

DOCUMENT 101/2014 – MINUTES OF PETITION FROM ATTORNEY ROBERT HARB, ON FEBRUARY 10, 2015, REPRESENTING CONTINENTAL WINGATE DEVELOPMENT COMPANY, REQUESTING A SPECIAL PERMIT TO CONSTRUCT A NEW 2-STORY BUILDING FOR CONGREGATE CARE HOUSING AT UN-NUMBERED NORTH AVENUE; ASSESSOR’S MAP 630, BLOCK 2, LOT 1-1A, WHICH WILL HOUSE A TOTAL OF 90 UNITS; ASSISTED LIVING UNITS CONSISTING OF 26 ONE-BEDROOM AND 20 STUDIO UNITS; SUPPORTIVE INDEPENDENT LIVING UNITS CONSISTING OF 17 ONE-BEDROOM AND 3 TWO-BEDROOM UNITS; AND MEMORY CARE UNITS CONSISTING OF 20 STUDIO AND 4 COMPANION UNITS.

SUBJECT: Doc.#101/2014 - Petition from Attorney Robert Harb, representing Continental Wingate Development Company, requesting a special permit to construct a new 2-story building for congregate care housing at un-numbered North Avenue, Assessor’s Map 630, Block 2, Lot 1-1A, which will house a total of 90 units; assisted living units consisting of 26 one bedroom and 20 studio units; supportive independent living units consisting of 17 one-bedroom and 3 two-bedroom units; and memory care units consisting of 20 studio and 4 companion units.

Present: President John Michitson, Councillor Robert Scatamacchia, Councillor Melinda Barrett, Councillor William Macek, Councillor William Ryan, Councillor Thomas Sullivan, Councillor Mary Ellen Daly O'Brien, Councillor Michael McGonagle and Councillor Colin LePage.

City Clerk Linda Koutoulas: Document 101/2014 - A petition has been received from Attorney Robert Harb, representing Continental Wingate Development Company, requesting a special permit to construct a new 2-story building for congregate care housing at un-numbered North Avenue, Assessor’s Map 630, Block 2, Lot 1-1A, which will house a total of 90 units; assisted living units consisting of 26 one bedroom and 20 studio units; supportive independent living units consisting of 17 one-bedroom and 3 two-bedroom units; and memory care units consisting of 20 studio and 4 companion units. Postponed from February 3, 2015. Traffic impact and access study peer review report submitted from Greenman-Pederson Inc; Engineering and Construction Services.

President Michitson: I did confer with the City Solicitor and what we will do is hear your pitch relative to the action that we took at the last meeting. I guess a traffic study was done and then we will probably allow one or two speakers who may be against the project to speak as well. It’s not a public hearing. But he suggested that would be a good trade off.

Attorney Robert Harb: Thank you for that Mr. President. My name is Attorney Robert Harb I’m here representing Continental Wingate Development Company as you know. Our presentation tonight will only be on the new matters. Since we haven’t been here since December, I just wanted to remind the board and the Council that we had all the city departments recommendations and we met all the requirements, we believe, for the special permit which was set forth in my letter of representation that I filed with you already. But when we were here last time in December there was two basic questions that came up. One is the traffic study and the other one was the impact on the schools and the children. I draw your attention to, subsequent to that meeting we did deliver our traffic mitigation report to James Scully, the Superintendent of Schools. He reviewed that report with his assistant and he wrote a letter for you stating that he’s in favor of that mitigation efforts. Same mitigation efforts we put in our amended mitigation plan. He also asked if the developer would do some improvements to the front area, the entrance area of the John Greenleaf Whittier School. He calls it the J.G. Whittier but I’m old enough. I used to call it the John Greenleaf Whittier School. They agreed to do that. So that’s more mitigation that you don’t see other than his letter. I, for the record tell you, we agree to do that. So what’s happened, we were questioned on our study. We were asked to expand the study, bring in more areas, review outside developments and then come up with some proposed mitigation measures. We did that. That study was reported to you. You should all have copies. Then that went to peer review. The peer review asked for some additional data but didn’t really object to the mitigation. Tonight the peer review office GPI is here.

I have no idea what they are going to tell you cause as I told you last time, they were hired by the city although we paid for them. They are working for the city. They are here in case you have some questions to ask them on their peer review. Before I do that, one last thing. There were some miss statements in the newspaper last time about there was nobody here in support of this, no one is going to speak, but I'd like those people in the audience that are in the audience, can you stand up. Just for the record so the newspaper doesn't make that error again. I am going to have Dave Feldman, he has a very short slide presentation on all these new mitigation measures and a little video, which I found interesting, because it talks about the flashing pedestrian light. When the light company said look at this video, I found it most impressive when you actually see how these lights work. It is not a stop and go, but it is a strobe light with white lights that tells everybody a pedestrian needs to cross. We've put that in there, the sidewalks and other measures. I am going to let Mr. Feldman come up and he's going to go very quickly go thru the slides then we have a representative of Vanesse that did the mitigation measure. After that, if you wish to ask the peer review person questions, they are here at your beck and call. Thank you.

David Feldman, Wingate Development. Thank you Mr. President, Members of the Council and members of the audience. We have a short powerpoint presentation that's going to focus specifically on the traffic study, the peer review and our proposed mitigation. There are two short video. Giles Hamm from Vanesse is actually going to do the presentation relative to the traffic study and the peer review. If there's any questions regarding the sidewalk and the layouts we will turn that over to Roger Alcott from Weston Sampson.

Giles Hamm, managing principal with Vanesse and Associates and also a professional engineer. I will keep it relatively brief but give you an idea of some of the things we've done out there to make things much safer than they are today. As a result of input from City Council and our neighbors as well as city staff, we have updated the traffic study. The traffic study was completed in conformance with state and industry standards. We've made a number of recommendations that we think will make things safe and actually safer than today looking at the pedestrians in the area and also vehicular traffic. The proposed improvements that I will walk you thru also conform with state, federal, and industry standards. With regard to the study as was indicated, we've updated the study. We've done new traffic counts to include times when the school children were walking, 7-9 and 2-4 in the afternoon as well as your typical afternoon peak hour. There was a new development identified in Plaistow that we included in the traffic analysis and we've expanded the study area to include six intersections along North Avenue down from Main Street up to Gile Street. Really, a comprehensive study. We listened to the concerns and we have mitigation proposed. As was indicated, you've hired a peer review consultant. The peer review consultant looks at the data accuracy, methodology, assumptions, and recommendations that we had made and they had actually made additional recommendations on their own that we incorporated into our plan. Your consultant is GPI. You have a letter dated February 6th from them and they had some questions. We answered them and they came with a final report. They are basically satisfied with our data accuracy, the methodology, the assumptions. There conclusion is there does not appear to be a safety issue at any intersections based upon the accident rates that are out there. They agree with our mitigation in terms and we will talk about it briefly, looking at some radar speed signs and some pedestrian signs. They've also recommended that we add a sidewalk from our site out to North Avenue as well as adding bike racks on the site which we have done as well. In summary, they agree with our plan and our proposed mitigation. Just quickly to jump into that, what we are looking at is what I call a traffic calming measure and on the right you see a radar speed sign. I think you see these a lot in school zones where you have the speed limit on the sign, in this case it's actually 30 miles an hour in this area and then there's a radar sign. It actually tells people as they approach how fast they are going relative to the speed limit. We think this really creates a very controlled speed zone. National studies indicate that this really has a very success rate in slowing people down. I think from your own experience, when you see this sign you see you are going a little fast, you are going to slow down and that's what the industry tells us. It helps really with compliance. This is one of my favorite devices to recommend and put into neighborhoods where there are speeding issues because it's permanent. It stays there. People understand it and they do slow down. Some communities have portable ones like this they put them on wheels and they move them around. These would be permanently located there. Video presentation – I think as you see when people see the flashing speed that they are going they tend to slow down very quickly once they see that. This next slide, I think

you have the handout. You really can't read it there. I'll go from the top of slide in terms of what our recommended plan is, in working with your consultant and city staff as well. We will have these speed limit radar signs that would be from the north coming down near Gile Street. The existing driveway that is at Wingate now, employees will be directed not to use that driveway so that drive will get limited usage there. They will be using the main driveway. There is a crosswalk at Concord Street today. We will upgrade that. We will put ADA compliant crossings there. New signage as well as new striping and the sign if you look at the bottom left, that's what's called a rectangular rapid flashing beacon. That's a pedestrian sign that when you press a button it will flash to show drivers that people are getting ready to cross. It's a much safer, I'll get into that in a few minutes. We are also adding sidewalk in the area, about 600 feet of sidewalk to connect to the improvements at North Avenue so there will be 600 feet of new sidewalk out there. We will have radar sign coming in the other direction around from south to north as well. In terms of pedestrian safety, we are adding 600 feet of sidewalk. We are going to have the new ADA crossing there as well as the new crossing signage as well. This is just a blow up of the area of the site. You can see the color on the right side of the plan is the new sidewalk along our site frontage that would connect up to the sidewalk that the city is constructing. It's about 600 feet of sidewalk. This is the sign that we are talking about in terms of the rectangular rapid flashing beacon again. It just goes right beside the crosswalk facing in each direction to alert drivers that people will be crossing. This was introduced by the federal highway administration after 2000. They've done many studies how effective this is. I think when people see this flashing beacon people are more apt, there's a much higher percent of them yielding to pedestrians crossing. It's a much safer crossing and it's the latest industry has in terms of crossings. Video presentation – this just shows you this is an added safety feature to the sign that's traditional and the last, that was the site plan. In summary, I think we've really to the Council, we've listened to the neighbors. We listened to city staff. We have a comprehensive mitigation package that we put together. We think things will be safer than they are today with this development in place. Thank you.

Attorney Harb: I believe that ends our presentation and I know that the tech that reviewed this is here. I didn't know if any of the Councillors had a question they might want to ask GPI because they came here so they could answer and questions you have about the mitigation measures that we presented.

Councillor Macek: I have a number of points and questions that I would like to address. I guess probably Attorney Harb would be the best one to at least start with fielding my questions. Attorney Harb in a lot of ways I think the traffic study went deeper and gathered some additional information. However, I'm not sure the remedy being proposed by the applicant developer is really sufficient to address the already overburdened residential streets that we are dealing with. From my standpoint, there have been offerings in your proposal. However, I don't think the offerings will be satisfactory to address the problems that currently exist and will be additionally added to by the proposal. That's just a statement not really something I need an answer to. I don't think the overall size of the project at this point is compatible. How many units are in the current? Are you aware of how many units are in the facility?

Attorney Harb: Dave how many people do we have currently in the nursing home. We went from 146 down to 126 beds when they took over the nursing home.

Councillor Macek: Is your facility now going to add 90 beds?

Attorney Harb: Well there maybe more beds because some are companion suites where 2 people could share a suite to keep there expenses down.

Councillor Macek: So maybe safe to say you would be doubling the current facility as far as the impact on the resident (inaudible)

Attorney Harb: I would have to go back and see how many is listed. If I looked at this you could see how many companion suites we had. It was in the announcement and you add a few more. Safe to say maybe 100 beds.

Councillor Macek: Let's say that you are at least 75/80 % additional impact.

Attorney Harb: I only have 4 companion suites. 3 only 2 bedrooms. That's only 4, 5, 6, 7 on top of that. So we are probably adding 97 beds roughly speaking. Although you are looking for an answer, perhaps the peer reviewer can talk about what's sufficient. One of the reasons we paid for the peer review is to see what they recommended and then we added that to our presentation.

Councillor Macek: I'll go over one of my questions and I heard the audio that came along with it, but, to put those flashing beacon light bars up, and even if they are dimmed at night, I have to believe that those kind of digital lights that are quite bright, it's like having an ambulance or a police car almost deciding to let their roof lights go off 24 hours a day. The neighbors in that area, unless they are going to black out their windows, they are going to see that. You can't have an ambulance or some kind of an emergency vehicle leaving a tow truck in front of your house at night without seeing that beacon starting to come off.

Attorney Harb: The beacon is not for anything except the pedestrian to cross. If you saw in the video, they have to press a button for the beacon to work. It's not a truck. It's not an ambulance.

Councillor Macek: If you have somebody set that off at night, even if its kids on a summer night, it's going to go off. I just think, I don't like the idea. I think there might have been other ideas. I don't know. I'm not a traffic consultant. But I think that one was not something. I think they will be back here asking to take them down if we were to permit those. I don't think those are a good idea. I just want to point out for the record, I think all of the signs that you are proposing, again for a residential, RM residential area, that does go quiet at night, all of the signs that you are showing us that you are going to install, you can see from the traffic locations where the photos were taken, they are either commercial areas or they are high traffic areas. This is a nice residential area that I think the neighbors need to be considered in what we are allowing to go into this area. Again I go back to my feeling that the facility has already grown large from being a much smaller, it's had two additions. This application is excessive for an RM zone. Can I ask you regarding the actual application itself to tell me, on the dimension units, are those going to require 24 hour supervision for the dementia patients?

Attorney Harb: My memory, I think it does and it's a secure unit cause they can't have them getting up and walk out. It is secured. If you recall back when we showed you the plans two months ago, it's a U shape, where you can walk around, you can't go anywhere. They just walk around. I believe they have 24 hour day care. If I can answer the question. You raise a good question, but if you can remember and I know it's two months ago, almost every neighbor got up and said it's a 30 mile an hour zone and everybody does 35 or higher. We hate that. The speeds are awful. We've proposed mitigation that from the records and from the studies say it will reduce the speed. We listened to the neighbors.

Councillor Macek: I agree that the right location, those would be compatible. I don't think they are compatible in this type of a residential neighborhood where the flashing will go much beyond it's much intended purpose. It will go, light at night like that, goes for quite a distance. Getting back to the question at hand regarding the application itself. I don't have this printed out for everybody, but I do have from our zoning definition of a nursing home vs. definition of congregate care in a nursing home "is a building or a facility or institution licensed to provide living accommodations in a combination of persons and healthcare services in a protective and/or supervised environment including a sanitarium, rest home, convalescent home, and homes where such facilities are providing long-term intensive skills, supportive and/or protective nursing care. Such facilities shall not contain individual housekeeping units, (which I'm guessing none of their units will have housekeeping units) and the units having individual cooking facilities maybe contained in common areas for therapy recreation or dining not including doctor's offices". That's a nursing home definition under our zoning. If I go to a definition for congregate care it's "a skilled residential living environment which integrates shelter and services needed of functionally impaired and/or socially isolated older persons who are otherwise in good health and can maintain a semi-independent life style and who do not require a constant supervision or intensive health care services provided by an institution. Each resident has his or her own bedroom and may have separate living room, kitchen/dining area or bathroom and may share a living/dining and bathroom facilities with other persons such as a common dining facility." I think that your application is flawed on its face. It's gotten this far.

However, I think that the application because it was not properly initially filed should be denied because you have a mixed between nursing home and congregate care. You have 20 nursing home rooms for the dementia patients and you have under definition in our zoning, I believe you have 70 congregate care rooms. Therefore I believe the 90 room congregate care application should not be either voted upon or it should be voted down tonight.

Attorney Harb: Well, let me address that because I thought somebody would ask this 2/3 months ago. Before I filed this petition, I reviewed the petition with the city Building Inspector. We reviewed the definition of congregate housing. We reviewed what we were going to do. I submitted to him the proposal. He agreed it was in proper form and he's in charge of the zoning. I must take a disagreement with you over that the memory care units turned miraculously into nursing home units. Because it that was true, all the memory care units that they have at Haverhill Crossings would make Haverhill Crossings a nursing home. If you remember, they have memory care. When we talked about the memory care, they have supervision but we don't give the medical supervision. This is what was talked two months ago about this facility being able to then move people to the nursing home when they were unable to take care of themselves to a point where they meet all the requirements of a nursing home care. As you know, and I am sure the Councillors know, you have to meet so many requirements before you are eligible for a nursing home. They would not leave these patients and these representatives in this facility if they needed nursing home care. That would be illogical and probably negligence. They have to move them. That's the whole purpose of being here. They are not getting medical care. There's no medical care here. Reading the definition you just read is probably why the Building Inspector agreed with our application. If the Council wishes that the Building Inspector write you an opinion, I think that would be wonderful but he did approve the application. His letter is in your records back when we first filed saying he agreed with it.

Councillor Macek: I would also bring up Attorney Harb that the Building Inspector's approval letter, which I did some additional review and drilling down on this in preparation for tonight, and I question whether or not the building inspector was aware of the full magnitude of the full application because in his letter dated November 20th, it ends with "the addition is to a pre-existing use allowed by special permit". There's no pre-existing use here. This is a totally new project on a separate parcel of land.

Attorney Harb: Which is being not merged but used in unison with the nursing home and we presented this as we moved them from one place to another. (inaudible)

Councillor Macek: I don't see it as a pre-existing use though. I am sorry I don't (inaudible)

Attorney Harb: Well it may not be. It's a brand new building so I can't argue with that but it is related to the nursing home to move people. The same group is going to run both home.

Councillor Macek: Wouldn't matter if they were moved between, in my opinion, between adjoining lots or if they are moved from one section of the city to the other.

Attorney Harb: Well I have confidence in our Building Inspector who said the application was proper.

Councillor Macek: Well I do too. I just wonder whether or not if he was aware of what was really being applied for.

Attorney Harb: He looked at everything. You should know, I do not hide things from anyone.

Councillor Macek: I'm not suggesting you did.

President Michitson: Right

Attorney Harb: He saw the full disclosure but if you need another letter from him

President Michitson: I think the City Solicitor should weigh in on this Councillor.

Councillor Macek: However you'd like to handle it Mr. President. I'm done with my remarks.

President Michitson: So that would be my suggestion if we want to be sure of the legality of the application. So if there's a motion to postpone for two weeks.

Attorney Harb: We have no problem with the postponement so that you'll be aware of where we stand.

President Michitson: There hasn't been a motion yet to postpone. I am just putting out the options.

Councillor LePage: Attorney Harb did offer, I believe the consultant is here, GPI, I didn't know.

Attorney Harb: I am told they are. I don't even know who they are, GPI?

Good evening, Council, Mr. President. My name is Erica Guidoboni and I work at Greenman Pederson. I am a registered professional engineer in the state of Massachusetts. We are out of Wilmington. I was hired by John Pettis, the City Engineer to review the updated traffic study provided by VAI for the proposal. Essentially what we do is just review it in terms of what it done to industry standard? Is everything appropriate? Is the mitigation appropriate? What are the traffic impacts going to be associated with the project? And will they be discernable or do they need mitigation? Essentially my review found that everything was done to industry standard and standard with the city. However, I did ask for additional backup and details related to some of the information that was in the study. That was all provided to me. We had back and forth response to comments and I gave them a clean letter of satisfaction at the end of it. I actually think that the mitigation that they are providing or that they are recommending is pretty strong for the amount of traffic that they are going to be generating. I guess if you have any questions of me I am happy to answer them. I was satisfied with their mitigation as it stands.

President Michitson: Thank you very much. Councillor Barrett did you have a question?

Councillor Barrett: I don't know if it's for this representative or for GPI or. I was wondering why the sidewalk's only on one side and I was also wondering why the sidewalk stops at the Wingate current entrance and it doesn't go to West Gile where basically, if you take a left out of the current Wingate driveway on that side of the street. It's like a bramble. You would have to go out into the middle of the road. I mean if you are really going to do Concord Street, why wouldn't you put a sidewalk on that side, I was wondering why.

Attorney Harb: I can't answer why it's not on two sides. I'd have to ask the gentleman from Vanesse why we didn't continue it even farther down the street in front of other people's property. But when we discussed this with the City Engineer, and the topography and layout and slope of all the houses on the left hand side of the street if you are heading south, was such that it was prohibitive to put any sidewalks in there. The city has no intent to bring any sidewalks on that area because of that. So Mr. Pettis said, bring it on this side because we are working farther up, we are taking care of the Marsh Ave. intersection, we are bringing it down so can you continue it down? That's a practical reason why we are not going on two sides of the street. I'd have to ask Vanesse why did they stop where he stopped. I don't know. So if we could ask Giles to come up and answer that question.

Giles Hamm: Just quickly, we were asked by the City Engineer to really provide that continuous sidewalk from the crosswalk at Concord and up to the crosswalk at Marsh Ave. It's a continuous sidewalk system that would connect to the schools and then connect up North Ave.

President Michitson: Councillor does that address your question?

Councillor Barrett: It really doesn't. Thank you.

Councillor Daly O'Brien: Just following up on what my fellow Councillor was asking. I think what she's looking at is when you leave the facility and you are looking over towards Concord Street, why don't we have sidewalk on either side of the road going towards Gile Street? Am I right? Is that what you are thinking?

Councillor Barrett: Well ya, cause that throws you right off into oncoming cars.

Councillor Daly O'Brien: It appears there is no sidewalk on either side of North Ave heading towards Plaistow. Are you saying that neither side would be able to handle that?

Attorney Harb: I didn't get the question of either side but I've talked to the developer and if it's the wish of the Council to make any approval contingent upon them continuing the sidewalk past the facility to West Gile, they'll do that.

Councillor Daly O'Brien: I think I am following what you are saying because there's a lot of residences down that way. I am not sure what side of the street. It wouldn't matter to me, as far as the topography, because you are going to have a nice crosswalk there at Concord. I would be fine with that. My other question, because I thought of this when you were speaking. My other question is, I am still concerned about the fact that we are going to have 2 entrances and exits, one from the assisted living and from the existing nursing home.

Attorney Harb: The existing nursing home is only going to be used for deliveries and ambulances.

Councillor Daly O'Brien: That's it.

Attorney Harb: Yes, all employees, all drop off, all everything is, if you look at the plan, they are coming in the main entrance, the new main entrance.

Councillor Daly O'Brien: Excellent. That was a very important point.

Attorney Harb: We do need to have that accessible for the ambulance to pull in.

Councillor Daly O'Brien: I think it's, I'm sure you all know. I am very vested in this kind of living situation as a nurse, as a case manager, as somebody who manages a group of patients that need this and not a nursing home. It maintains an independent life style. Anyone who's been around the assisted living, whether you're talking about Haverhill Crossings or you're talking about the facility up in Salem New Hampshire, or there's a couple in Andover/North Andover, there's very little traffic associated with the building. Because most of the residents there don't use their own cars. At Haverhill Crossings there's probably 8 and the building is full. Personal vehicles. Most people either use the van or whatever small bus system that the owners put together. I'm sure Wingate will probably have something done.

Attorney Harb: We are having a van to bring them where ever they need to go.

Councillor Daly O'Brien: And usually it's a good size small bus that they can use for travel and taking the residents places because a social life is so key to this age group. The isolation that can happen to our elders who try to maintain living on their own is something I deal with every day. These kinds of facilities make sure a difference in the quality of life for a group of people that is growing exponentially day by day as the baby boomer generation ages. We don't all belong in a nursing home. We don't need to live in a nursing home just because we are older and we may have some physical setbacks. We can still be independent people. I think what was always hard from me is the fact that from the get-go there was such an outcry that this was so much more than it appears. It's not another nursing home. You are going to have less than half as many employees. I know this. I work with these people. I know how many people are in a nursing home. I know how many employees it takes to run a nursing home. I've worked in nursing homes. I've worked in two nursing homes. It's far far different. Assisted living is very very low

impact. You couldn't ask for better neighbors. And that's the truth but I always felt that there was some disconnect when this started that somehow people got the impression that this was going to a detriment. I think it's great that the mitigation is going to happen. I think that's a positive. It's something that that whole neighborhood has needed. That traffic pattern has been horrendous since the growth of Plaistow. 125 became a boom town and Plaistow, New Hampshire and North Ave. became a horror show. I never use North Ave. because of it. I never use it. It just is a mess trying to get into Plaistow from North Ave. and different kinds of businesses off North Ave. and behind that you also have the residential section of Plaistow itself. I know how busy it is up there. I grew up on Main Street. I am totally aware of what's happened to a neighborhood that I grew up in that was totally bucolic and all we had was the Wasmako ice cream stand and Al's Pizza. I just hope that it's enough. If you can extend that sidewalk I think that would be one more key. I don't think you have to worry about me mixing up what a nursing home is and what an assisted living is. I'm pretty, I know what it is. No problem here.

Attorney Harb: We would agree to do that.

Councillor LePage: Attorney Harb, the radar signs. Do you have an approximate cost of what those are?

Attorney Harb: I believe they were \$10,000 apiece. About \$10,000 apiece.

Councillor LePage: I think they are great. But I also looked and say the schools are on Concord Street and I understand maybe you don't see mitigation going that far but the superintendent is looking for assistance and all like that. I think it would be great to have, that's where the speeding occurs on Concord Street also. So if we want to make things safer for folks, again, not knowing how this will go. If it's only \$10,000 I think signs on both ends of Concord Street would also be very helpful. And I am sure we'd like to do that throughout the city, but I am just putting that out there. The other question I have is, the petition. I know this is not a public hearing at the moment as the President said, but the time before when we had this meeting, we had a petition put in front of us of those folks opposed. Now since that time we received one petition of support. My question is when was this petition done? Where was it done? I see who the folks signed it. I am wondering how this was gathered. How was this petition of support gathered?

Attorney Harb: I am going to answer you and then I'm going to have to sit down because I am sick and I am starting to get dizzy. Attorney Harb faints.

MEDICAL EMERGENCY – RECORDING STOPPED

President Michitson announced they are taking a break due to a medical emergency. After the break President Michitson deferred to Councillor Daly O'Brien and thanked her for her assistance.

Councillor Daly O'Brien stated that it appeared that Attorney Harb was dehydrated and he would be okay and that he was taken by ambulance to a local hospital.

On motion of Councillor McGonagle to continue to February 24th meeting and seconded by Councillor Daly O'Brien.

President Michitson: Madame Clerk please call the roll.

City Clerk Linda Koutoulas: Councillor Scatamacchia-yes, Councillor Barrett-yes, Councillor Macek-yes, Councillor Ryan-yes, Councillor Sullivan-yes, Councillor Daly O'Brien-yes, Councillor McGonagle-yes, Councillor LePage-yes, President Michitson-yes, 9 yeas

President Michitson: It will be continued to February 24th.

Respectfully submitted,

Barbara S. Arthur
Administrative Assistant
Haverhill City Council

February 20, 2015