



City of Haverhill
City Council Minutes

Tuesday, August 9, 2016 at 7:00 PM
City Council Chambers, Room 202

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

Councillor Bevilacqua – remote participation failed due to technical difficulties.

Absent – Councillor Bevilacqua

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 from Mayor Fiorentini submitting following agreement:

Net Metering Credit Purchase Agreement between Mass American Energy & City. City to purchase Net Metering Credits for 9.25 cents per KWH for project Police Headquarters Roof at 40 Bailey Blvd.

PLACED ON FILE 26J

ORDERED: Net Metering Credit Purchase Agreement between Mass American Energy & City.(see document for complete text)

ON MOTION OF COUNCILLOR BARRETT TO AUTHORIZE THE MAYOR TO EXECUTE A NET METERING CREDIT PURCHASE AGREEMENT BETWEEN MASSAMERICAN ENERGY & CITY FOR THE POLICE DEPARTMENT BUILDING AT 40 BAILEY BOULEVARD

PASSED Yeas 8, Nays 0, Absent 1 26JJ

Communication from Mayor Fiorentini submitting *Memorandum of Agreement* between the City of Haverhill and the Teamsters Local 170 Water Purification Group; and related Salary Ordinance

PLACED ON FILE 27D

ORDERED: MUNICIPAL ORDINANCE CHAPTER
AN ORDINANCE RELATING TO SALARIES WATER PURIFICATION GROUP
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 28I

Communication from Mayor Fiorentini submitting Memorandum of Agreement between the City of Haverhill and the Teamsters Citizen Center Group; and related Salary Ordinance

PLACED ON FILE 42F

ORDERED: MUNICIPAL ORDINANCE CHAPTER
AN ORDINANCE RELATING TO SALARIES CITIZEN CENTER
PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 28J

ON MOTION OF COUNCILLOR SULLIVAN TO SUSPEND THE RULES TO DISCUSS HARBOR PLACE AFFORDABLE RENTAL HOUSING OPPORTUNITY* 88
RULES SUSPENDED Yeas 8, Nays 0, Absent 1

Councillor Sullivan introduced Andrew Herlihy, CDBG Director who gave an overview of the Harbor Place affordable rental housing opportunity. There will be an information session on Tuesday, Aug. 30 at 4:00PM and 6:00PM at the Haverhill Public Library. There will be a lottery drawing on Weds., Oct 19 at 11:00AM. Applications are due Oct.4, 2016 and are available at City Hall, Room 309, Mayor’s office and on line at LiveHarborPlace.com.

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4. Communications and Reports from City Officers and Employees

Communication from Linda Koutoulas, City Clerk seeking approval for change unanimously passed by Board of Registrars July 28th; for amended Order regarding polling places for the remainder of this year; requesting the change of Ward 2 Precinct 2 to *Northpoint Bible College* and the change of Ward 7 Precinct 2 to *Bradford Elementary School*; Related communication from Robert DesMarais; Chair, Board of Registrars of Voters

PLACED ON FILE 12E

ORDERED: – That the following locations are hereby established as Polling Places for all Elections to be held during the year 2016, in accordance with Chapter 54, Section 24 of the Massachusetts General Laws: (see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 12EE

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

Petition was received from National Grid Electric for Hearing to locate Poles, wires, and fixtures at location on Pilgrim rd; Plan 22096639

COUNCIL HEARING TO BE HELD SEP 6, 2016 Yeas 8, Nays 0, Absent 1 89

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6. Appointments

Confirming Appointments

Mary Ellen Lawlor, Washington Street Historic District Commission; Appointment to expire

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CONFIRMED Yeas 8, Nays 0, Absent 1 9M

Non-confirming Appointments

Resignations

Daniel M Moriarty, Board of Registrars

PLACED ON FILE Yeas 8, Nays 0, Absent 1 2B

7. Petitions

No Schedule

8. Applications/Handicap Parking Signs

Renewal – Eileen F Flanagan for 23 Arch av

RENEWAL GRANTED Yeas 8, Nays 0, Absent 1 59E

New – Darlene G Nuzzi, 96 Broadway for sign on Bedford st

REFERRED TO PLANNING Yeas 8, Nays 0, Absent 1 59F

9. One Day Liquor Licenses:

Application by Gail Sullivan for Team Haverhill for a one day liquor license for beer and wine for their River Ruckus event to be held in the parking lot behind the Tap on Sat, September 24 from 9AM to 8PM.

This has received approval from police and the license commission. Police have requested total of 6 detail officers, 3 paid for by City and 3 paid for by applicant.

ON MOTION OF COUNCILLOR MACEK TO APPROVE WITH CONDITIONS AS STATED BY POLICE DEPARTMENT

GRANTED Yeas 7, Abstain 1 (LePage), Absent 1 8H

Application by Carol Pelchat for the League of Women Voters of Greater Haverhill for one day all alcohol license for High School Scholarship fundraiser at Winnekenni Castle to be held on Sept 30 from 6PM-11PM.

This has received approval from police and the license commission

GRANTED Yeas 8, Nays 0, Absent 1 8I

10. Applications for Permit

Application from Team Haverhill to hold “River Ruckus”, Saturday, September 24 in parking lot behind the Tap Restaurant on Merrimack st; 12 Noon to 8:30 PM; and also waive fees

Has Police approval with following conditions: 6 Detail Officers needed – 3 paid for by City & 3 paid for by Applicant; Has Fire Dept approval with following conditions: Inspector and 3 person Truck needed – half paid for by City and applicant will be responsible for the remaining detail expenses

ON MOTION OF COUNCILLOR MACEK TO APPROVE WITH CONDITIONS AS STATED BY POLICE AND FEES BE WAIVED WITH AMENDMENT TO ADD THE FIRE DEPARTMENT CONDITIONS

GRANTED WITH CONDITIONS & FEES WAIVED Yeas 7, Abstain 1 (LePage), Absent 1 90

Application from *Community Action Inc – Mt. Washington Alliance*, requesting to hold “Mt. Washington NeighborFEST”, Saturday, August 27; 12 Noon to 3:00 PM; on Washington st at High st; and also waive fees

Has Police approval with conditions

ON MOTION OF COUNCILLOR MACEK TO APPROVE WITH POLICE CONDITIONS BE ATTACHED AND FEES BE WAIVED

GRANTED WITH CONDITIONS & FEES WAIVED Yeas 8, Nays 0, Absent 1 91

11. Tag Days

No Schedule

12. Annual License Renewals:

No Schedule

13. Hawker/Peddler

No Schedule

14. Drainlayer 2016 License

Charles Zaher, renewal

GRANTED Yeas 8, Nays 0, Absent 1 10S

15. Hearings & related orders:

No Schedule

16. New Business/Orders:

ORDERED: That the sum of \$348,500 be transferred from the General Fund, *Reserve for Capital Projects* to the following Capital Accounts:

City Hall Flooring	\$20,000
City Hall Bathrooms	\$26,000
City Hall Exterior Repairs	\$23,500
High Street Wiring	\$10,000
Six-Wheel Dump Truck	\$195,000
One Ton Dump Truck	\$43,000
Fire Inspector Vehicle	\$26,000
Heating for Rocks Village	\$ 5,000

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PASSED Yeas 8, Nays 0, Absent 1 80F

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 departmental appropriations as listed bellow :

Francis H Maroney Inc	\$208.88	Public Property
MASS Municipal Assoc	\$210.00	Water/Wastewater
Action Emer. Services	\$523.50	Public Property

PASSED Yeas 8, Nays 0, Absent 1 80G

17. Ordinances (File 10 days):

MUNICIPAL ORDINANCE CHAPTER 240
AN ORDINANCE RELATING TO PARKING
98 TEMPLE ST NO 2 – DELETE HANDICAPPED PARKING

PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 20H

MUNICIPAL ORDINANCE CHAPTER 250
AN ORDINANCE RELATING TO WATER (Amended)

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 250, as amended, is hereby further amended by deleting Article VI Water Use restriction in its entirety and in place thereof inserting the following:

“Article VI Water Use Restriction
§ 250-22 Authority

This article is adopted by the City under its police powers to protect public health and welfare and its powers under MGL c. 40 § 21 et seq. and implements the City’s authority to regulate water use pursuant to MCL c. 41, § 69B. This article also implements the City’s authority under MGL c. 40, V 41A, conditioned upon a declaration of water supply emergency issues by the Commonwealth of Massachusetts Department of Environmental Protection (MassDEP) (see document for complete text)

PLACED ON FILE for at least 10 days Yeas 8, Nays 0, Absent 1 92

Related communication from Mayor James Fiorentini

Communication from Economic and Planning Director William Pillsbury regarding amendment to zoning ordinance – Solar Energy System

REFERRED TO PLANNING BOARD Yeas 8, Nays 0, Absent 1 82A

MUNICIPAL ORDINANCE CHAPTER 255
AN ORDINANCE RELATING TO ZONING
SOLAR ENERGY SYSTEMS

BE IT ORDAINED by the City Council of the City of Haverhill that the zoning ordinance Chapter 255 be further amended by adding the following:

9.4 SOLAR ENERGY SYSTEMS

9.4.1 Purpose. The purpose of this Section is to regulate and restrict the creation of new Solar Energy Systems, including Large-Scale Ground-Mounted Solar Photovoltaic Installations and Roof-Mounted Installations, by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on environmental, scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations. (see document for complete text)

COUNCIL HEARING TO BE HELD OCT 4, 2016 Yeas 8, Nays 0, Absent 1 82

18. Unfinished Business

Document 28-G

MUNICIPAL ORDINANCE CHAPTER
AN ORDINANCE RELATING TO SALARIES AFSME GROUP (WWTP)
(see document for complete text)

PASSED Yeas 8, Nays 0, Absent 1 28G

19. Monthly Reports

No Schedule

20. Communication from Councillors

Communication was received from President Michitson requesting to introduce Ted Gaiero of 9 Highland St, to speak about making Haverhill better.

MR. GAIERO SUGGESTED THE COUNCIL CONTACT THE FEDERAL DELEGATION URGING THEM TO TRY TO GET MORE MONEY FOR HAVERHILL AND ADVERTISE HAVERHILL WITH SIGNAGE ALONG INTERSTATE HIGHWAYS

PLACED ON FILE 82K

Communication was received from President Michitson requesting to introduce Ron MacLeod of 162 North av to discuss public participation during City Council meetings.

MR. MACLEOD STATED THAT 4 CITY COUNCILLORS USED PUBLIC PARTICIPATION AT A SCHOOL COMMITTEE MEETING AND THAT THERE WAS A DOUBLE STANDARD.

PRESIDENT MICHITSON EXPLAINED THAT IN ORDER FOR PUBLIC PARTICIPATION TO BE

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DISCUSSED AS AN AGENDA ITEM, 6 COUNCILLORS HAVE TO PUT IT IN WRITING PRIOR TO A COUNCIL MEETING SINCE THE MATTER WAS DISCUSSED TWO MONTHS PREVIOUSLY.
PLACED ON FILE

82L

Communication from President Michitson requesting to introduce Peter Yiannakoureas to speak about public participation.

MR. YIANNAKOUREAS STATED THAT HE HAD ATTENDED A SCHOOL COMMITTEE MEETING AND THE MAYOR CUT HIM OFF AND WOULDN'T ALLOW HIM TO SPEAK. HE IS SEEKING AN ANSWER FROM THE MAYOR IN WRITING.

MR. YIANNAKOUREAS WAS TOLD THIS MATTER IS NOT HANDLED BY THE CITY COUNCIL.
PLACED ON FILE

82M

Communication was received from President Michitson requesting to introduce Tom Wu, CEO of Invaleon Solar Technologies, regarding the HHS solar roof project

MR. WU GAVE A BACKGROUND OF HIS COMPANY IN WARD HILL. HE STATED AT THE LAST SCHOOL COMMITTEE MEETING HIS COMPANY WAS ATTACKED BY SHAUN TOOHEY. HE SAID HE WANTED TO PROTECT HIS IMAGE AND HIS EMPLOYEES. HE IS ASKING THE CITY OF HAVERHILL OR SCHOOL COMMITTEE MEMBER SHAUN TOOHEY TO RECAT HIS STATEMENT
PLACED ON FILE

82N

Communication was received from Councillor Macek requesting a discussion concerning the installation of a flood light on Pole 85-4 overlooking the parking area, ramp and fishing area at the end of Stanley Drive.

LETTER TO MAYOR

Yeas 8, Nays 0, Absent 1

82O

Communication was received from Councillor Macek requesting a discussion in regards to the upkeep and maintenance of Round Pond along Stanley Drive, Lawrence Street and the Fred DiBartolomeo Park area
COUNCILLOR SULLIVAN SPOKE ABOUT THE WORK THAT IS BEING UNDERTAKEN.

ON MOTION OF COUNCILLOR MACEK TO SEND A LETTER TO THE MAYOR ASKING HIM TO FORM A GROUP TO DO AN ACCOUNTING OF ALL THE PARK AREAS WITH AN ASSOCIATED MAINTENANCE PROGRAM

LETTER TO MAYOR

Yeas 8, Nays 0, Absent 1

82P

Communication was received from Councillor Daly O'Brien and Sullivan requesting a discussion about creating a Main Street Historic District Study Committee.

COUNCILLOR DALY O'BRIEN STATED THAT THE RECENT MATTER WITH THE ST. GREGORY ARMENIAN CHURCH PROMPTED THIS INITIATIVE FROM THE HAVERHILL HISTORIC COMMISSION. COUNCILLOR SULLIVAN MENTIONED A POSSIBLE MEMORIAL AT THIS LOCATION

ON MOTION OF COUNCILLOR DALY O'BRIEN TO SEND A LETTER TO THE MAYOR IN SUPPORT OF CREATING A MAIN STREET HISTORIC DISTRICT STUDY COMMITTEE

LETTER TO MAYOR

Yeas 8, Nays 0, Absent 1

82Q

21 Resolutions and Proclamations

No Schedule

22 Council Committee Reports and Announcements

23 Documents referred to Committee Study

Meeting adjourned at 8:36 o'clock P.M.

Yeas 8, Absent 1

*Doc. 88 – Handout from Andrew Herlihy – Brochure – Harbor Place Affordable Rental Housing Opportunity

Attest: Linda Koutoulas
City Clerk