



City of Haverhill
City Council Minutes

Tuesday, September 16, 2014 at 7:00 PM
City Council Chambers, Room 202

Present – President Michitson, Councillors Scatamacchia, Barrett, Macek, Ryan, Sullivan, Daly O’Brien, McGonagle and LePage.
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 Barrett was assigned the minutes.

3. Communications from the Mayor

No Schedule

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

Document 83

Petition from Verizon New England and Mass Electric Company for joint pole location on Salem st; Plan 744.

A related communication was received from Joe Gleason, Verizon Right of Way Manager requesting to have the petition withdrawn without prejudice.

MOTION TO WITHDRAW WITHOUT PREJUDICE

GRANTED Yeas 9, Nays 0 83

ORDERED: Order grant permission to Verizon NE and Mass Electric Company for joint pole location on Salem st; Plan 744 (see document for complete text)

MOTION TO WITHDRAW WITHOUT PREJUDICE

GRANTED Yeas 9, Nays 0 83B

5. Appointments

Confirming Appointments:

Thomas Wylie, Haverhill Historical Commission, appointment to expire September 12 2017

CONFIRMED Yeas 9, Nays 0 81U

Non-Confirming Appointments

Thomas Macrae, Recycling Advisory Committee, appointment to expire September 12 2015

PLACED ON FILE 81V

Development & Industrial Commission:

Michele Mitchell, appointment to expire September 12 2015

PLACED ON FILE 81W

Mary O’Neil, appointment to expire September 12 2015

PLACED ON FILE 81X

Bianca Mercado, Community Affairs Advisory Board, appointment to expire September 12 2015

PLACED ON FILE 81Y

Resignations:

Shannon Hewey, Conservation Commission

PLACED ON FILE 81Z

6. Petitions

Petitions:

Petition was received from Verizon New England and MASS Electric Company requesting joint pole location on Central st; Plan 745

COUNCIL HEARING TO BE HELD OCT 7 2014 99

Petition was received from Verizon New England and MASS Electric Company requesting joint pole location on Essex st; Plan 746

COUNCIL HEARING TO BE HELD OCT 7 2014 100

Petition was received for a Special Permit Hearing from Attorney Robert Harb, representing Continental Wingate Development Company to construct a new 2-story building for Congregate Care Housing at unnumbered 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 & 4

September 16, 2014

companion units
HEARING TO BE HELD NOV 18 2014 101

Petition was received for a Special Permit Hearing from Attorney William Faraci for Kerri Fronduto, Trustee of 13 High Street Realty Trust, for a Repetitive Petition for property at 13 High st and a vacant lot across the street; Assessor's Plat 515, Block 295 3 Bldg, Lot No 515-297-13; consisting of 6 residential units and 9 parking spaces on the vacant lot
REFERRED TO PLANNING
COUNCIL HEARING NOV 18 2014 102

Applications:

One Day Liquor Licenses

Laura Hsu for wedding at Winnekenni Castle, Saturday, September 27, 6:00PM to 10:00PM
GRANTED Yeas 8, Abstain 1 (Sullivan) 57H

Applications for Permit

Application was received from Kathleen Pruett from the Boys & Girls Club of Greater Haverhill requesting to hold the 2014 Walk For Youth; beginning and ending at the Club on 55 Emerson st; October 18 at 10:00AM with a rain date of October 19 at 10:00AM
GRANTED Yeas 9, Nays 0 17L

Application was received from Reverend Robert Murray from St James Parish, requesting to hold a 5K Halloween Road Race starting and ending at St James School, 415 Primrose st; Sunday, October 26 at 10:00AM
GRANTED Yeas 9, Nays 0 17M

Tag Days

No Schedule

Annual License Renewals

No Schedule

Drainlayer 2014 License

No Schedule

7. Hearings and Related Orders:
No Schedule

8. Motions and Orders

ORDERED: That the City Council authorizes the Purchasing Department to proceed with final disposition of list of obsolete computer equipment from the Water Department (see document for complete text)
PASSED Yeas 9, Nays 0 103

ORDERED: That the City Council of the City of Haverhill hereby: Transfers, from the Mayor, the care, custody, management and control of the parcels of land shown on the plan, in five (5) sheets, showing the layout of the right of way, entitled "Compiled Layout Plan For Acceptance Located in the City of Haverhill, County of Essex, Massachusetts To Be Used For Tail Trail Purposes" dated June 24, 2014, revised on August 14, 2014 and prepared by Chappell Engineering Associates, LLC, R.K. Executive Centre, 201 Boston Post Road West, Suite 101, Marlborough, MA 01752 recorded at Essex South District Registry of Deeds in Plan Book 444, Plan 80 taken by the City pursuant to City of Haverhill Document 91-B, Order for the "Acquisition of Land and Permanent Easement for Rail Trail" and the Order of Taking dated August 19, 2014 referenced therein and currently held for rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes.... (see document for complete text)
PASSED Yeas 9, Nays 0 91H

ORDERED: Transfer \$24,041 from Capital Projects Reserve Account to the Bradford Rail Trail Project Account
A related communication was received from Mayor Fiorentini stating that the funds were not needed at this time.
PLACED ON FILE 31S

ORDERED: That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bill(s) of the previous years and to further authorize the payment from current year appropriations as listed:
BadgeQuest \$5,500.00 Human Resource Department
First Southwest \$6,130.50 Treasurer's Office
PASSED Yeas 9, Nays 0 104

September 16, 2014

Ordinances (File 10 Days)

MUNICIPAL ORDINANCE

CHAPTER 189

An Ordinance Relating to Peace and Good Order

Be it ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill is amended by adding a new Chapter 189, as amended, be further amended by adding the following;

“189-13 Sale of Synthetic Cannabinoids Prohibited

A. No person, firm, store or corporation shall sell or offer for sale or distribution within the City of Haverhill any Synthetic Cannabinoids, including but not limited to products commercially known as “fake pot” and/or “smokable incense” and all synthetic stimulants in the class of drug known as Synthetic Cathinones, products commercially known as “Bath Salts.” This includes all products containing but not limited to any/all of the following synthetic stimulants; MDPV, Mophedrone, Methylone and 3,4-Methlenedioxyprovalerone.

B. Any person, firm, store or corporation found in violation of this ordinance shall receive one (1) written warning prior to the institution of fines. Any person, firm, store or corporation found to be in violation of any provision of this ordinance on a second occasion and all subsequent offenses shall be penalized pursuant to the City’s Non-Criminal Disposition for Violations of Ordinances, Bylaws, Rules and Regulations as provided in M.G.L.A. c. 40, §21D and subject to a \$300 fine or by filing a criminal complaint at the appropriate venue. A violation shall occur for each day that the prohibited items are found to be sold or offered for sale or distribution.

C. The Police Department shall be the enforcing authority for this ordinance.”

PLACED ON FILE for at least 10 days

105

9. Unfinished Business of preceding Meeting

No Schedule

10. Communications and Reports from City Officers and Employees

No Schedule

MONTHLY REPORTS

Abatement report from Board of Assessors for month of August 2014

PLACED ON FILE

14I

11. Communications from Councillors

Communication was received from Councillor Daly O’Brien requesting a discussion about a handicap space and a missing street light at 200 Merrimack st

LETTER TO TRAFFIC & SAFETY COMMITTEE & LETTER TO MAYOR INQUIRING ABOUT MISSING LIGHT POLE AT THIS LOCATION & OTHER LOCATIONS IN THE DOWNTOWN AREA

98E

Communication was received from Councillor Macek requesting a discussion regarding a stop sign at the corner of Doane st and Route 125 South Main st

REFERRED TO TRAFFIC & SAFETY COMMITTEE

98F

12. Resolutions and Proclamations

No Schedule

13. Council Committee Reports and Announcements

Councillor Macek presented the Minutes of the Natural Resources and Public Property Committee held September 11th re: improvement plan for Winnekenni Park and Plug Pond; public signage, parking ordinances on Hillside Place and Hillside St; repairs on the Clement Farm property leased to American Legion. He stated that things are moving along with Winnekenni Park but public signage is needed and that Councillor Sullivan asked for this item to be removed from study list. He also asked for the issue of parking ordinances on Hillside Place and Hillside St. be removed from the study list as it is no longer an issue. Councillor Macek stated that the issue of public signage will be removed from the study list at the request of the petitioner; Clement Farm matter – it was determined that a meeting should be scheduled with the Mayor

MINUTES ACCEPTED AND PLACE ON FILE

39K

Councillor Barrett announced the upcoming meeting with MBTA officials, Keolis, Senator Ives, Rep. Campbell on September 18, 9:30-11:00AM at Northern Essex Community College, Tech Center, room 103A

Councillor LePage announced that there will be an Administration & Finance Committee meeting on Oct. 1st at 7:00PM in the City Council office. Agenda item is zoning for Medical Marijuana.

Meeting adjourned at 7:19 o’clock P.M.

Yeas 9, Nays 0

Attest: Linda Koutoulas
City Clerk