



DOCUMENT 86

**CITY OF HAVERHILL**

In Municipal Council September 4 2012

~~ORDERED~~

MUNICIPAL ORDINANCE

CHAPTER 206

**AN ORDINANCE RELATING TO  
SENIOR CITIZEN TAX INCENTIVE PROGRAM**

**BE IT ORDAINED** by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 206, as amended, is hereby further amended as follows:

**§206-4. Description of program.**

By deleting the figure "95" after the words "School Department", and inserting in place thereof the figure "125".

Also, by adding the following at the end of this section: "Any qualified senior citizen who is physically unable to provide services may propose a representative to provide such services to the city in their place. The representative must be approved and deemed qualified to provide services by the Human Resources Director."

APPROVED AS TO LEGALITY

  
City Solicitor

PLACED ON FILE for at least 10 days

Attest:

\_\_\_\_\_  
City Clerk

**CITY OF HAVERHILL**

**MASSACHUSETTS**

**CITY SOLICITOR'S OFFICE**

145 South Main Street

Bradford, MA 01835

(978) 373-2360

FAX: 978/372-0688

EMAIL: billcoxlaw@aol.com

**WILLIAM D. COX, JR.**  
**CITY SOLICITOR**

August 29, 2012

TO: John A. Michitson, President and Members of the Haverhill City Council

FROM: William D. Cox, Jr., Esq., City Solicitor 

RE: Ordinance - Senior Citizen Tax Incentive Program

The current Code with regards to the Senior Citizen Tax Incentive Program includes a "95" hours in a fiscal year (July 1 to June 30) limitation as to the number of hours a participant may work. The Legislature has increased the total amount of hours a participant can work to 125, upon an affirmative vote of the Council with the approval of the Mayor. This would allow a senior citizen to earn up to \$1,031.25 per fiscal year given the current minimum wage of \$8.25.

Also, the new provisions allow an approved representative, for persons physically unable, to provide such services to the city.

Enclosed are copies of the current ordinance and the M.G.L. c. 59, §5K. If I can be of further assistance, please do not hesitate to call upon me. Thank you.

cc: James J. Fiorentini, Mayor



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[CHAPTER 206. SENIOR CITIZEN TAX INCENTIVE PROGRAM](#)

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## Chapter 206. SENIOR CITIZEN TAX INCENTIVE PROGRAM

[**HISTORY:** Adopted by the City Council of the City of Haverhill 2-4-1997 by Doc. 25 (Ch. 206 of the 1980 Code). Amendments noted where applicable.]

### § 206-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### ASSET ELIGIBLE

Individuals who have total assets, not including a principal residence, that do not exceed \$50,000.[Amended 4-22-2008 by Doc. 55]

#### INCOME ELIGIBLE

Individuals who have an annual income of \$50,000.[Amended 4-22-2008 by Doc. 55]

#### SENIOR CITIZEN

A retired citizen of Haverhill who has attained the age of 65 years old.[Amended 1-26-1999 by Doc. 145/98]

### § 206-2. Establishment; purpose.

[Amended 4-22-2008 by Doc. 55]To assist senior citizens in the payment of annual real estate taxes to the City of Haverhill, a tax incentive program is to be established in accordance with MGL c. 59, § 5K. This chapter of the Code shall serve as the local rules and regulations for said program. Should the provisions of this chapter conflict with MGL c. 59, § 5K, state law shall prevail.

### § 206-3. Eligibility.

Senior citizens who are the responsible party for the payment of real estate taxes to the City of Haverhill and who are income eligible and asset eligible shall be eligible to participate in the program.

### § 206-4. Description of program.

- A. An eligible senior citizen, as defined herein, may register and qualify to participate in this program with the Human Resources Director. The Human Resources Director shall assign the senior citizen to volunteer his or her services in municipal departments, including the School Department, for 95 hours in a fiscal year (July 1 to June 30). Upon certification of the completion of the necessary volunteer hours by the municipal department head in which the senior citizen has provided services, the Human

Resources Director shall authorize the payment for hours worked at the minimum wage rate, with the annual payment not to exceed an amount equal to the maximum prescribed by MGL c. 59, § 5K, per participant. Said recommendation shall be made to the City Tax Collector, to be applied towards the senior citizen's real estate account.

[Amended 1-26-1999 by Doc. 145/98; 7-10-2007 by Doc. 76; 4-22-2008 by Doc. 55]

B. The program shall be limited to 25 participants in each fiscal year period.

C. Municipal departments, including the school department, who desire to participate in this program shall provide position descriptions to the Human Resources Director. The Human Resources Director shall match senior citizen volunteers with positions available in municipal departments. Department heads shall approve the placement and retention and shall supervise senior citizen volunteers within their respective departments.

[Amended 1-26-1999 by Doc. 145/98; 7-10-2007 by Doc. 76]

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Effective: July 27, 2010

Massachusetts General Laws Annotated Currentness

Part I. Administration of the Government (Ch. 1-182)

▣ Title IX. Taxation (Ch. 58-65C)

▣ Chapter 59. Assessment of Local Taxes (Refs & Annos)

→→ § 5K. Property tax liability reduced in exchange for volunteer services; persons over age 60

In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such person over the age of 60 on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1,000 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section.

In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages, or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws, but such person while providing such services shall be considered a public employee for the purposes of chapter 258, but such services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.

CREDIT(S)

Added by St.1999, c. 127, § 59. Amended by St.2002, c. 184, § 52; St.2005, c. 6, § 7, eff. Feb. 24, 2005; St.2009, c. 27, § 24, eff. July 1, 2009; St.2010, c. 188, § 43, eff. July 27, 2010.

#### HISTORICAL AND STATUTORY NOTES

St.1999, c. 127, § 59, an emergency act, was approved Nov. 16, 1999, and by § 390 made effective as of July 1, 1999.

#### 2002 Legislation

St.2002, c. 184, § 52, an emergency act, approved July 29, 2002, and by § 247 made effective as of July 1, 2002, in the first paragraph, in the second sentence, substituted "\$750" for "\$500".

#### 2005 Legislation

St.2005, c. 6, § 7, an emergency act, approved Feb. 24, 2005, effective Feb. 24, 2005, rewrote the second paragraph, which prior thereto read:

"In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages or employment for the purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of unemployment insurance as provided in chapter 151, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws but such person while providing such services shall be considered a public employee for the purposes of chapter 258."

#### 2009 Legislation

St.2009, c. 27, § 24, approved June 29, 2009, and by § 161 made effective July 1, 2009, in the first paragraph, in the second sentence, substituted "\$1,000" for "\$750".

#### 2010 Legislation

St.2010, c. 188, § 43, approved July 27, 2010, effective July 27, 2010, added the third paragraph. Emergency declaration by the Governor was filed July 27, 2010.

#### LIBRARY REFERENCES

Taxation  199, 212, 219.  
Westlaw Topic No. 371.  
C.J.S. Taxation §§ 215, 235, 240 to 242, 1098.

M.G.L.A. 59 § 5K

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RESEARCH REFERENCES

Treatises and Practice Aids

4 Mass. Prac. Series § 1:4, Massachusetts Gross Income.

4 Mass. Prac. Series § 18:5, Tax Rates and Payment Dates.

18B Mass. Prac. Series § 36.43, Senior Volunteer Tax Reduction--Local Option.

M.G.L.A. 59 § 5K, MA ST 59 § 5K

Current through Chapter 141 of the 2012 2nd Annual Session

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END OF DOCUMENT

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JAMES J. FIORENTINI  
MAYOR

CITY OF HAVERHILL  
MASSACHUSETTS

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
WWW.CI.HAVERHILL.MA.US

August 30, 2012

City Council President John Michitson  
And Members of the Haverhill City Council

**RE: Senior Tax Incentive Program**

Dear Mr. President and Members of the City Council:

Enclosed, please find an ordinance relative to our Senior Tax Incentive Program. This order would allow seniors to work more hours and get a little more money toward their property tax. It would also allow a disabled senior to designate someone to substitute for them in this program.

This order needs to be placed on file for ten days after which I recommend approval.

Very truly yours,

  
James J. Fiorentini, Mayor

JJF/lk

Encl.



**CITY OF HAVERHILL**  
ASSESSORS OFFICE – ROOM 115  
Phone: 978-374-2316 Fax: 978-374-2319  
Assessors@cityofhaverhill.com

Sept. 4, 2012

TO: MEMBERS OF THE HAVERHILL CITY COUNCIL:

In accordance with Municipal Ordinance, Chapter 7,  
entitled "Assessor" as follows:

The Board of Assessors shall file monthly with the  
City Council a copy of the report submitted to the  
Auditor showing a summary of the above abated  
amounts for that month.

Attached herewith is the report for the month of  
August as filed in the Assessors Office.

Very truly yours,

---

Stephen C. Gullo, MAA  
Assessor

ASSESSING DEPARTMENT AUGUST 2012

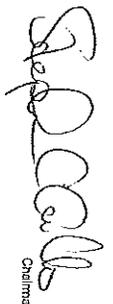
Day	2012 REAL ESTATE	2012 MVE	2011 MVE	2010 MVE	2012 MVE CANCEL	2012 BOAT	2011 BOAT	2011 MVE UNCOLLECT	PERSONAL PROP	PERSONAL PROP UNCOL	2011 PERSONAL PROP UNCOL	2009 MVE UNCOL	2008 MVE UNCOL	2007 MVE UNCOL	2006 UNCLNERS PROP.	1999 UNCLNERS PROP.
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20		6,219.64		122.81												
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25																
26		1,495.00	117.50													
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28																
29																
30																
31																
Reverts Rec. by Collector																
Totals		10,868.02	189.59	187.36												

To the Auditor of Accounts:  
 This is to certify that statements as shown above, amounting in the aggregate  
 have been duly authorized.

Eleven Thousand One Hundred Fifty Eight & 89/100

BOARD OF ASSESSORS.

By



Chairman

CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT

ROBERT H. SCATAMACCHIA  
VICE PRESIDENT

MICHAEL J. HART  
WILLIAM H. RYAN

~~XXXXXXXXXXXX~~

MICHAEL S. MCGONAGLE

WILLIAM J. MACEK

COLIN F. LEPAGE

MARY ELLEN DALY O'BRIEN

Thomas J. Sullivan



CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

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4 SUMMER STREET  
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FACSIMILE: 978-374-2329  
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citycncl@cityofhaverhill.com

September 13, 2012

TO: Mr. President and Members of the City Council

Councillor Michael Hart requests a discussion regarding the removal of a handicap parking space at 11 Proctor Street as it is no longer needed.

  
City Councillor Michael J. Hart *6 sc*

Name of Street Location	Regulation	Hours/Days
358 Primrose Street [Added 8-28-2001 by Doc. 49-O; repealed 3-22-2005 by Doc. 32-C]		
In front of 576 Primrose Street, Amvets Post No. 147 [Added 9-25-1990 by Doc. 34-M]	Time limited: 15 minutes	Mon. through Sun.
Proctor Street [Added 8-14-2001 by Doc. 49-M]		
In front of 11 Proctor Street, except for 1 24-hour handicapped parking space at No. 11	No parking	24 hours
Railroad Avenue [Added 6-25-1996 by Doc. 18-K]		
East side [Added 6-25-1996 by Doc. 18-L]	No parking	24 hours
West side	4-hour parking	24 hours
Railroad Square [Amended 5-1-1984 by Doc. 38-H; 4-27-1993 by Doc. 26-D; 7-13-1993 by Doc. 26-I; 3-24-2009 by Doc. 39-J]		
All as shown on the Central Business District Parking Map dated 8/17/11, filed in the office of the City Engineer, Plan 2B/3418, a copy of which is also on file with the City Clerk [Amended 9-6-2011 by Doc. 23-F]		
Reed Street		
From Temple Street to Jackson Street, south side	No parking	—
River Street		
In front of 92-96 River Street [Added 1-8-2008 by Doc. 29-Q/2007]	Time limited: 1 hour	8:00 a.m. to 6:00 p.m., Mon. through Fri.
From 20 feet west of Washington Street to 109 River Street, north side [Amended 2-5-1985 by Doc. 29-C]	Time limited: 30 minutes	7:00 a.m. to 6:00 p.m.
100 River Street [Added 12-7-2004 by Doc. 12-O; repealed 9-6-2005 by Doc. 32-L]		
From 109 to No. 211 River Street, except for 1 24-hour handicapped parking space at No. 163, north side [Amended 2-5-1985 by Doc. 29-C]	Time limited: 2 hours	7:00 a.m. to 6:00 p.m.
115 River Street [Added 2-9-1999 by Doc. 32; repealed 1-27-2004 by Doc. 11]		



CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT

ROBERT H. SCATAMACCHIA  
VICE PRESIDENT

MICHAEL J. HART  
WILLIAM H. RYAN

~~XXXXXXXXXXXX~~

MICHAEL S. MCGONAGLE

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citycncl@cityofhaverhill.com

September 13, 2012

Mr. President and Members of the City Council

Councillor William J. Macek wishes to discuss traffic and excessive speed on Route 97.

*William J. Macek*  
City Councillor William J. Macek *WJM*



## DOCUMENT

## CITY OF HAVERHILL

In Municipal Council

ORDERED:

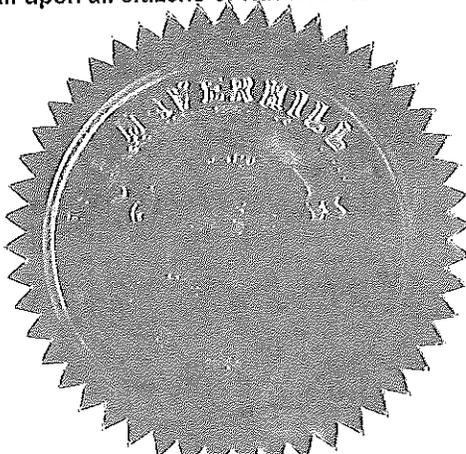
## P R O C L A M A T I O N

- WHEREAS; The United Nations was founded in 1945, and the anniversary of the day on which the UN Charter came into force is observed each year on October 24; and
- WHEREAS; the United Nations promotes peace and security, development, democracy, economic prosperity, global health and human rights around the world, and is vital now more than ever; and
- WHEREAS; the United Nations works to achieve the Millennium Development Goals, by providing a common development strategy for the international community, improving coordination, coherence, and effectiveness within the UN system, the donor community and developing countries; and
- WHEREAS; the Goals address universal issues from poverty and access to education to improving healthcare and environmental sustainability and enjoy unprecedented political support because they are specific and measurable, with a deadline and indicators for monitoring progress attached to each goal ; and
- WHEREAS; the United States has a long tradition of leading international efforts to improve health, education and economic growth in developing countries; and
- WHEREAS; a bipartisan poll conducted in April revealed that more than eight out of ten voters say it is important that the United States maintain an active role within the United Nations
- WHEREAS; the United States has shown its commitment to the Millennium Development Goals through foreign assistance, progressive trade initiatives, and debt relief measures; and
- WHEREAS; the United Nations Association of the United States of America (UNA-USA), has declared "The United Nations: Solutions for a Prosperous World " as its theme for the 2012 United Nations Day commemoration; and

NOW THEREFORE, I, JAMES J. FIORENTINI, MAYOR OF THE CITY OF HAVERHILL do hereby proclaim October 24, 2012 to be:

**UNITED NATIONS DAY**

I call upon all citizens of Haverhill to observe and recognize the accomplishments and contributions of the United Nations.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Seal of the City of Haverhill to be affixed this 23rd day of October in the year of our Lord two thousand and twelve.

  
 \_\_\_\_\_  
 MAYOR JAMES J. FIORENTINI



DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

ORDERED:

**THAT THE FOLLOWING HOME RULE PETITION BE ADOPTED BY THE CITY COUNCIL AND FORWARDED TO THE GENERAL COURT**

**HOME RULE PETITION**

**AN ACT AUTHORIZING THE CITY OF HAVERHILL TO GRANT A LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES TO RALPH'S TO GO.**

**Be it enacted, etc. as follows:**

**SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws, the licensing board of the city of Haverhill may grant a license for the sale of all alcoholic beverages not to be drunk on the premises under section 15 of said chapter 138, to William R. Guzzardi and Carol Selvaggio, Trustees of the Mary Jane Guzzardi Family Trust and the Ralph Guzzardi Family Trust, doing business as Ralph's to Go, at 8 Knipe Road in the city of Haverhill. Said license shall be subject to all of said chapter 138, except said section 17.**

**Notwithstanding any general or special law, rule or regulation to the contrary, the licensing board shall not approve the transfer of the license to any other location. The license may be re-issued by the licensing board at the same location if an applicant for the license files with the board a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.**

**If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all its legal rights, privileges and restrictions pertaining thereto, to the licensing board which may then grant the license to a new applicant at the same location and under the same conditions as specified in this section.**

**SECTION 2. This act shall take effect upon its passage.**

CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT

ROBERT H. SCATAMACCHIA  
VICE PRESIDENT

MICHAEL J. HART  
WILLIAM H. RYAN  
SVEN A. AMIRIAN  
MICHAEL S. MCGONAGLE  
WILLIAM J. MACEK  
COLIN F. LEPAGE  
MARY ELLEN DALY O'BRIEN



**CITY OF HAVERHILL**

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12.1

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**DOCUMENTS REFERRED TO COMMITTEE STUDY**

#5-L/10	Communication from Councillor Macek requesting to propose the enactment of a Safe Building Ordinance.	NRPP	2/23/10
74-X/11	Communication from Co. Amirian requesting a discussion about proposed pig farm at Boxford Road	Planning & Dev.	9/27/11
4	Communication from Councillor Macek requesting a discussion regarding the proposed Monument Square traffic divider/island.	Planning & Dev.	1/3/12
12-E	Communication from Councillor Scatamacchia requesting to introduce Vincent Kissel to speak regarding safety issues at Kenoza Avenue and Newton Road	Planning & Dev	1/17/12
40-F	Communication from Councillor Daly O'Brien requesting to discuss lighting in the area of the parking garage	Public Safety	5/8/12
71	Ordinance – Waterfront Interim Planning Overlay District (WIPOD) Amend Section 255-7 and Add a new Section 255-18.2	Planning & Dev.	7/10/12