



City of Haverhill
City Council Minutes

Tuesday, December 9, 2014 at 7:00 PM
City Council Chambers, Room 202

Present – President Michitson, Councillors Scatamacchia, Barrett, Macek, Sullivan, McGonagle and LePage.

Absent – Councillors Ryan and Daly O’Brien

City Clerk – Linda L. Koutoulas

1. Approval of Records of the Previous Meeting

The minutes were approved.

2. Assignment of the minutes review for the next Meeting

Councillor Macek was assigned the minutes.

3. Communications from the Mayor

ON MOTION OF COUNCILLOR SCATAMACCHIA TO SUSPEND THE RULES TO DISCUSS LETTER FROM MAYOR FIORENTINI AND ORDER TO TRANSFER \$2,400, 000.00 FROM STABILIZATION FUND TO GENERAL FUND.

SUSPENSION GRANTED Yeas 7, Absent 2 128D

MAYOR FIORENTINI STATED THAT GOVERNOR PATRICK HAD TO MAKE 9C CUTS, LOCAL AID TO CITIES AND TOWNS, AND THE \$2,400,000.00 THAT WAS IN THE BUDGET FOR HAVERHILL (HALE HOSPITAL DEBT) WAS PUT ON HOLD. THE MAYOR RECOMMENDED TRANSFERRING THE

MONEY FROM THE STABILIZATION FUND TO THE GENERAL FUND SO THAT THE TAX BILLS COULD GO OUT ON TIME. IF THE MONEY IS RESTORED, IT WILL BE PUT INTO THE STABILIZATION FUND.

ORDERED: That the sum of \$2,400,000.00 be transferred from Stabilization Fund to the FY15 General Fund Misc Non-Recurring Hospital Aid

PASSED Yeas 7, Absent 2 128D

4. Communications and Reports from City Officers and Employees

No Schedule

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

6. Appointments

Confirming Appointments

Central Business Downtown Parking Commission

Caroline Roberts - appointment to expire Dec. 9, 2015

CONFIRMED Yeas 7, Absent 2 106L

Peter Carbone - appointment to expire Dec. 9, 2015

CONFIRMED Yeas 7, Absent 2 106M

Non-confirming Appointments

No Schedule

Resignations:

No Schedule

Petitions:

Petition from Dorna Caskie requesting to “change language” on her deed, effectively releasing the rights that the City has established with respect to flow of water from her property into Johnson’s Pond (see document for complete text)

PLACED ON FILE 130

ORDERED: That the Mayor is hereby authorized to execute a Release Deed to Dorna Caskie for real property located at 268 Washington st, Groveland, Massachusetts for non-monetary consideration; specifically being released are any rights of flowage or any other obligation to observe the rules and regulations of the Water Department of the City of Haverhill

PASSED Yeas 7, Absent 2 131

Applications:

No Schedule

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<u>One Day Liquor Licenses</u>		
No Schedule		
<u>Applications for Permit</u>		
No Schedule		
<u>Tag Days</u>		
No Schedule		
<u>Annual License Renewals</u>		
<u>Pool Tables</u>		
	The Tap	100 Washington st, 2 Tables
GRANTED		Yeas 7, Absent 2
<u>Coin-ops</u>		
	New Lantern Café	240 Essex st, 3 Coin-ops
GRANTED		Yeas 7, Absent 2 7X
	Smith's Tavern	124 Essex st, 2 Coin-ops
GRANTED		Yeas 7, Absent 2 7Y
	China King Buffet	755 Main st, 1 Coin-op
GRANTED		Yeas 7, Absent 2 7Z
<u>Sunday License</u>		
	New Lantern Cafe	3 Sunday Coin-ops
GRANTED		Yeas 7, Absent 2 8W
	Smith's Tavern	2 Sunday Coin-ops
GRANTED		Yeas 7, Absent 2 8X
	China King Buffet	1 Coin-op
GRANTED		Yeas 7, Absent 2 8Y
<u>Hawker/Peddler:</u>		
No Schedule		
<u>Hawker or Peddler Engaged in Door to Door Sales</u>		
No Schedule		
<u>Drainlayer 2014 License</u>		
No Schedule		

7. Hearings and Related Orders

Hearing was held on Document 110, a petition from Russell F Ahern, Manager of RFACO LLC, requesting City to accept portion of Riverdale Avenue as a public way; Russell Ahern appearing in favor and no one in opposition, the hearing was closed. A favorable recommendation was received from the Planning Board.

HEARING CLOSED 110

Document 110-B

ORDERED: That the following street herein described be accepted as a public way Riverdale Avenue (see document for complete text)

GRANTED Yeas 7, Absent 2 110B

Document 102, Petition for Special Permit from Attorney William Faraci for Kerri Fronduto, Trustee of 13 High st Realty Trust, for a Repetitive Petition for property at 13 High st; and a vacant lot across the street; Assessor's Map 515, Block 295, 3 Bldg, Lot No 515-2978-13; consisting of 6 residential units and 9 parking spaces on the vacant lot

A LETTER WAS RECEIVED FROM ATTORNEY FARACI REQUESTING A POSTPONEMENT TO DEC 16, 2014 DUE TO THE ABSENCE OF TWO COUNCILLORS

POSTPONED TO DEC 16, 2014 Yeas 7, Absent 2 102

8. Motions and Orders

ORDERED: That the sum of \$40,000.00 be transferred from the Police Department Salaries & Wages to the Police Department Building Maintenance

PASSED Yeas 7, Absent 2 128C

ORDERED: That the Mayor be and is hereby authorized to enter into and execute certain development agreement entitled "Development Agreement" on behalf of the City of Haverhill with Clear Channel Outdoor, Inc. as to compensation for any impact to the community associated with the installation and operation of the Digital Billboard in the event that all requisite local, state and federal approvals are obtained by Clear Channel for the installation of said Digital Billboard, a copy of which is attached hereto and incorporated herein, located at 116 Bank rd (see document for complete text)

PASSED Yeas 7, Absent 2 46E

December 9, 2014

ORDERED: That the real property located at Room 3 of City Hall, 4 Summer Street, Haverhill, being and is hereby declared surplus. Further, that the Mayor being and is hereby authorized to execute a Lease Agreement with HTM Credit Union for the lease of said real property, a copy of which is attached hereto and incorporated herein. (see document for complete text)

PASSED Yeas 7, Absent 2 46F

Ordinances (File 10 Days)

No Schedule

9. Unfinished Business of preceding Meeting

ORDER OF TAKING– Taking of Easement – Rear of 56-66 Merrimack st; to facilitate construction of the new access roadway into the Harbor Place project (see document for complete text)

MAYOR FIORENTINI SUBMITTED A FRIENDLY VETO DUE TO TECHNICAL CONCERNS RAISED BY SOLICITOR COX. SOLICITOR COX STATED THAT THEY WERE WORKING ON THE APPRAISAL AND ASKED FOR CONTINUANCE TO DEC 16, 2014 MEETING

CONTINUED TO DEC 16, 20104 Yeas 7, Absent 2 84B

ORDERED: Award of Damages, That the City Council of the City of Haverhill hereby: Take such action as is necessary to acquire, by eminent domain, permanent and temporary easements for access, installation and construction of utilities, pilings and other improvements in, on and under certain portions of the parcel of land known as numbered 56-66 Merrimack Street, Haverhill, Essex County, Massachusetts and more particularly described in a deed filed with the Land Court Division of the Essex South District Registry of Deeds, Document No. 479416 on Certificate of Title No. 80584, which portions are shown as the “Access & Utility Easement, A=2033 S.F. +/-“ and “Piling Easement, A=169 S.F. +/- on a plan entitled: “Easement Plan Located IN Haverhill, Mass. Prepared for the City of Haverhill”, dated June 18, 2014, prepared by Christiansen & Sergi, Inc., and to accomplish the foregoing, execute the Order of Taking presented to us this day by counsel, and further award \$10,000 as damages for such taking to the owner of the land affected by said taking (see document for complete text)

MAYOR FIORENTINI SUBMITTED A FRIENDLY VETO DUE TO TECHNICAL CONCERNS RAISED BY SOLICITOR COX

SOLICITOR COX STATED THAT THEY WERE WORKING ON THE APPRAISAL AND ASKED FOR CONTINUANCE TO DEC 16, 2014 MEETING

CONTINUED TO DEC 16, 20104 Yeas 7, Absent 2 84BB

Document 98-P

Communication was received from Councillor Sullivan requesting an update on the Hemlock Salvage Project and other improvements at Winnekenni Park.

COUNCILLOR SULLIVAN INTRODUCED ROB MOORE, ENVIRONMENTAL HEALTH TECHNICIAN, TO GIVE AN UPDATE. MR. MOORE GAVE A BRIEF POWERPOINT PRESENTATION. HE STATED THAT A FORESTER WAS HIRED TO CONDUCT A PEER REVIEW OF THE REMAINING HEMLOCK SALVAGE AREA WITHIN WINNEKENNI PARK CONSERVATION AREA. THE FORESTER CONCLUDED THAT HEMLOCK WOOLY ADELGID HAD INFESTED MOST HEMLOCK TREES WITH MORTALITY NOTED AND CONCURRED WITH THE FOREST MANAGEMENT COMMITTEE’S COURSE OF ACTION.

PLACED ON FILE 98P

Docs 121-B thru 121-F; Applications for Free Estimates for Windows & Roofs; Power Home Remodeling Group, throughout Haverhill; Monday – Friday; 12Noon to 6:00PM
CITY CLERK STATED THAT SHE HAD RECEIVED COMMUNICATION FROM APPLICANTS TO WITHDRAW APPLICATIONS

The following applications were placed on file:

Bob Dick 121B

Brian Nicholson 121C

Ryan Shlan 121D

Ryan Jacobs 121E

Nicholas Doyle-Elwell 121F

On motion of Councillor McGonagle to refer Peddling/Soliciting Ordinance, Chapter 191, to Administration and Finance Committee Yeas 7, Absent 2

10. MONTHLY REPORTS

Abatement report from Board of Assessors for month of November 2014

PLACED ON FILE 14L

11. Communications from Councillors

Communication was received from Council President Michitson requesting to discuss traffic and safety issues on Boxford rd.

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PRESIDENT MICHITSON STATED THERE WAS A LATE STREET OPENING WHICH CAUSED PROBLEMS AND THAT THE MAYOR HANDLED IT. 129B

Communication was received from Councillor Michitson requesting to address status of abandoned building at 14-16 Stevens st.
PRESIDENT MICHITSON STATED THAT THE OWNER OWES THE CITY \$300,000 IN BACK TAXES AND THAT THE CITY IS PURSUING TAX TITLE.
LETTER TO MAYOR. 129C

Communication was received from Councillor Daly O'Brien requesting a discussion regarding street parking on the corner of Locust st and Essex st.
POSTPONED TO DEC 16, 2014 129D

Communication was received from Councillor Scatamacchia requesting a discussion about establishing two 30-minute parking spaces in front of 293-295 Washington st.
REFERRED TO PLANNING FOR ORDINANCE Yeas 7, Absent 2 129E

12. Council Committee Reports and Announcements
No Schedule

Meeting adjourned at 8:24 o'clock P.M. Yeas 7, Absent 2

Attest: Linda Koutoulas
City Clerk