



City of Haverhill  
City Council Minutes

Tuesday, July 8, 2014 at 7:00 PM  
City Council Chambers, Room 202

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

Absent – Councillor McGonagle

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 Sullivan was assigned the minutes.

3. Communications from the Mayor

Communication was received from Mayor Fiorentini submitting an Ordinance adding additional parking spaces downtown in a parking lot known as “Haverhill Place” and also spaces on Bailey Blvd; relating to the new Harbor Place development plan with related communication and Map changes from Meredith Warren, Central Business District Parking Commission and Michael K Stankovich, Director of Public Works  
PLACED ON FILE

16F

4. MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Vehicles and Traffic

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be and is hereby further amended as follows:

“By deleting the words and numbers: “as revised on 01/07/2014,” immediately following the words and numbers “Central Business District Parking Map dated 08/11/11” wherever said words and figures shall appear in Chapter 240, and, by inserting in place thereof the words and numbers: “as last revised on 06/10/2014,” (see document for complete text)

PASSED

Yeas 7, Abstain-1 (Sullivan), Absent1

13C

5. Appointments

Confirming Appointments:

No Schedule

Non-Confirming Appointments:

Orlando Pacheco, Purchasing Agent and Energy Director

PLACED ON FILE

1-W

Shaun Ashworth, Energy Committee, appointment expires July 8, 2015

PLACED ON FILE

1-X

Resignations:

No Schedule

6. Petitions

Petitions:

No Schedule

Applications:

Thomas Lyons requests permit to hold Benefit Concert for Steve Lyons Memorial Fund, at Winnekenni Castle, Saturday, August 23, 11:00AM to 7:00PM

GRANTED

Yeas 8, Nays 0, Absent 1

75

Tyler Kimball requests reconsideration of permit to hold Dirty Girl race event at Kimball Farm, 791 East Broadway, Saturday, July 19, 8:00AM to 4:00PM with related communication from Police Chief Alan DeNaro regarding conditions for event.\*

MR. KIMBALL STATED THERE WOULD BE 2,500-3,000 PEOPLE AT THE EVENT, FOR DUST CONTROL THEY PLANNED TO USE A WATER TANKER AND PUT GRAVEL ON ROADWAYS; EVENT TIMES WILL BE STAGGERED, NO USE OF BUSSES.

COUNCILLORS EXPRESSED CONCERNS ABOUT PREVIOUS EVENT, FOAM FEST, AMOUNT OF DUST CAUSED BY BUSSES & OVERALL QUALITY OF LIFE FOR NEIGHBORS

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Sullivan, Daly O’Brien and LePage 3

Nays,-Councillors Scatamacchia, Barrett, Macek, Ryan and President Michitson 5

NOT GRANTED

Yeas 3, Nays 5, Absent 1

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Tag Days:

Greater Haverhill Boys & Girls Club; July 26

GRANTED Yeas 8, Nays 0, Absent 1 23N

Annual License Renewals:

Hawker Peddlers License Renewals 2014:

Marcus Hoggard, new employee of "Food Train" at Swasey Park, Jan-Dec, Mon-Sat, 10AM-8PM

GRANTED Yeas 8, Nays 0, Absent 1 4-M

Tiffany Bell, new employee of "Food Train", as listed above

GRANTED Yeas 8, Nays 0, Absent 1 4-N

Door-to-Door Sales

Alex McGovern – to sell Solar Panels throughout Haverhill; Jan- Dec, Mon- Sat; 9:00AM-6:00PM

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Sullivan, Daly O'Brien and LePage 3

Nays,-Councillors Scatamacchia, Barrett, Macek, Ryan and President Michitson 5

NOT GRANTED Yeas 3, Nays 5, Absent 1 4-O

ON MOTION OF COUNCILLOR MACEK TO SUSPEND THE RULES FOR A ONE DAY LIQUOR LICENSE FOR WINNEKENNI FOUNDATION FOR EVENT ON JULY 13, 2014

SUSPENSION GRANTED Yeas 8, Nays 0, Absent 1

ON MOTION OF COUNCILLOR MACEK TO APPROVE APPLICATION FROM WINNEKENNI FOUNDATION FOR A CONCERT ON JULY 13 FROM 1:00PM TO 4:00PM

GRANTED Yeas 7, Nays 0, Abstain 1 (Sullivan), Absent 1 57C

Coin-Op License Renewals 2014:

No Schedule

Sunday Coin-Op License Renewals 2014:

No Schedule

Drainlayer Renewals 2014:

Buy & Sell 2nd Hand Articles:

No Schedule

Buy & Sell 2nd Hand Clothing:

No Schedule

Pool & Billiards:

No Schedule

Bowling:

No Schedule

Buy & Sell Old Gold:

No Schedule

Junk Dealer

No Schedule

7. Hearings and Related Orders:

Document 16-G

Mayor Fiorentini submits documents relating to Urban Center Housing – TIF plan and zone; authorizing Mayor to file documents relating to Harbor Place Project; to be voted on at Council Hearing July 8 HEARING OPENED. THE MAYOR SPOKE ABOUT THE GROUND BREAKING CEREMONY EARLIER IN THE DAY WITH GOVERNOR PATRICK, REPRESENTATIVE DEMPSEY AND OTHER STATE OFFICIALS. AN ADDITIONAL \$10MILLION WAS ANNOUNCED FOR INTRASTRUCTURE IMPROVEMENT FOR THE HARBOR PLACE PROJECT. WILLIAM PILLSBURY, PLANNING DIRECTOR, RECOUNTED ALL THE TRANSFORMATIVE DEVELOPMENT INITIATIVES IN THE CITY DURING THE LAST DECADE. LISA ALBERGHIN FROM THE PLANNING OFFICE OF URBAN AFFAIRS PRESENTATED THE PROPOSAL FOLLOWED BY A VIRTUAL TOUR OF HARBOR PLACE. HEARING CLOSED 16G

Document 29-E

Resolution of the City Council of Haverhill Massachusetts authorizing Mayor to submit a UCH Zone and plan to the Commonwealth (see document for complete text)

On Motion of Councillor Macek to approve the UCH-TIF zone and also the UCH-TIF plan.

ADOPTED Yeas 7, Nays 0, Abstain 1 (Barrett) Absent 1 29E

ORDERED: Harbor Place TIF Agreement (see document for complete text)

On Motion of Councillor Macek to approve the TIF agreement with Merrimack Street Owner, LLC, which may which may qualify under either the UCH-TIF plan or the HDIP TIF plan previously adopted by the City and to negotiate and execute a final TIF agreement with Merrimack Street owner, LLC, all to be consistent

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with the exemption, term, increment percentage and dollar amounts contained in the documents on file with the City Council.

PASSED

Yeas 8, Nays 0, Absent 1

77

ORDERED: Authorize Mayor to execute two Parking License Agreements with Merrimack Street Ventures, LLC for 198 parking permits (First Agreement is for 100 new permits and second agreement is for 98 existing permits) to be utilized in Herbert H Goecke Jr Parking Deck *and also* Authorize Mayor to execute a July 8, 2014

Memorandum of Agreement with Merrimack Street Ventures LLC relative to creation of 9 thirty-minute spaces on lower level of said Parking Deck on or about October 2016. (see document for complete text)  
On Motion of Councillor Macek to authorize Mayor to execute two Parking License Agreements with Merrimack Street Ventures, LLC for 198 parking permits (First Agreement is for 100 new permits and second agreement is for 98 existing permits) to be utilized in Herbert H Goecke Jr Parking Deck and also Authorize Mayor to execute a Memorandum of Agreement with Merrimack Street Ventures LLC relative to creation of 9 thirty-minute spaces on the lower level of said Parking Deck on or about October 2016.

PASSED

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

78

ORDER: Authorize Mayor on behalf of City to accept an easement from D.R. Locke LLC relative to an access, support/piling system, temporary construction easements at the rear of the premises at 56-66 Merrimack St and adjacent to Wall Street as shown on easement plan attached to said Agreement *and also* authorize Mayor to accept as easement from Kimberly Cook, Trustee of Vintage Treasure Realty Trust, relative to an access, utility, support/piling system, and temporary construction easements at the rear of the premises at 68-70 Merrimack St and adjacent to Wall Street , shown on easement plan attached to said Agreement (see document for complete text)

On Motion of Councillor Macek to pass Document 79 to authorize the Mayor on behalf of City to accept an easement from D.R. Locke LLC relative to an access, support/piling system, temporary construction easements at the rear of the premises at 56-66 Merrimack Street and adjacent to Wall Street as shown on easement plan attached to said Agreement and also authorize the Mayor to accept as easement from Kimberly Cook, Trustee of Vintage Treasure Realty Trust, relative to an access, utility, support/piling system, and temporary construction easements at the rear of the premises at 68-70 Merrimack Street and adjacent to Wall Street , shown on easement plan attached to said Agreement.

PASSED

Yeas 8, Nays 0, Absent 1

79

## 8. MOTIONS and ORDERS

### COUNCILLOR SCATAMACCHIA LEFT THE CHAMBERS

ORDERED: That the Mayor is authorized to execute documents to waive the City's interest in bequests from the Estate of Elmo D'Alessandro in amount of \$83,500 pursuant to June 30, 2014 request of Attorney Dennis M Spurling, a copy of which is attached and incorporated herein (see document for complete text)

PASSED

Yeas 7, Nays 0, Absent 2

80

### COUNCILLOR SCATAMACCHIA RETURNED TO THE CHAMBERS

ORDERED: That the sum of \$795,116 be transferred to/from the following accounts as stated to close out FY2014:

| <u>Amount</u> | <u>From</u>              | <u>Amount</u> | <u>To</u>                   |
|---------------|--------------------------|---------------|-----------------------------|
| \$600,000     | Budget Reserve           | \$600,000     | Snow & Ice Expenses         |
| \$56,116      | Salary Reserve           | \$3,040       | Council Salary              |
| \$8,800       | City Clerk Salary        | \$1,303       | Auditor Salary              |
| \$45,000      | Liability Insurance      | \$4,230       | Mayor Salary                |
| \$10,000      | Street Lighting Expenses | \$1,280       | Purchasing Salary           |
| \$74,700      | Health Insurance         | \$1,850       | Human Resources Salary      |
| \$500         | Parks Expenses           | \$15,700      | MIS Salary                  |
|               |                          | \$800         | Economic Dev Salary         |
|               |                          | \$1,326       | Building Inspection Salary  |
|               |                          | \$3,575       | Public Works Admin Salary   |
|               |                          | \$6,206       | Refuse Salary               |
|               |                          | \$16,504      | Parks Salary                |
|               |                          | \$802         | Veterans Salary             |
|               |                          | \$26,000      | Legal Expenses              |
|               |                          | \$10,000      | Human Resources Expenses    |
|               |                          | \$8,800       | City Clerk Expenses         |
|               |                          | \$1,500       | Public Works Admin Expenses |

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\$13,000 Veterans Expenses  
\$ 9,900 Stadium Expenses  
\$1,800 Senior Center Expenses  
\$67,500 Refuse Expenses

PASSED Yeas 8, Nays 0, Absent 1 31N

ORDERED: That the sum of \$84,101.37 be transferred from Wastewater Salaries to Wastewater Capital to fund wastewater capital projects

PASSED Yeas 8, Nays 0, Absent 1 31O

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ORDERED: That the sum of \$5,263 be transferred to/from following account as stated to close out FY2014:

| <u>Amount:</u> | <u>From:</u>  | <u>To:</u>                 |
|----------------|---------------|----------------------------|
| \$5,263        | Police-Salary | Police Expense (Utilities) |

PASSED Yeas 8, Nays 0, Absent 1 31P

Ordinances (File 10 Days)

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking  
(103 Bellevue Ave – Delete Handicap Parking) (see document for complete text)

PLACED ON FILE for at least 10 days 12N

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking  
(348 River St- Delete Handicap Parking)  
(see document for complete text)

PLACED ON FILE for at least 10 days 12O

9. Unfinished Business of preceding Meetings

Document 11-G

MUNICIPAL ORDINANCE CHAPTER

An Ordinance Relating to Salaries Conservation Officers, Dog Officers, Police Mechanics,  
Police Building Maintenance Craftsman/Custodian and  
Public Property Building Custodian Group  
(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 11G

Document 12-L

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking  
(20 Swasey Street- Add One Handicap Parking Space)  
(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 12L

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking  
(23 Arch Avenue - Add One Handicap Parking Space)  
(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 12M

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking  
No Parking on Entire East side of Nettleton Avenue  
(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 34C

Document 38-D, Amended Bond Order

ORDERED: That the Order of this Council approved December 10, 2013 authorizing the borrowing of \$420,000 to pay costs of purchasing a new fire truck, is amended in its entirety to provide as follows:

That \$508, 970 is appropriated to pay costs of acquiring a new fire truck, and for the payment of all costs incidental and related thereto (see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 38D

10. Communications and Reports from City Officers and Employees

No Schedule

Monthly Reports:

Abatement report was received from Board of Assessors for month of June 2014

PLACED ON FILE 14G

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Communications from Councillors:

Communication was received from Councillor Ryan requesting a discussion regarding “news boxes” in front of the Haverhill Post Office.

COUNCILLOR RYAN SUGGESTED THAT THAT THE NEWS BOXES BE MOVED ACROSS THE STREET

LETTER TO CITY SOLICITOR

55K

Communication was received from Councillor Ryan requesting a discussion regarding increasing commuter traffic in the morning and afternoon on interstate 495.

PLACED ON FILE

55L

Communication was received from Councillor Macek requesting to remove Document 83/2013; a petition from Lap Nguyen to purchase City property, a dead-end section of Worcester St, from the Committee Study list.

COUNCILLOR MACEK STATED THAT PETITIONER WAS NO LONGER INTERESTED IN PURCHASING PROPERTY

REMOVED FROM STUDY LIST

55M

Communications from City Employees:

No Schedule

11. Resolutions, Proclamations & Home Rule Petitions

No Schedule

12. Council Committee Reports and Announcements

Council Committee Reports

Councillor LePage presented the Minutes of the Administration & Finance Committee meeting held June 26<sup>th</sup> concerning Ordinance re: Amusements – Public Shows and Exhibitions. After a lengthy discussion it was determined another meeting was needed to further study and review new materials from other communities. Next meeting date to be determined. Also, representative from the Haverhill Police Department presented a proposed Haverhill Marijuana Public Use and Consumption bylaw. This has been referred to the City Solicitor for review.

MINUTES ACCEPTED AND PLACED ON FILE

39F

Meeting adjourned at 8:55 o'clock P.M.

Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas  
City Clerk

\*Doc. 75- Handout from Tyler Kimball