



City of Haverhill
City Council Minutes

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

Present – President Michitson, Councillors Barrett, Vargas, Bevilacqua, LePage, Daly O’Brien, Macek and Sullivan.

Absent – Councillor McGonagle

City Clerk – Linda L. Koutoulas

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Records of the Previous Meeting
The minutes were approved. Yeas 8, Nays 0, Absent 1
4. Assignment of the minutes review for the next Meeting
Councillor Macek was assigned the minutes.
5. Communications from the Mayor
Communication from Mayor Fiorentini stating City is not exercising its Right of First Refusal Under M.G.L. Chapter 61A, to purchase property at 82 Willow Avenue, a.k.a 86 Willow Avenue with related communications from City Assessor Stephen Gullo & Robert Moore, Haverhill’s Environmental Health Technician
ATTORNEY HARB REPRESENTED THE SELLER. THE PROPERTY IS BEING SOLD FOR \$610,000.and BACK TAXES WILL BE PAID
ON MOTION OF COUNCILLOR MACEK TO WAIVE CITY’S RIGHT OF FIRST REFUSAL.
PASSED Yeas 8, Nays 0, Absent 1 32
6. Communications and Reports from City Officers and Employees
7. Utility Hearing(s) and Related Order(s)
8. Hearings and Related Orders
Document 120/2016; Petition from Attorney Harb for Stephen Franciosa for a Special Permit to build within 500’ of a Water Supply – Round Pond – a single family residence at Unnumbered Lawrence st and Unnumbered Marshland st; Comments are included from various City Departments
HEARING OPENED. ATTORNEY HARB REPRESENTED THE PETITIONER. PHILIP CHRISTIANSEN DESCRIBED THE PLANS. REBECCA CONNELLY EXPRESSED CONCERN ABOUT WATER RUNOFF ONTO HER PROPERTY. HEARING CLOSED.
ON MOTION OF COUNCILLOR SULLIVAN TO APPROVE THE SPECIAL PERMIT WITH ALL COMMENTS FROM DEPARTMENTS, TO INCLUDE ORDER OF CONDITIONS. ON MOTION OF COUNCILLOR BEVILACQUA TO AMEND MOTION TO INCLUDE ZERO PERCENT INCREASE IN WATER RUNOFF Yeas 8, Nays 0, Absent 1
PASSED AS AMENDED Yeas 8, Nays 0, Absent 1 120/2016
9. Public Participation- Requests under Council Rule 28
10. Appointments
No Schedule
11. Petitions
Petition from Attorney Robert Harb for applicants Lloyd Jennings and J Bradford Brooks for Special Permit for a Mixed Use – 2 commercial and 2 residential condominiums on the top 2 floors at 128 Washington st; Assessors Map 310. Block 1, Lot 17 and also to erect, construct and maintain and place on and over Phoenix Row a Deck and to Maintain a Dumpster in said Phoenix Row – the first floor is to remain a restaurant
REFERRED TO PLANNING
COUNCIL HEARING MARCH 28 2017 Yeas 8, Nays 0, Absent 1 33

Applications:
Janet Travers for handicap parking sign at 110 Blaisdell st #1
REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 3D

Annual License Renewals:
Hawker Peddlers License Renewals :
No Schedule
Coin-Op License Renewals:
Cedarland Inc, 931 Boston rd – 25 Coin-Ops
GRANTED Yeas 8, Nays 0, Absent 1 5G
Sunday Coin-Op License Renewals:
Cedarland Inc – 25 Sunday Coin-Ops
GRANTED Yeas 8, Nays 0, Absent 1 6G
Drainlayer 2017 License – Renewals
Joseph J Phelan III
GRANTED Yeas 8, Nays 0, Absent 1 7W
12. Motions and Orders
ORDERED – That the City of Haverhill hereby accepts the provisions of M.G.L. c. 39, section 23D; relative to the attendance requirement of municipal boards, committee and commission members for adjudicatory hearings, for the Board of Health. A copy of M.G.L. c 39, section 23g is attached hereto and incorporated herein (see document for complete text); *Related communication from City Solicitor, William Cox*

February 7, 2017

ON MOTION OF COUNCILLOR MACEK TO AMEND ORDINANCE PER SOLICITOR COX'S LETTER DATED FEB. 2, 2017

PASSED Yeas 8, Nays 0, Absent 1
PASSED AS AMENDED Yeas 8, Nays 0, Absent 1 34

ORDERED – That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bill 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>	
	WB Mason	\$527.95	Highway	
PASSED				Yeas 8, Nays 0, Absent 1 17B

12A. Ordinances (File 10 Days):

MUNICIPAL ORDINANCE CHAPTER 240
AN ORDINANCE RELATING TO PARKING
11 NORFOLK STREET – DELETE HANDICAPPED PARKING
(see document for complete text)
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 9F

MUNICIPAL ORDINANCE CHAPTER 208
AN ORDINANCE RELATING TO SEWERS AND DRAINS
BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 208, as amended, is hereby further amended as follows:
By deleting the title of Chapter 208 and inserting the following in place thereof: "Chapter 208. Sewers and Drains"
By deleting the title of Article I and inserting the following in place thereof: "Article I. General Provisions and Definitions"
By deleting the title of § 208.1 and inserting the following in place thereof: "§ 208-1.1. Administration"
By inserting the following in Article 1: "§208-1.2. Purpose" (see document for complete text)
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 35

13. Communications from Councillors

Communication was received from Councillor Bevilacqua requesting to discuss the Amtrak Station in Haverhill

COUNCILLOR BEVILACQUA QUESTIONED STATUS OF THIS ITEM SINCE HE HAD IT ON THE MARCH 2016 AGENDA AND HADN'T HEARD ANYTHING. COUNCILLOR SULLIVAN STATED THERE WOULDN'T BE SIGNAGE AT THIS POINT SINCE SIGNS WILL BE INSTALLED IN THE February 7, 2014

NORTH CORRIDOR OF THE DOWNEASTER AS A PRIORITY.
ON MOTION OF COUNCILLOR BEVILACQUA TO SEND A COMMUNICATION TO LIAISON ASKING FOR MEETING WITH AMTRAK AND SEND COMMUNICATION TO AMTRAK REQUESTING MEETING TO DISCUSS SIGNAGE AND OTHER IMPROVEMENTS THAT WILL HELP TO PROMOTE TOURISM AND HAVERHILL REGION
NO SECOND ON MOTION
PLACED ON FILE 31B

Communication was received from Councillor Daly O'Brien requesting an update on malfunctioning parking Kiosks

COUNCILLOR DALY O'BRIEN STATED THERE ARE A TOTAL OF 41 METERS THAT ARE OVER 4 YEARS OLD. 8 METERS HAVE BEEN IDENTIFIED AS NOT RECEIVING ENOUGH SOLAR POWER AND NEED TO BE HARD WIRED TO DIRECT CURRENT. UPDATE/REPAIR OF METERS SHOULD BE COMPLETED BY THE SPRING.

ON MOTION OF COUNCILLOR MACEK TO SEND LETTER TO MAYOR REQUESTING THAT THE DPW DIRECTOR & REPRESENTATIVE FROM LAZ PARKING COME TO COUNCIL MEETING TO GIVE AN UPATE. Yeas 8, Nays 0, Absent 1 31C

Communication was received from Councillor Daly O'Brien requesting an update on alleyway lighting. COUNCILLOR DALY O'BRIEN STATED THAT SOME BUSINESS OWNERS DO NOT WANT PEOPLE WALKING THRU THEIR ALLEYS. THE TAP WILL PROVIDE ALLEYWAY LIGHTING. THE MAYOR IS SUPPORTIVE OF THIS PROJECT AND HAS ASSIGNED NOAH KORETZ, FROM MASS DEVELOPMENT, TO THIS PROJECT.

PLACED ON FILE 31D

Communication was received from Councillors Barrett and Bevilacqua requesting to introduce Barbara Donegan, President of Ruth's Place to discuss their upcoming 25th anniversary

ON MOTION OF COUNCILLOR BARRETT TO POSTPONE TO FEB 14 2017
POSTPONED TO FEB 14 2017 Yeas 8, Nays 0, Absent 1 31E

Communication was received from Councillor McGonagle requesting the removal of the following handicap parking spaces on Blaisdell st as they are no longer needed: 95, 102, 104 and at the corner of Blaisdell st and Marshall st

February 7, 2017

REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 31F

Communication was received from Councillor McGonagle requesting removal of handicap parking spaces at 93 Bellevue av & 11 Pilgrim rd as they are no longer needed

REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 31G

14. Unfinished Business of Preceding Meetings

Document 9-E

MUNICIPAL ORDINANCE CHAPTER 240

AN ORDINANCE RELATING TO PARKING

14 YORK STREET – DELETE HANDICAPPED PARKING

(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 9E

Document 26

MUNICIPAL ORDINANCE CHAPTER 240

AN ORDINANCE RELATING TO PARKING

36 GOLDEN STREET – NO PARKING IN FRONT

(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 26

Document 27

MUNICIPAL ORDINANCE CHAPTER 100

AN ORDINANCE RELATING TO ALCOHOLIC BEVERAGES

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 100, as amended, is hereby further amended as follows:

By deleting the following words from the existing text of subsection E of Article IV, §100-7 Carry-In Alcoholic Beverages:

“.....within the Central Business District, as defined in this Code,”.

Related communication from City Solicitor William Cox

PASSED Yeas 8, Nays 0, Absent 1 27

15. Resolutions and Proclamations

No Schedule

16. Council Committee Reports and Announcements

Councillor LePage announced the Administration & Finance Committee meeting scheduled for 2/ 22 regarding draft municipal ordinance relating to Amusements and proposal relative to acoustic performances in small businesses, at 7:00PM in the City Council office, room 204.

17. Documents Referred to Committee Study

Meeting adjourned at 8:05 o'clock P.M. Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas
City Clerk