves – photos

*Doc. 89-O – Handout from Joyce Thibodeau – google map and ordinances