



**CITY OF HAVERHILL
CITY COUNCIL AGENDA**

Tuesday, December 17, 2019 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St, Room 202

1. **OPENING PRAYER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES OF PRIOR MEETING**
4. **ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING**
5. **COMMUNICATIONS FROM THE MAYOR**
6. **COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:**
7. **UTILITY HEARING(S) AND RELATED ORDER(S)**
8. **HEARINGS AND RELATED ORDERS:**
9. **PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28**
10. **APPOINTMENTS:**
 - 10.1. **Confirming Appointments**
 - 10.2. **Non-Confirming Appointments**
 - 10.3. **Resignations:**
11. **PETITIONS:**
 - 11.1. **Applications Handicap Parking Sign**
 - 11.1.1. Giselle Melendez for 459 Washington st – new *Refer to Planning*
 - 11.1.2. John Dalton for 59 Hancock st – new *Refer to Planning*
 - 11.2. **Amusement/Event Applications:**
 - 11.3. **Tag Days:**
 - 11.4. **One Day Liquor License:**
 - 11.5. **Annual License Renewals:**
 - 11.5.1. **Hawker Peddlers License 2019 - Seasonal - Fixed locations; renewals**
 - 11.5.2. **Coin-Op License Renewals 2019**
 - 11.5.3. **Sunday Coin-Op License Renewals 2019**
 - 11.5.4. **Drainlayer License for 2019**
 - 11.5.5. **Taxi Driver Licenses for 2019**
 - 11.5.6. **Taxi License:**
 - 11.5.7. **Junk Dealer License**
 - 11.5.8. **Pool Tables**
 - 11.5.9. **Sunday Pool**
 - 11.5.10. **Bowling**
 - 11.5.11. **Sunday Bowling**
 - 11.5.12. **Buy & Sell Second Hand Articles**
 - 11.5.13. **Buy & Sell Second Hand Clothing**
 - 11.5.14. **Pawnbroker license**
 - 11.5.15. **Fortune Teller**
 - 11.5.16. **Buy & Sell Old Gold**
 - 11.5.17. **Roller Skating Rink**
 - 11.5.18. **Sunday Skating**
 - 11.5.19. **Exterior Vending Machines**
 - 11.5.20. **Limousine/Livery License/Chair Cars**
12. **MOTIONS AND ORDERS:**



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13. ORDINANCES (FILE 10 DAYS)

- 13.1. Ordinance re: Zoning: Amend City Code Chapter 255, Article V by adding: "18.1 Sober Homes" **File 10 days**

14. MONTHLY REPORT

15. RESOLUTIONS AND PROCLAMATIONS

16. COMMUNICATIONS FROM COUNCILLORS:

- 16.1. Communication from Councillor Melinda Barrett requesting to discuss the increased traffic backups on South Main st
- 16.2. Communication from Councillors Barrett, Sullivan, and Bevilacqua requesting to introduce Ralph Basiliere, Chair of the *Vietnam Veterans Memorial Commission* to give an update on the Commission efforts
- 16.3. Communication from Councillors William J Macek and Joseph Bevilacqua requesting to introduce Ted Xenakis, President of the *Haverhill High School Class of 1969* to present a donation from the class to Ralph Basiliere, Chairman of Haverhill's new *Vietnam Veterans Memorial* at *Mill Brook Park*
- 16.4. Communication from Councillor Joseph Bevilacqua requesting a proposal to reduce the Council President's Annual Compensation to the same amount as all Councillors

17. UNFINISHED BUSINESS OF PRECEDING MEETING:

- 17.1. Document 106-C: Ordinance re: Parking – 200 Wilson st; Establish Handicap Parking *Filed December 4th*

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

18.1. DOCUMENTS REFERRED TO COMMITTEE STUDY

18.2. ADJOURN

CITY OF HAVERHILL
APPLICATION FOR HANDICAP PARKING SIGN

11.1.1

*NEW _____
*RENEWAL _____

DATE OF REQUEST 12/6/19 DATE OF APPROVAL 12-10-19

NAME: Eiselle Melendez

ADDRESS: 459 Washington St

TELEPHONE #: (978) 635-2260 (978) 635-2260

VEHICLE TYPE: Nissan Rogue

PLATE #: TWZ 819

Do you currently have off street parking at your residence? ___ Yes No

If yes, why is there a need for a handicap parking sign? _____

Did you have a handicap parking sign at a previous address? ___ Yes No

If yes, location? _____

x. *Eiselle Melendez*
Applicant Signature

• Please include a copy of your current handicap placard or handicap registration, along with this application.

Approve _____ Denied

_____ Reason for denial

Ala RDA
Chief of Police Signature

Approve _____ Denied

_____ Reason for denial

City Council Approval

Please allow for a minimum of thirty (30) days for sign placement upon approval of City Council.

***ORDINANCE WILL EXPIRE 24 MONTHS FROM DATE OF APPROVAL.**

MAIL OR DELIVER COMPLETED APPLICATION TO CHIEF OF POLICE, 40 BAILEY BLVD.

To: Chief DeNaro

From: Officer Pearl

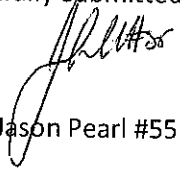
Date: December 10, 2019

RE: Handicap Parking sign application

Sir,

I have spoken with Giselle Melendez of 459 Washington St. in regards to her application for a handicap parking sign. I also inspected the location. Ms. Melendez suffers from MS. At this time it appears that she meets all the requirements for a handicap sign and I would recommend that a sign be placed at the location.

Respectfully Submitted,


Officer Jason Pearl #55

11.1.2

**CITY OF HAVERHILL
APPLICATION FOR HANDICAP PARKING SIGN**

*NEW
*RENEWAL

DATE OF REQUEST 11-18-19 DATE OF APPROVAL 12-9-19

NAME: John DALTON

ADDRESS: 59 Hancock St

TELEPHONE #: 978-994-2136

VEHICLE TYPE: SUV M.t.

PLATE #: FF

Do you currently have off street parking at your residence? Yes No
If yes, why is there a need for a handicap parking sign? _____

Did you have a handicap parking sign at a previous address? Yes No
If yes, location? _____

x John Dalton
Applicant Signature

• Please include a copy of your current handicap placard or handicap registration, along with this application.

Approve Denied

Reason for denial

Alan R. P. [Signature]
Chief of Police Signature

Approve Denied

Reason for denial

City Council Approval

Please allow for a minimum of thirty (30) days for sign placement upon approval of City Council.

*ORDINANCE WILL EXPIRE 24 MONTHS FROM DATE OF APPROVAL.

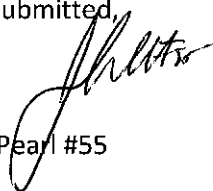
MAIL OR DELIVER COMPLETED APPLICATION TO CHIEF OF POLICE, 40 BAILEY BLVD.

To: Chief DeNaro
From: Officer Pearl
Date: December 9, 2019
RE: Handicap Parking sign application

Sir,

I have spoken with John Dalton of 59 Hancock St. in regards to his application for a handicap parking sign. I also inspected the location. Although there are several handicap signs at the lower end of Hancock there is no handicap signs close enough to Mr. Dalton's residence. Mr. Dalton suffered a back injury at a young age and currently has no access to off street parking. Walking long distances is near impossible for Mr. Dalton. At this time it appears that he meets all the requirements for a handicap sign and I would recommend that a sign be placed at the location.

Respectfully Submitted,


Officer Jason Pearl #55

127B

advertisement
for
Feb 11, 2020

File 10 days

1311



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED

MUNICIPAL ORDINANCE

CHAPTER 255

AN ORDINANCE RELATING TO ZONING

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 255, Article V, Use Regulations, as amended, be and is hereby further amended by adding the following:

“18.1 Sober Homes

A. Purpose

The purpose of this ordinance is to address issues relating to sober houses in Haverhill. Structured sober houses provide housing for individuals in recovery from addiction to drugs and/or alcohol, including people who may have co-occurring mental health issues, as they transition from the treatment setting to life in the community. This housing assists individuals to return to the community through support in an alcohol- and drug-free, home- like environment.

This ordinance is intended to protect the residents of sober houses from operators who engage in abuse, neglect, mistreatment, fraud, and/or inadequate supervision of this vulnerable population as well as to protect the residents of structured sober living homes and the neighboring community from operators who fail to provide a supportive, residential family-like living environment necessary for the residents to achieve and maintain sobriety, in a manner consistent with the reasonable expectations of residents living where sober houses are located in regard to their quality of life.

FOR HEARING FEBRUARY 11 2020

B. Definitions

As used herein, the following terms shall have the following meanings.

Operator	A company, business or individual who provides services to or for a sober house, including the placement of individuals in a residence, setting house rules, and/or governing the behavior of occupants while residents of the home. An operator does not include a property owner or property manager that exclusively handles real estate contracting, property management, and leasing of the property and who does not receive compensation for services under the first sentence, above.
Parking Plan	A plan that provides for adequate off-street parking to insure that residents of the sober house and abutting residents can safely and conveniently park their vehicle(s).
Reasonable Accommodation	A change, adaptation or modification of Haverhill Zoning regulations to allow a person seeking to take advantage of sober housing to reasonably do so in the city of Haverhill.
Sober House	A dwelling unit occupied by more than four (4) persons, all of whom are in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988, that provides a non-institutional residential environment in which the residents willingly subject themselves to written rules and conditions, including prohibition of alcohol and drug use (except for prescription medications obtained and used under medical supervision), intended to encourage and sustain their recovery.

C. Regulation and Oversight

1. Registration Required

No sober house may operate within the city without first obtaining a registration as provided in this chapter. No person shall open or operate a sober house or working for a sober house in the city until the information required in this section has been provided to the City Clerk. The Operator of any sober house in the city shall be responsible for updating all required information on a monthly basis, as necessary. Application for this registration within 60 days of the effective date of this ordinance by any current operator, and within 30 days of the date of application for an occupancy permit for all new operators.

2. Registration Application

Every applicant for a registration to operate a sober house shall provide the following information and documentation:

- a. The name and full street address of the structured sober living home;
- b. The name, full street address, mobile and land phone numbers, email address, and driver's license or government issued identification number of the property owner and the Operator;
- c. After a house manager is hired, each house manager's name, full home living street address, mobile and land phone numbers, email address, and driver's license or government issued identification number;
- d. If the operation of the sober house involves a lease, a copy of the lease then currently in effect;
- e. The operation plan for the sober house, including supervisory roles and responsibilities, all plans that facilitate the rehabilitative process and those that address the maintenance and control of the property including parking, noise abatement and the like, all consistent with local ordinances;
- f. The tenant rules and regulations, written intake procedures and relapse policy, and discharge plan;
- g. An affirmation by the Operator that only residents (other than the house manager(s)) who have the disability of addiction to drugs and/or alcohol as defined by state and federal law are eligible to reside at the sober house and the home will not admit persons who pose a direct threat to the health or safety of others such as persons on the sex offender registry or prison pre-parolee;
- h. A blank copy of every form that residents and potential residents are required to complete; and
- i. A voluntary fire safety inspection of the property shall be offered as part of the registration process by the Haverhill Fire Department.
- j. A signed and dated safety certification that the following safety devices are installed and fully functional as well as a schedule for self-inspecting each device:
 - i. Functioning smoke detectors in the sleeping rooms and common areas
 - ii. Functioning carbon monoxide detectors
 - iii. Functioning fire extinguishers in plain sight and/ or clearly marked location
 - iv. Interior and exterior of the property is in a functional, safe and clean condition and free of fire hazards.
- k. Contact information shall be provided on an annual basis and updated within 30 days of any change.

3. Registration Issuance

Upon receipt of the foregoing information, the City Clerk shall issue the registration required by this chapter as an administrative/ministerial matter. The City Clerk may deny the registration for a sober house and may deny any transfer of a current registration or revoke a current registration only under the following circumstances:

- a. The owner or operator has provided materially false or misleading information on its application or omitted any pertinent information;
- b. Any owner or operator has an employment history in which he or she was terminated during the prior five years or any staff person has an employment history in which he or she was terminated in the prior year, due to physical assault, sexual harassment, embezzlement, theft, falsifying a drug test, or selling or furnishing illegal drugs or alcohol;
- c. Any Operator of a sober house who is in recovery from drug and/or alcohol addiction who has been clean and sober for fewer than two full years as of the date of application for this registration or the date of employment;
- d. Repeated violations of the operating rules and regulations submitted as part of the application for the registration , and/or the supervision requirements in the sober house for the residents during hours of operation, the structured sober living home's rules and regulations, written intake procedures, relapse policy, or discharge procedure and policy.

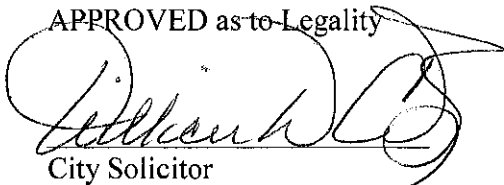
D. Parking Plan

The Operator of a sober house shall provide a parking plan for review and approval by the Director of Inspectional Services or his designee providing for off street parking to accommodate residents and to address parking impacts of the residence on the abutters.

E. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

APPROVED as to Legality



City Solicitor

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
THOMAS J. SULLIVAN
VICE PRESIDENT
JOSEPH J. BEVILACQUA
MELINDA E. BARRETT
COLIN F. LEPAGE
TIMOTHY J. JORDAN
WILLIAM J. MACEK
MARY ELLEN DALY O'BRIEN
MICHAEL S. MCGONAGLE



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

16.1

CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978 374-2328
FACSIMILE: 978 374-2329
www.haverhillma.gov
citycncl@cityofhaverhill.com

December 9, 2019

TO: Mr. President and Members of the City Council:

Councillor Melinda Barrett requests to discuss the increased traffic backups on South Main St.


City Councillor Melinda Barrett

CITY COUNCIL

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16.2

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HAVERHILL, MASSACHUSETTS 01830-5843

December 9, 2019

TO: Mr. President and Members of the City Council:

Councillors Barrett, Sullivan and Bevilacqua request to introduce Ralph Basiliere, Chair of the Vietnam Veterans Memorial Commission, to give an update on the Commission efforts.

Melinda Barrett
City Councillor Melinda Barrett *bc*

Thomas Sullivan
City Councillor Thomas Sullivan *ts*

Joseph Bevilacqua
City Councillor Joseph Bevilacqua *bc*

CITY COUNCIL

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1613

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December 9, 2019

Mr. President and Members of the City Council:

Councillors William J. Macek and Joseph Bevilacqua request to introduce Ted Xenakis, President of the Haverhill High School Class of 1969 to present a donation from the class to Ralph Basiliere, Chairman of Haverhill's new Vietnam Veterans Memorial at Mill Brook Park.

William Macek
City Councillor William J. Macek

Joseph Bevilacqua
City Councillor Joseph Bevilacqua

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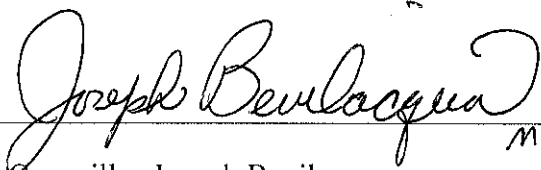
16.4

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December 11, 2019

To: Mr. President and Members of the City Council:

Councillor Joseph Bevilacqua requests a proposal to reduce the Council President's Annual Compensation to the same amount as all Councillors.


City Councillor Joseph Bevilacqua MB

106-C



DOCUMENT 106-C

CITY OF HAVERHILL

In Municipal Council December 3 2019
CHAPTER 240

1711

MUNICIPAL ORDINANCE

~~ORDERED~~

An Ordinance Relating to Parking (200 Wilson Street)-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
200 Wilson Street	No Parking	24 Hours
In front of No. 200 Wilson Street Except for One 24 hour handicap parking space at #200 Wilson Street		

APPROVED as to legality:

City Solicitor

PLACED ON FILE FOR AT least 10 days

Attest:

City Clerk



Haverhill

Economic Development & Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@cityofhaverhill.com

November 21, 2019

Mr. John A. Michitson, Council President
City Council Members
City Hall – Room #204
City of Haverhill

Re: ESTABLISHMENT OF HANDICAP PARKING – 200 Wilson Street

Dear Council President & Councilors:

As per your request dated, November 20, 2019, I am submitting a Municipal Ordinance that will allow for handicap parking in front 200 Wilson Street.

Sincerely,

William Pillsbury Jr.
Economic Development and Planning Director

WP/lr

CITY COUNCIL

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THOMAS J. SULLIVAN
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DOCUMENTS REFERRED TO COMMITTEE STUDY

38-F	Communication from Councillors Barrett and LePage requesting to discuss double poles in the City	A & F	3/15/16 9/6/16, 11/3/16, 1/17/17, 5/11/17, 10/24/17 3/6/19
38-W	Communication from Councillor Barrett requesting to give an update on response from MBTA/Keolis & US EPA about idling trains in Bradford	Citizen Outreach	4/5/16 1/31/17
26E	City of Haverhill – Mayor’s Recommendations, Capital Improvement Program – 2016-2020	A & F	5/31/16 11/3/16, 5/11/2017, 7/25/17, 2/15/18 3/6/19, 4/17/19
10-B	Communication from President Michitson asking to request from Mayor status of facility improvements to public buildings and parks to comply with American w/ Disabilities Act (ADA)	Citizen Outreach	1/3/17 1/31/17, 8/15/17
10-U	Communication from President Michitson requesting discussion on next steps to provide comprehensive long range plan for Haverhill	Citizen Outreach	1/31/17 8/15/17, 4/23/18
7-M	Communication from Councillor Daly O’Brien re: street parking change after storms by providing alternate street parking the night after storm to improve plowing & clearing in inner city streets	Citizen Outreach	1/16/18
38-D	Communication from Councillors Sullivan and Barrett requesting an update on City’s emergency management plan and status of working generators in all public building in City	Public Safety	3/20/18 1/23/19
82	Ordinance re: Vehicles & Traffic – Amend Ch. 240-108, Article XVI, Central Business District Parking – Fees, Rate and Terms	A & F	7/10/18
8-B	Ordinance re: Vehicles & Traffic – Amend Ch. 240-108, Article XVI, Central Business District Parking – Chart	A & F	7/10/18
93-L	Communication from President Michitson requesting to introduce Dave Labrode to discuss street tree plantings	NRPP	8/7/18 2/28/19
2-C	Ordinance re: Vehicles & Traffic; Central Business District Parking Fees Rates and Terms	A & F	8/21/18
38-I	Communication from Councillor Macek to refer City’s Ch. 255 – Zoning, Article XVIII, Solar Energy Systems, Sec. 255-185 thru 255-194 to Administration & Finance Committee	A & F	3/12/19 4/3/19, 8/5/19
13-Y	Communication from Councillor LePage to discuss accounting of revenue funds received from Licensed Marijuana establishments & their allocation to mitigate costs and impacts to city	A & F	3/12/19 8/5/19
38-J	Communication from Councillor Macek requesting a discussion about reserve parking spaces at City Hall designated for Registry of Motor Vehicles	NRPP	3/19/19
59C	Suspension – Councillor Bevilacqua request for stop sign at Saltonstall Sq. turning right onto Mill St	Public Safety	4/23/19

DOCUMENTS REFERRED TO COMMITTEE STUDY (cont.)

79-F	Communication from Councillor Sullivan requesting to introduce Kathleen Fitts, Gale Park Assoc. to request the city replace the Gale Park Fountain in fiscal year 20	NRPP	6/25/19
79-T	Communication from Councillors Sullivan and Barrett re: discussion with VINFEN & Haverhill Police Dept. regarding incident in neighborhood of 20 Westland Ter. group home on 7/5 and steps being taken to better supervise residents and reduce police calls to residence	Public Safety	7/23/19
89-D	Communication from Councillors LePage, Michitson, Jordan requesting discussion on reducing exposure of persons under 21 yrs. of age to outdoor advertising (billboards) of marijuana products and zoning regulations pertaining to smoke and/or vapor stores in Haverhill	A & F	7/23/19 8/5/19
89-K	Communication from Councillor Macek requesting open discussion relative to the process for Establishing a Charter Commission to review the current City of Haverhill Charter	Citizen Outreach A & F	8/6/19
89-O	Communication from Councillor LePage requesting to introduce Dr. Maddox to present the Mass. Prevention Alliance position on restricting youth access & exposure to pro-marijuana and social normalizing from billboard and outdoor advertising	A&F	9/10/19
89-U	Communication from Councillor LePage re: applying for Community Compact Best Practices Program grant for benefit of city and its residents	Citizen Outreach A & F	9/17/19
89-V	Communication from Councillor McGonagle requesting a discussion about school bus safety	Public Safety	9/17/19
100-I	Communication form Council President Michitson requesting to introduce the Haverhill Friends of Agriculture to establish a Right-to-Farm bylaw & Agricultural Commission for Haverhill	Citizen Outreach	10/8/19
100-J	Communication from President Michitson requesting to provide an update on alternative broadband networks for Haverhill	Citizen Outreach	10/8/19