



CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, February 3, 2015 at 7:00 PM
City Council Chambers, Room 202

1. APPROVAL OF RECORDS OF THE PREVIOUS MEETING
2. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING
3. COMMUNICATIONS FROM THE MAYOR
4. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES

NO SCHEDULE

5. UTILITY HEARING(S) AND RELATED ORDER(S)

5.1. Document 12, Petition from National Grid requesting electric conduit locations on Orchard Hill rd into Commanche Circle

5.1.1.1. Order – Grant National Grid electric conduit location on Orchard Hill rd into Commanche Circle; Plan 17924755 Attachments

6. APPOINTMENTS

Confirming Appointments

NO SCHEDULE

Non-confirming Appointment

Haverhill Overdose Prevention & Education (HOPE) Committee Colin LePage Attachment

Resignations:

NO SCHEDULE

7. Petitions:

NO SCHEDULE

8. Applications:

8.1. One Day Liquor Licenses

NO SCHEDULE

8.2. Applications for Permit

NO SCHEDULE



CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, February 3, 2015 at 7:00 PM
City Council Chambers, Room 202

9. Tag Days

- | | | |
|---------------------------------|-----------------------------|--------------------|
| 9.1. Haverhill Elite Track | May 22,23,24 | |
| 9.2. Disabled American Veterans | June 25, 26, 27 | |
| 9.3. Amvets Ladies Auxiliary | August 21 & 22 | |
| 9.4. Korean War Veterans | September 17,18,19 | |
| 9.5. HHS Girls Volleyball | October 30, 31 & November 1 | <u>Attachments</u> |

10. Annual License Renewals:

10.1. Buy & Sell Second Hand Articles

Common Ground Used Furniture Outlet 129 Winter st

Attachment

Coin-ops

NO SCHEDULE

Sunday License

NO SCHEDULE

11. Hawker/Peddler:

NO SCHEDULE

12. Hawker or Peddler Engaged in Door to Door Sales

- 12.1. Carlos Pinto/*Solar City* Solar Systems, all of Haverhill, Monday-Sunday; 9 am to 6 pm

Attachment

13. Drainlayer 2015 License

- 13.1. Thomas Dube

- 13.2. Joseph Scott

Attachments



**CITY OF HAVERHILL
CITY COUNCIL AGENDA**

**Tuesday, February 3, 2015 at 7:00 PM
City Council Chambers, Room 202**

14. HEARINGS AND RELATED ORDER

- 14.1. Document 101/2014, petition for Special Permit from Attorney Robert Harb, representing *Continental Wingate Development Co* to construct a new 2-story building for Congregate Care Housing at unnumbered North Avenue; 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 and 4 Companion Units *postponed from December 2 2014*

Related communication from Attorney Robert Harb requesting hearing be continued to February 10 2015

Attachments

15. MOTIONS AND ORDERS

- 15.1. Order – emergency be declared involving health & safety of public in accordance with Section 31D, of Chapter 44, General Laws as amended, providing for payment in excess of appropriation for Snow & Ice removal

Attachment

16. Ordinances (File 10 Days)

NO SCHEDULE

17. UNFINISHED BUSINESS OF PRECEDING MEETING

NO SCHEDULE

18. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES

NO SCHEDULE

19. MONTHLY REPORTS

NO SCHEDULE

20. Communications from Councillors

- 20.1. Communication from President Michitson requesting to discuss broadband in Haverhill

Attachment

21. Resolutions and Proclamations

NO SCHEDULE



CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, February 3, 2015 at 7:00 PM
City Council Chambers, Room 202

22. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

- 22.1.** Councillor LePage submits Minutes and Recommendations of the *Administration & Finance Committee* meeting held on January 29 2015; which include review of the *Council Rules and Regulations* Attachment

23. DOCUMENTS REFERRED TO COMMITTEE STUDY

24. ADJOURN

Hearing Feb 3
2015

12

Questions contact – Simon Yeung 508-357-4657

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

7.1

To the City Council of Haverhill Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Commanche Circle- Haverhill Massachusetts

The following are the streets and highways referred to:

17924755 Orchard Hill Road into Commanche Circle-National Grid is going to install a pull box within the right of way besides 14 Orchard Hill road. The customer will trench from across the street to the pull box, and National Grid is going to run primary cables under the road. The location begins at a point approximately 275 feet SW of the centerline of the intersection of Salem St into Orchard Hill Road.

Location approximately as shown on plan attached

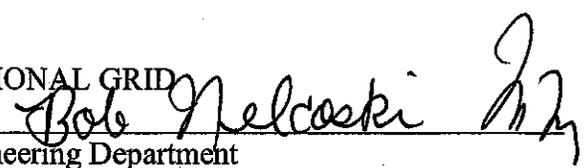
IN CITY COUNCIL: January 13 2015

VOTED: that COUNCIL HEARING BE HELD FEBRUARY 3 2015

Attest:

City Clerk

NATIONAL GRID
BY Bob Nelcoski
Engineering Department



Dated: December 31, 2014

12-B

City

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 31st day of December 2014 .

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked -Commanche Circle-Haverhill Massachusetts 17924755

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Orchard Hill Road into Commanche Circle-National Grid is going to install a pull box within the right of way besides 14 Orchard Hill road. The customer will trench from across the street to the pull box, and National Grid is going to run primary cables under the road. The location begins at a point approximately 275 feet SW of the centerline of the intersection of Salem St into Orchard Hill Road.

I hereby certify that the foregoing order was adopted at a meeting of the
....., held on the day of, 20

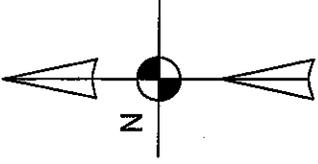
..., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... Hereby certify that on20..... at o'clock, .M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last

For hearing Feb 3 2015



LEGEND

Proposed Pullbox Location

--- Proposed #2 AL UG Primary Cable
in 3-3" Conduit

— Right of Way

DISTANCES ARE APPROXIMATE

Not To Scale

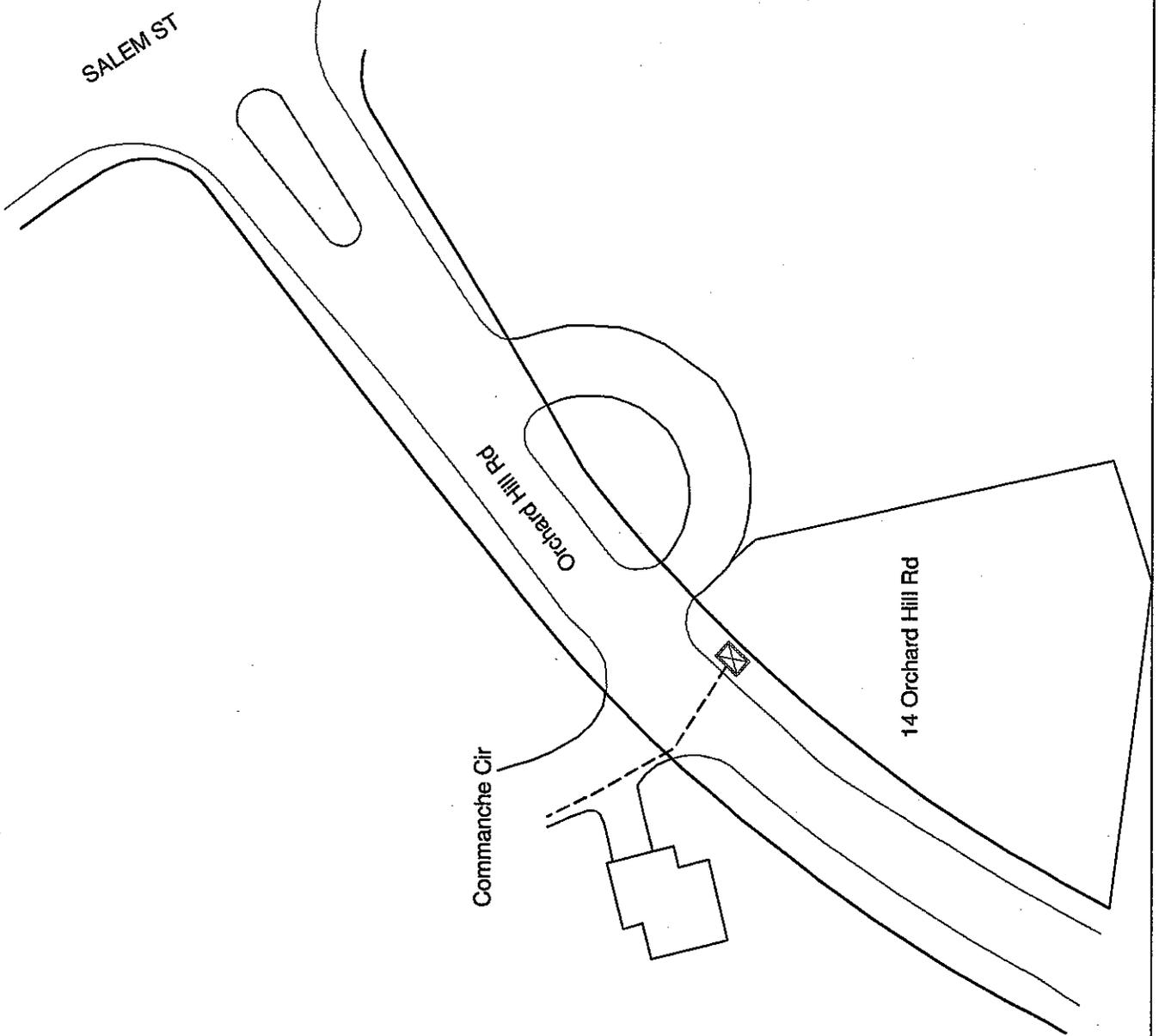
The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.

National Grid will construct pull box on pavement alongside 14 Orchard Hill Rd. The customer will trench up to about about a foot of the pullbox and National Grid will pull primary cables under Orchard Hill Rd.

nationalgrid

Petition Sketch
Commanche Cir Haverhill, MA

To The City of Haverhill For Proposed UG Cable
Date: 11/04/2014
Drawn By: Simon Young
Plan Drawing Number
17924755





JAMES J. FIORENTINI
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

61
CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@CITYOFHAVERHILL.COM
WWW.CI.HAVERHILL.MA.US

January 30, 2015

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

RE: HOPE

Dear Mr. President and Members of the Haverhill City Council:

I hereby appoint Councilor Colin LePage, 5 Sunrise Drive, to the Haverhill Overdose Prevention and Education (HOPE) committee. This is a non-confirming appointment.

Very truly yours,

James J. Fiorentini (deud)

James J. Fiorentini
Mayor

JJF/ah



Haverhill

9.1

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date: JAN 20 2015

Honorable President and Members of the Municipal Council:

The Undersigned respectfully asks to receive a license for TAG DAYS:

Organization: Haverhill Elite Track Applicant's Name: Donna Titone

Applicant's Residence: 86 North Broadway Haverhill Applicant's Signature: [Signature]

(3 Consecutive Days Only, **One** of which may include solicitation on a Public Way)

Date of Tag Day Request(s): May 22, 23, 24 Date-solicitation on Public Way: N/A

Canister: Tag: Fee: \$ 30.00

Street Locations (Select Below):

Rosemont St and Main St:

Water St and Mill St:

South Main St & Salem St:
(Bradford Common)

Main St & Kenoza Ave:
(Monument Square)

Off Street Locations (Specify Other):

Market Basket

Dunkin Donuts

Heavenly Donuts

Office Use Only

Recommendation by Police Chief: Approved

Denied

[Signature]
Police Chief

In Municipal Council: _____

Attest: _____

City Clerk

9.2



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date: Jan 2, 2015

Honorable President and Members of the Municipal Council:

The Undersigned respectfully asks to receive a license for TAG DAYS:

Organization: Disabled American Veteran's Applicant's Name: Russell Chaput
Applicant's Residence: 56 Bramley Brook Rd Applicant's Signature: Russell A. Chaput
Haverhill 01830
(3 Consecutive Days Only, One of which may include solicitation on a Public Way)

Date of Tag Day Request(s): June 25 & 27, 2015 Date-solicitation on Public Way: June 26, 2015

Canister: Tag: Y Fee: \$ 30

Street Locations (Select Below):

- Rosemont St and Main St:
- Water St and Mill St:
- South Main St & Salem St:
(Bradford Common)
- Main St & Kenoza Ave:
(Monument Square)

Off Street Locations (Specify Other):

- Market Baskets
- Heavenly Donuts
- Post Office

Recommendation by Police Chief: **Office Use Only** Approved [Signature]
 Denied Police Chief

In Municipal Council: _____

Attest: _____

City Clerk

9.3

Haverhill



City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date: January 15, 2015

Honorable President and Members of the Municipal Council:

The Undersigned respectfully asks to receive a license for TAG DAYS:

Organization: Amelia's Ladies Auxiliary Applicant's Name: Joanne Layson
Applicant's Residence: 331 Groveland St Haverhill Applicant's Signature: Joanne Layson

(3 Consecutive Days Only, One of which may include solicitation on a Public Way)

Date of Tag Day Request(s): Aug 21 & 22, 2015 Date-solicitation on Public Way: _____

Canister: _____ Tag: X Fee: \$ _____

Street Locations (Select Below):

- Rosemont St and Main St: _____
- Water St and Mill St: _____
- South Main St & Salem St: _____
(Bradford Common)
- Main St & Kenoza Ave: _____
(Monument Square)

Off Street Locations (Specify Other):

Market baskets

Recommendation by Police Chief: Approved **Office Use Only**
_____ Denied _____ Police Chief [Signature]

In Municipal Council: _____

Attest: _____

City Clerk

RECEIVED
2015 JAN 15 PM 9 46
CITY CLERK'S OFFICE
HAVERHILL, MA

9,4



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date: Jan 2, 2015

Honorable President and Members of the Municipal Council:

The Undersigned respectfully asks to receive a license for TAG DAYS:

Organization: Korean War Veteran's

Applicant's Name: Russell Chaput

Applicant's Residence: 56 Bramley Brook St.
Haverhill MA 01830

Applicant's Signature: Russell V. Chaput

(3 Consecutive Days Only, **One** of which may include solicitation on a Public Way)

Date of Tag Day Request(s): Sept 17 & 19, 2015 Date-solicitation on Public Way: Sept 18th, 2015

Canister: Tag:

Fee: \$ 30

Street Locations (Select Below):

Rosemont St and Main St:

Water St and Mill St:

South Main St & Salem St:
(Bradford Common)

Main St & Kenoza Ave:
(Monument Square)

Off Street Locations (Specify Other):

Market Baskets

Heavenly Donuts

Post Office

Recommendation by Police Chief: **Office Use Only**
Approved

Denied

Police Chief

In Municipal Council: _____

Attest: _____

City Clerk

CITY OF HAVERHILL

10.1

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that they may receive a License:

Type of license Buy + Sell Second Hand Articles

Name of business Common Ground Used Furniture Outlet

Type of business selling used furniture

Address of business 129 Winter St

Joseph Janvier

Joseph Janvier
APPLICANT'S SIGNATURE

PRINT APPLICANT NAME

JAN 16 2015

HAVERHILL, _____, 2015

OFFICE USE ONLY

RENEW

No. _____

FEE 50.00

IN MUNICIPAL COUNCIL, _____, 2015

ATTEST:

_____, CITY CLERK

APPROVED

DENIED _____

[Signature]
POLICE CHIEF

(IF NEEDED, OTHER DEPARTMENT SIGN-OFF)

MORE INFO ON BACK

12.1

CITY OF HAVERHILL

Date 0/12/15

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

HAWKER OR PEDDLER ENGAGED IN DOOR-TO-DOOR SALES

Solar Systems / SolarCity

Type of Goods/Wares/Merchandise/Services to be Sold

All Haverhill

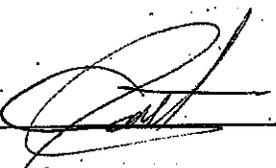
Location/s

Mon - Sun 9am to 6pm

Date and Time of Operation

Additional Comments

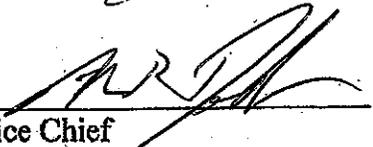
Name Carlos Pinto

Signature 

Fee Name - State license

APPROVED

DENIED


Police Chief

MORE INFO ON BACK

SPECIAL STATE LICENSE

Hawker or Pedler

No

A

Licensee: Carlos R. Pinto, Jr.
48 Lake Ave.
Woburn, MA 01801



Expires: **FEB 17 2015**

Date of Birth: 4/5/1986

Above portion must be worn in a visible and conspicuous manner on outer clothing.

It is known unto all to whom these presents come, that the above-named person is hereby licensed to go about as a HAWKER or PEDLER in all the Cities and Towns in this Commonwealth, and to sell or expose for sale or barter any meats, butter, cheese, fish, fruits, vegetables, or other goods, wares or merchandise; except jewelry, furs, wines, spirituous liquors, small artificial flowers or miniature flags.

This license is not valid until after the licensee has endorsed his usual signature in the space provided in the margin hereof, and the license is dated and stamped with the official stamp or signature of the Director. The portion of the license indicating the license number, licensee's name and the date of expiration must be worn in a visible and conspicuous manner on outer clothing, otherwise he will be liable to the same penalty as if he had no license.

Carlos R. Pinto, Jr.

*Take care of your license.
Lost license will not be replaced.*

Fee: \$60.00
Display \$2.00

The Commonwealth of Massachusetts

DIVISION OF STANDARDS
ONE ASHBURTON PLACE, BOSTON

Date **FEB 18 2014**

[Handwritten signature]

Signature of Licensee

copy FBI-475-3328



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date 12/1/14

13.1

HONORABLE PRESIDENT AND MEMBERS OF THE MUNICIPAL COUNCIL:

THE UNDERSIGNED RESPECTFULLY ASKS THAT HE MAY RECEIVE A LICENSE FOR **DRAINLAYER**

Drainlayer's Name: Thomas Dube Signature: [Signature]

Business Name: Thomas A. Dube Construction Plus Inc.

Business Address: 10 Bricketts Mill Rd

City Hampstead State NH Zip 03841

Business Phone: (603) 329-5077 Fax: (603) 329-7026

Must Complete Additional Personal Information on Back

NEW/RENEWAL:

No. _____

Fee 100.

Bonds on File:

Approved

Denied _____

[Signature]
City Engineer

In Municipal Council, _____ 20____

Attest:

City Clerk

(See other side)



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date 12/3/14 13.2

HONORABLE PRESIDENT AND MEMBERS OF THE MUNICIPAL COUNCIL:

THE UNDERSIGNED RESPECTFULLY ASKS THAT HE MAY RECEIVE A LICENSE FOR **DRAINLAYER**

Drainlayer's Name: Joseph Scott Signature: [Signature]
 Business Name: Scott Construction Co., Inc.
 Business Address: 12 Rogers Road
 City Haverhill State MA Zip 01835
 Business Phone: 978-374-0034 Fax: 978-373-6944

Must Complete Additional Personal Information on Back

NEW/RENEWAL:

No. _____
 Fee 100.
 Bonds on File:

Approved _____
 Denied _____

[Signature]
 City Engineer

In Municipal Council, _____ 20____

Attest:

City Clerk

(See other side)

Heating November 18
2014

101

Robert D. Harb
ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

14.1

TEL: (978) 373-5611
FAX: (978) 373-7441
EMAIL: bobharb@aol.com

Of Counsel
Alfred J. Cirome

September 10, 2014

City Council
City of Haverhill
4 Summer Street
Haverhill, MA 01830

Re: APPLICATION FOR A SPECIAL PERMIT
FOR CONGREGATE CARE HOUSING
UNNUMBERED NORTH AVENUE
Continental Wingate Development Company
Portion of Haverhill Assessor's Map 630 Block 2 Lot 1-1A
Containing Approximately 8 acres ±

An Application is hereby made for a Special Permit on behalf of Continental Wingate Development Company under the terms and provisions of the Haverhill Zoning Ordinance Chapter 255 for a 90 Unit Congregate Care Housing as defined by the said Haverhill Zoning Ordinance for the premises described above and as shown on the Plans filed herewith, being a portion of the premises described a deed to the Trustees of The McGirr Family Trust recorded with the Essex South District Registry of Deeds in Book 17216 Page 509.

The proposed new two story building will house a total of 90 units.

The Congregate Care Housing will consist of:

- 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 studios and 4 companion units.

This Application is accompanied by:

- 30 sets of the Site Plan;
- 30 sets of the specs;
- 30 Traffic Studies;

To the Haverhill City Council:

I, Robert R. McGirr the sole and present Trustee of the McGirr Family Trust under a Declaration of Trust dated April 6, 2001 and recorded with the Essex South District Registry of Deeds in Book 17216 Page 502, owner of the property located off of North Avenue in the City of Haverhill, being shown as Assessors Map 630 Block 2 Lot 1, hereby consent to the filing of a Petition for a Special Permit for Congregate-care Housing at said premises by Continental Wingate Development Company.

I certify that I have been duly authorized by all of the beneficiaries of said Trust to sign and deliver this consent.



Robert R. McGirr
Trustee of McGirr Family Trust

101

Consent of the Land Owner for filing this Application; and the filling fee.

Applicant waives the 65 day hearing requirement.

Respectfully submitted,

Continental Wingate Development Company

By: Robert D. Harb Its Attorney
Robert D. Harb, Its Attorney

l-city-wingate

IN CITY COUNCIL: September 16 2014

VOTED: that COUNCIL HEARING BE HELD NOVEMBER 18 2014

Attest:

City Clerk

IN CITY COUNCIL: November 18 2014

POSTPONE TO DECEMBER 2 2014

Attest:

City Clerk

IN CITY COUNCIL: December 2 2014

CONTINUED TO FEBRUARY 3 2015

Attest:

City Clerk



Haverhill

Economic Development and Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@cityofhaverhill.com

December 1, 2014

TO: City Council President John J. Michitson and members of the Haverhill City Council

FROM: William Pillsbury, Jr. Economic Development and Planning Director

SUBJECT: Special Permit- Wingate Congregate Care

I have reviewed the proposed special permit for the 90 bed congregate care project on North Avenue and wish to provide the City Council with the following comments. The proposal would add 90 units of assisted living and supportive independent living units to the city.

The addition of these units in a continuum of care model as proposed would be a positive addition to the marketplace for this component of the housing supply in the city by adding to the supply of assisted living and independent living units which are currently underrepresented in the City's housing stock.

This project represents significant investment in the city and will provide substantial new tax revenue and additional jobs to the existing Wingate nursing home complex.

I have reviewed the comments of the city departments and find no objection from and departments. Conservation had raised concerns early on but the most recent letter from Rob Moore indicates that the Commission recommends approval of the special permit. The commission will still be involved in the review and approval after public hearing of an order of conditions for the project.

With regards to traffic, I have reviewed the traffic report and being aware of concerns regarding issues at the intersection of Concord street and North Avenue, I believe the proposal of the applicant to essentially move the main entrance to the new roadway will have a positive effect on conditions at that intersection by removing staff and visitor turning movements from the intersection to the new roadway. There is adequate line of sight at the new intersection and the applicants proposed mitigation

at that location in the form of signage and striping will be reviewed and approved by the Planning Board at the definitive plan stage.

The type of project (assisted living) with most of the residents not having cars, will while adding staff and visitor trips to the new roadway, not produce the number of vehicle trips of a regular housing project of this size.

As I indicated, this new roadway will require approval of a definitive plan by the planning board and these traffic issues and the design of the intersection to accommodate the project will receive a detailed review as part of the that process.

Finally, after my review of the project I believe it is in the best interest of the city of Haverhill, in terms of its positive impact on housing stock, jobs and commercial tax base and as such I recommend approval of the special permit for the use as proposed. Any conditions approved by the council to be added to the special permit will be incorporated into any final plan approved by the Planning Board as part of the definitive plan.

Recommendation: Approve the special permit with any conditions approved by the city council being added to the definitive plan for approval by the Planning Board.

14.1

Robert D. Harb

ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611
FAX: (978) 373-7441
EMAIL: bobharb@aol.com

Of Counsel
Alfred J. Cirome

January 20, 2015

City Council
City of Haverhill
4 Summer Street
Haverhill, MA 01830

REQUEST FOR CONTINUANCE TO FEBRUARY 10, 2015

Original Scheduled Hearing Date: Nov. 18, 2014
Continued To: December 2, 2014 and
Further Continued to: February 3, 2015

Re: APPLICATION FOR A SPECIAL PERMIT
FOR CONGREGATE CARE HOUSING
UNNUMBERED NORTH AVENUE
Continental Wingate Development Company
Portion of Haverhill Assessor's Map 630 Block 2 Lot 1-1A

To The Haverhill City Council:

For various reasons, including but not limited to the fact that the Applicant is still preparing an amended Site Plan with additional Traffic Mitigation measures, and because Applicant is under the belief that the full Council will not be present on February 3, 2015, Applicant respectfully requests that the hearing presently scheduled for February 3, 2015 be continued for one week until February 10, 2015.

Respectfully submitted,

Continental Wingate Development Company

By: 
Robert D. Harb, Its Attorney

RECEIVED
2015 JUN 20 PM 1 29
CLERK'S OFFICE
HAVERHILL, MA

City Council

Councillors Contact

Past Agendas

Sub-Committees

Calendar

Minutes

Minute with the Council President

City Council Rules and Regulations 2014

I am
in favor
of the
assistance
living that
is going to
be built
on North
ave.

Home » Government » City Council » Councillors Contact

[E-mail](#) [Print](#)

Councillors:

- Council President John A. Michitson
119 Kenoza St., Haverhill, MA 01830
Cell: 339-221-2276
E-Mail: michitson@mitre.org
Office Hours: By appointment
- Council Vice President Robert Scatamacchia
11 Revere St., Bradford, MA 01835
Work: 978-373-3252
E-Mail: ScatamacchiaFH@aol.com
Office Hours: By appointment
- Councillor Melinda Barrett
12 Salem St., Bradford, MA 01835
Work: 978-374-4370
E-Mail: mbarrett@cityofhaverhill.co
Office Hours: By appointment
- Councillor William J. Macek
227 Concord St., Haverhill, MA 01830
Home: 978-373-5677
E-mail: wjm227@gmail.com
Office Hours: By appointment
- Councillor William H. Ryan
16 Concord St., Haverhill, MA 01830
Home: 978-521-1130
E-Mail - roundpond@comcast.net
Office Hours: By Appointment
- Councillor Thomas J. Sullivan
77 Longview St., Haverhill, MA 01830
Home: (978) 521-1728
E-mail: tsullivan@cityofhaverhill.co
Office Hours: By Appointment
- Councillor Mary Ellen Daly O'Brien
66 Webster St., Haverhill, MA 01830
Home: (978) 374-7496
E-Mail: medobrn@aol.com
Office Hours: By appointment
- Councillor Michael S. McGonagle
39 Newton Ave., Haverhill, MA 01830
Work: (978) 372-4440
E-Mail: mike@mcsitemps.com
Office Hours: By appointment
- Councillor Colin F. LePage
5 Sunrise Dr., Bradford, MA 01835
Home:: (978) 372-8727
E-Mail: clepage@cityofhaverhill.com
Office Hours: By Appointment

978-873-5491
J & Ann Sowers
40 White St
Haverhill Mass

City Council

Councillors Contact

Past Agendas

Sub-Committees

Calendar

Minutes

Minute with the Council President

City Council Rules and Regulations 2014

I am in favor of the assistance being that is going to be built on north ave.

Home » Government » City Council » Councillors Contact

[E-mail](#) [Print](#)

Councillors:

- Council President John A. Michitson
119 Kenoza St., Haverhill, MA 01830
- Council Vice President Robert Scatamacchia
11 Revere St., Bradford, MA 01835
- Councillor Melinda Barrett
12 Salem St., Bradford, MA 01835
- Councillor William J. Macek
227 Concord St., Haverhill, MA 01830
- Councillor William H. Ryan
16 Concord St., Haverhill, MA 01830
- Councillor Thomas J. Sullivan
77 Longview St., Haverhill, MA 01830
- Councillor Mary Ellen Daly O'Brien
66 Webster St., Haverhill, MA 01830
- Councillor Michael S. McGonagle
39 Newton Ave., Haverhill, MA 01830
- Councillor Colin F. LePage
5 Sunrise Dr., Bradford, MA 01835

Cell: 339-221-2276

E-Mail: michitson@mitre.org

Office Hours: By appointment

Work: 978-373-3252

E-Mail: ScatamacchiaFH@aol.com

Office Hours: By appointment

Work: 978-374-4370

E-Mail: mbarrett@cityofhaverhill.co

Office Hours: By appointment

Home: 978-373-5677

E-mail: wjm227@gmail.com

Office Hours: By appointment

Home: 978-521-1130

E-Mail - roundpond@comcast.net

Office Hours: By Appointment

Home: (978) 521-1728

E-mail: tsullivan@cityofhaverhill.co

Office Hours: By Appointment

Home: (978) 374-7496

E-Mail: medobrn@aol.com

Office Hours: By appointment

Work: (978) 372-4440

E-Mail: mike@mcsitemps.com

Office Hours: By appointment

Home:: (978) 372-8727

E-Mail: clepage@cityofhaverhill.com

Office Hours: By Appointment

978-702-3648

John Macek 5 Marshall St. Haverhill
Mass



DOCUMENT

15.1

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That an emergency be declared involving the health and safety of the public in accordance with Section 31D, of Chapter 44, General Laws as amended, providing for payment in excess of appropriation for Snow & Ice removal.



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
MAYOR@CITYOFHAVERHILL.COM
WWW.CI.HAVERHILL.MA.US

January 30, 2015

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

RE: Snow & Ice Appropriation

Dear Mr. President and Members of the Haverhill City Council:

The attached Order is notifying the City Council that due to the recent historic snow storm we've depleted and have spent in excess of the budget for snow and ice removal. I recommend approval.

Very truly yours,

James J. Fiorentini (handwritten)

James J. Fiorentini
Mayor

JJF/ah

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
ROBERT H. SCATAMACCHIA
VICE PRESIDENT
MELINDA E. BARRETT
WILLIAM J. MACEK
WILLIAM H. RYAN
THOMAS J. SULLIVAN
MARY ELLEN DALY O'BRIEN
MICHAEL S. MCGONAGLE
COLIN F. LEPAGE



20.1

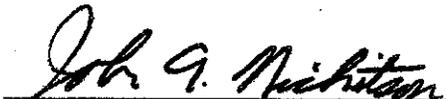
CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978 374-2328
FACSIMILE: 978 374-2329
www.ci.haverhill.ma.us
citycnd@cityofhaverhill.com

CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

January 30, 2015

TO: Members of the City Council:

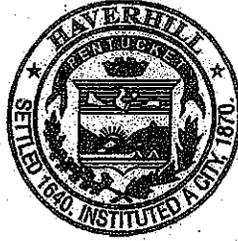
Councillor President John A. Michitson wishes to discuss broadband in Haverhill.



City Councillor John A. Michitson

CITY COUNCIL

JOHN A. MIGHTSON
PRESIDENT
ROBERT H. SCATAMACCHIA
VICE PRESIDENT
MELINDA E. BARRETT
WILLIAM J. MACEK
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COLIN F. LEPAGE



22.1

CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978 374-2328
FACSIMILE: 978 374-2329
www.ci.haverhill.ma.us
citycncd@cityofhaverhill.com

CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

January 30, 2015

TO: Mr. President and Member of the City Council:

Councillor Colin LePage submits the attached minutes and recommendations of the Administration and Finance Committee meeting held on January 29, 2015.

Colin LePage
City Councillor Colin F. LePage

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
ROBERT H. SCATAMACCHIA
VICE PRESIDENT
MELINDA E. BARRETT
WILLIAM J. MACEK
WILLIAM H. RYAN
THOMAS J. SULLIVAN
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CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978 374-2328
FACSIMILE: 978 374-2329
www.ci.haverhill.ma.us
citycnd@cityofhaverhill.com

CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843
MINUTES OF THE ADMINISTRATION AND FINANCE COMMITTEE
MEETING HELD ON JANUARY 29, 2015

An Administration and Finance Committee Meeting was held on Thursday, January 29, 2015 at 7:00P.M. in the City Council office, Room 204.

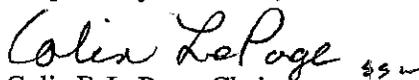
Committee Members present: Committee Chairperson Colin LePage, Councillor William Macek and Councillor Mary Ellen Daly O'Brien. Absent - Councillor Michael McGonagle. Councillor Melinda Barrett also attended.

Department Heads: William Cox-City Solicitor

The following items were discussed:

- 1.) Review of the Rules and Regulations of the City Council – *The current Rules and Regulations were reviewed. No motions were offered to change the Rules and Regulations as they are currently constituted.**
- 2.) **Doc. 90-** Ordinance relating to Peddling and Soliciting, Section 191-9 Licensees, add at end of subsection A: permitted to locations: "Food Trucks of any size may be allowed at all permitted fixed location with approval from City Council" – *The Committee reviewed the proposed amendment to Chapter 191-11, subsection A stating "Food Trucks of any size may be allowed at all permitted fixed location with approval from City Council" and does not recommend passage of the amendment as it is proposed. The Committee requests that the City Solicitor revise and/or add definitions(s) for food trucks to Article IV: Transient Vendors and Peddlers and Hawkers of Seasonal Products. In the Committee's review of the currently listed seven (7) fixed locations within the City. Members offered potential new additional locations such as Plug Pond and the District Court area. The Committee requests that the following City Departments comment on the existing locations as well as potential new locations for food trucks and their patrons: Police, Fire, Board of Health, Economic Development, Engineering and Recreation. A motion was made to table the matter to the next scheduled meeting (date to be determined) to allow for comments from City departments to be received regarding potential fixed locations and for the Committee to conduct site visits of the potential locations. Passed unanimously.*
- 3.) On motion of Councillor McGonagle to refer Ordinance: chapter 191 – Peddling/Soliciting to Administration & Finance with regard to Door to Door Sales. *The Committee reviewed City Chapter 191-9, Licenses and M.G.L. Chapter 101, Section 34 regarding: "Door to Door Sales". A motion was made requesting that the City Solicitor amend and apply the proper language to Chapter 191, Article IV by removing references to the required approval of the City Council and thereby authorizing the Chief of Police or designated official as stipulated in M.G.L. Chapter 101, Section 34. Passed unanimously.*

Respectfully submitted,



Colin F. LePage, Chairperson
Administration and Finance Committee, Haverhill City Council

January 30, 2015

CL/bsa

*encl. – Rules and Regulations

c: Mayor James J. Fiorentini
City Councillors

RULES AND REGULATIONS OF THE CITY COUNCIL

ORGANIZATION

Rule 1. The City Council shall meet for organization at ten o'clock in the forenoon on the first Monday of January following the regular municipal election and the members of the City Council shall severally make oath, before the City Clerk or a justice of the peace, to perform faithfully the duties of their respective office, except any member-elect not present shall make oath at the first regular meeting of the City Council thereafter which s/he attends.

For the purpose of organization, the City Clerk shall be temporary Chairperson until the President and Vice President are elected.

The City Council shall, by majority vote of all members elected, elect a President and Vice President from its own members; and the persons elected shall likewise make oath to perform faithfully the duties of the respective offices to which they are so elected at the same meeting, except any member-elect not present shall make oath at the first regular meeting of the City Council thereafter which s/he attends.

The following year, the first Tuesday of January at 7:00 o'clock P.M., the members of the City Council shall meet for the purpose of organization.

Within the first sixty (60) days of each term of a City Council, the members of the City Council shall vote to approve, amend, add, or disapprove of its Rules and Regulations.

REGULAR MEETINGS

Rule 2. Regular meetings of the City Council shall be held every Tuesday at 7:00 o'clock P.M. except in June there shall be a meeting on the first, second and fourth Tuesday except when June has five Tuesdays then it will be first, third and fifth. From July through Labor Day, the Council shall meet every other week beginning with the second Tuesday of July. In September, after Labor Day, the Council shall return to its regular weekly schedule. The meeting(s) scheduled for the Tuesday after the President's Day holiday in February, Tuesday before Thanksgiving and the Tuesday of the Christmas holiday week shall be cancelled. The meetings shall be held in the City Council Chambers, City Hall. The City Council may at any meeting, by a majority vote, discontinue any further meetings herein before scheduled.

MEETINGS OPEN TO PUBLIC

Rule 2A. Except in the case of executive sessions, all meetings of the City Council and of City Council Committees thereof shall be open to the public, and the City Council shall provide that citizens shall have up to three (3) minutes, unless a longer

period is deemed necessary by the presiding Councillor to be heard at any such meeting in regard to any matter considered there. All meetings of the City Council shall conform to the Massachusetts Open Meeting Law (G.L. c.39).

SPECIAL MEETINGS

Rule 3. The President, or in his/her absence the Vice President, of the City Council, or any three members thereof, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person or persons calling the same, to be delivered in hand or by electronic communication to each member of the City Council at least twenty-four hours before the time of such meeting.

Every notice for a special meeting shall specify the subject to be acted upon and the place where the meeting is to take place.

HOLIDAYS

Rule 4. Whenever the day set by these rules for any meeting of the City Council shall fall upon a holiday, then such meeting shall be cancelled by order of the Council.

QUORUM

Rule 5. Five (5) members of the City Council shall constitute a quorum.

REMOTE PARTICIPATION

Rule 6. Remote participation of City Council meetings shall be conducted in accordance with the Code of the City of Haverhill, Chapter 66, Article III.

PRESIDING OFFICER

Rule 7. The President, if present, shall preside at the meetings. In the absence of the President, the Vice President of the City Council shall preside or, in the absence of both, the next available Councillor in a downward sequential order as determined by the voting results of the last City Council election shall preside during the absence of both the President and the Vice President.

VACANCY IN THE OFFICE OF PRESIDENT OR VICE PRESIDENT

Rule 8. If the office of President becomes vacant, the Vice President shall assume duties of the President or if the office of Vice President becomes vacant, the City Council, in the manner provided in Rule 1, shall elect one of its members to fill such office for the unexpired term, provided that no such vacancy shall be filled so long as there is a vacancy in the City Council.

DUTIES OF PRESIDING OFFICER

Rule 9. The presiding officer shall preserve decorum and order, may speak to points of order in preference to other members; shall decide all questions of order, subject to any appeal

to the City Council, regularly seconded; and no other business shall be in order until the question on the appeal shall have been decided. The vote upon the appeal from the ruling of the chair shall be by roll call and shall stand unless a majority of the votes are to the contrary. The chair shall be allowed to vote on any question of appeal.

The presiding officer shall declare all votes and, if the result be in doubt, may call for a roll call vote. Such declaration, if not the result of a roll call, shall stand unless it is reversed by a roll call called for by any member.

RELINQUISHING THE CHAIR

Rule 10. When the presiding officer desires to relinquish the chair, s/he shall call upon the Council Vice President, and, if not present, s/he shall call upon the next available Councillor in a downward sequential order as determined by the voting results of the last City Council election but such substitution shall not continue beyond the will of the presiding officer so relinquishing the chair or beyond any adjournment, except as hereafter provided.

If the presiding officer wishes to express an opinion on any subject under debate, s/he shall relinquish the chair as above provided and shall not resume the chair until s/he is through speaking and all points of order arising therefrom have been decided.

The presiding officer may, however, express a final opinion on any subject in which debate has concluded, without relinquishing the chair.

COMMITTEES

Rule 11. The President of the City Council shall appoint all standing committees, all special committees, shall fill any committee vacancy and designate the rank of the members of each committee unless specifically directed otherwise by a majority of the council. There shall be the following standing committees:

1. Administration & Finance Committee: Department of Finance & Records; and Law
2. Natural Resources & Public Property Committee: Water and Wastewater; Energy Conservation; Conservation Commission; Department of Public Buildings; Assessors.
3. Planning & Development Committee: Department of Community Planning and Development; Planning Department; Engineering.
4. Public Health, Safety & Works Committee: Department of Law Enforcement; Department of Fire Safety Services; Public Works; Public Health.

The City Councillor responsible for initiating an item at an official Council meeting which is then forwarded to a Committee for further study and review must make him/herself available at the Committee meeting upon which said item is to be reviewed. Failure or inability of procuring Councillor to attend the meeting to which the item is scheduled to be heard shall result in said item being tabled to the next meeting of the Committee, or the Committee may report the item back to the Council with or without recommendation.

The Committee Chairperson shall ensure items referred to Committee be reported on as soon as reasonably possible after item is referred. Any item submitted to sub-committee of the City Council shall be reported back to the City Council with recommendation(s) for action, if any.

The meetings of the standing committees of the City Council shall be held on Wednesdays or Thursdays no earlier than 7:00 PM. in the City Council office, Room 204, except in cases where the subject matter to be discussed is deemed by the Committee Chairperson to be more appropriate at another day, time or place.

SUFFICIENCY OF VOTE

Rule 12. The affirmative vote of a majority of all the members elected to the City Council shall be necessary for the passage of any order, ordinance, resolution, or vote except as noted herein or otherwise provided by the General Laws. The affirmative vote of a majority of the members present shall be sufficient to adjourn any meeting of the City Council.

COUNCIL VOTES NECESSARY PLAN A

	Annual Budget	Majority	5 votes
	Salary Appropriation	Majority	5 votes
	Salary Ordinance (increase)	2/3	6 votes
	Loan Orders	2/3	6 votes
	Transfer from one department to another (C.44 S.33B)	2/3	6 votes
	Transfer within department	Majority	5 votes
	Eminent Domain	2/3	6 votes
*	Zoning ordinances and amendments	2/3	6 votes
**	Zoning Special Permits	2/3	6 votes
	Suspend Rules	2/3	6 votes
	To amend a document	Majority	5 votes
	To rescind a document	2/3	6 votes
	To expunge a document	2/3	6 votes
	To override a Mayor's veto	2/3	6 votes
	Motion to censure	2/3	6 votes
* **	If a petition signed by the owners of 20% of the property abutting is presented to the Clerk prior to the close of the hearing, protesting a change, the document requires 7 votes, (see G.L. C.40A s.5)		
**	Cluster Residential Development, Planned Unit Development and Multifamily dwellings (see G.L. c.40A), Used and New Car Dealerships (see Zoning Regulations Ch.255-16, Table of Use and Parking Regulations)		

EVERY MEMBER SHALL VOTE EXCEPT AS PROVIDED IN THIS RULE

Rule 13. Every member present when a question is put shall vote, unless any Councillor for special reasons stated before the roll call vote and decided upon without debate shall be excused. No member shall leave the Council Chambers without permission of the chair if his/her presence is necessary to make a quorum.

**MANNER OF VOTING
YES - NO - VOICE VOTE**

Rule 14. Final votes of the City Council shall be by individual voice vote by YES or NO and shall be entered on the records. The presiding officer shall always vote last.

With the exception of votes for orders, ordinances and Council votes necessary under the Plan A form of government, the President may proceed by voice vote of the City Council unless objected to by another member of the City Council in which case the vote shall be recorded as stated above.

Notwithstanding the language contained in Rule 12, no member shall vote on any question or serve on any committee where his/her private right is immediately concerned, distinct from the public interest.

Rule 15. Prior to the announcement by the Chair of the result of a roll call vote, any Councillor may ask to have his/her name called again in order to record him/herself differently.

GAINING THE FLOOR

Rule 16. Every Councillor, when wishing to speak, shall raise his/her hand respectfully or, if available, signal the Chair by some other acceptable manner, asserting his/her desire to gain the floor and wait until s/he is recognized.

EVERY ORDER OR RESOLUTION MUST BE ENDORSED

Rule 17. No order or resolution shall be received or acted upon unless endorsed by a member of the Council.

WITHDRAWING NOTICE

Rule 18. After a motion is stated or read by the Chair and properly seconded, it shall be deemed to be in possession of the Council, and shall be disposed of by vote, but the mover or seconder may withdraw it at any time before a decision or amendment.

PETITIONS ONCE REJECTED

Rule 19. Except as otherwise might be provided specifically in the Massachusetts General Laws, whenever final action on any order, ordinance, petition or question has been taken by the City Council, no further order, ordinance, petition or question which in substance is the same as heretofore acted upon, shall be resubmitted to the Council within six months from the time of the Council's previous action thereon unless two-thirds of the Council consents in writing for its resubmission.

Nothing in this rule shall be intended to waive provisions of Rules 22 and 23 and said rule shall not be considered inconsistent with said rules numbered 22 and 23.

ORDINANCE AND BOND ORDERS REFERRED TO CITY SOLICITOR

Rule 20. Every ordinance and every order for a bond issue shall, before its passage, be referred to the City Solicitor, who shall forthwith examine the same as to its legality and notify the Council of his/her findings.

That it be a standing rule of this Council that no final or definite action be passed by this Council in the matter of abatement of betterment assessments until such time as the legality of a proposed abatement be approved by the City Solicitor.

ENACTING STYLE

Rule 21. All by-laws passed by the City Council shall be entitled ordinances and the enacting style be "Be it ordained by the City Council of the City of Haverhill". In all votes by which the City Council expresses anything by order or by command, the enacting style shall be "Ordered:" and in all votes by which the City Council expresses opinions, principles, facts or purposes, the enacting style shall be "Resolved".

Rule 22. When a question is under debate, the chair will receive motions in accordance with Order of Precedence outlined in "Robert's Rules of Order".

PREVIOUS QUESTION

Rule 23. The previous question shall be put in the following form: "Shall the main question be now put?" and all further amendment or debate of the main question shall be suspended until the previous question is decided.

On the previous question, not exceeding five minutes shall be allowed for debate, which shall be confined to giving reasons why the main question should not be put, and no member shall speak more than two minutes.

RECONSIDERATION

Rule 24. After a vote has been taken, it shall be in order for any member voting with the prevailing side to move reconsideration thereof at the same meeting at which the vote was taken, or to file with the City Clerk, not later than twelve o'clock noon of the second business day following such meeting, written notice of a motion to reconsider such vote. After receiving such written notice of reconsideration, the Clerk shall place it on the calendar for the next regular meeting or for any intervening special meeting, provided the same is included in the call thereof.

Whenever a written notice of a motion to reconsider has been filed as aforesaid, the Clerk shall notify all of the members of the City Council and any parties that spoke at the Council meeting when the original vote was taken. In the case of a question decided by a tie vote, the prevailing side shall be considered to be the one in whose favor the question was decided. Not more than one motion for reconsideration of any vote shall be entertained, and no vote upon either of the following motions shall be reconsidered: viz: to adjourn; to lay on the table; to take from the table and the previous question.

KEEPER OF THE RECORD

Rule 25. The Clerk or her/his designee shall attend and keep the records of all meetings of the Council. S/he shall record the names of the members present, and shall have the care and custody of the city records, and all documents, maps, plans and papers pertaining to the business of the City Council. The City Council Administrative Assistant or her/his designee shall assume the duties of the Clerk in her/his absence.

PAPERS MUST BE FILED BEFORE 11:00 A.M. FRIDAY BEFORE MEETING

Rule 26. All papers of whatever description which may require action by the City Council shall be presented to the City Clerk not later than 11:00 A.M. on the Friday preceding the day of each regular meeting, except when such preceding day is a holiday or City Hall is closed, then they shall be presented at the same hour on the Thursday preceding the day of the meeting. Papers presented after that hour on such day will not be considered until the next meeting, unless admission is approved by two-thirds of the City Council.

CLERK SHALL PREPARE A LIST OF ALL MATTERS

Rule 27. The City Clerk shall prepare a list of all matters to come before the City Council at each meeting in accordance with the established order of business and shall deliver to the Council office for each Councillor, a copy of the same on the same day that the agenda is prepared.

As part of the agenda for each meeting, on a separate sheet in a suitable format, there shall be a list of all orders, documents, reports and communications which have been referred to a Council committee for report or action, along with the date submitted to the committee.

Rule 27A. No business or document scheduled to come before the City Council may be removed or omitted from the agenda prior to a meeting.

Rule 27B. The City Council shall allow for re-reading of all back up material related to any Ordinance before the vote is taken for passage.

Rule 27C. The President of the City Council shall not allow any communication or other matter to be placed on the agenda that does not conform with the City Council's Rules and Regulations or, if not governed by a rule or regulation, that does not conform with Robert's Rules of Order.

EXAMINATION OF RECORDS OF PREVIOUS MEETING

Rule 28. At each meeting of the Council, the records for the meeting shall be referred to a member thereof (excepting to the President) for examination; and for the next Council meeting s/he shall report the results thereof to the Chair who shall accept the minutes for the file unless objected by any City Councillor whereupon the Chair shall then place before the meeting the question of approval of the same.

ORDER OF BUSINESS

Rule 28. At every regular meeting of the City Council the order of business shall be as follows:

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of the records of previous meeting
4. Assignment of minutes review for next meeting
5. Communications from the Mayor
6. Utility hearing(s) and related order(s)
7. Appointments
8. Petitions
9. Hearings and related Orders
10. Motions and Orders
11. Unfinished business of preceding meetings
12. Communications and reports from city officers and employees
13. Resolutions and Proclamations
14. Council committee reports and announcements

The above shall not be departed from except by permission of the presiding officer.

Any public hearing that is expected to exceed more than two hours in duration in the opinion of the City Council President, may be scheduled by the President as a special meeting to be held other than at the time of a regularly scheduled City Council meeting, provided that special Council meeting can be televised by the local cable channel.

PASSAGE AT ONE SESSION

Rule 29. Except as otherwise might be provided specifically in the Massachusetts General laws, any ordinance after having been placed on file for at least 10 days, and any order or resolution may be passed through all its stages of legislation at one session, provided that no member of the Council objects thereto; but if any member of the Council objects, the measure shall be postponed for that meeting.

PARLIAMENTARY PRACTICE

Rule 30. In all matters of parliamentary practice not provided for in these rules, the City Council shall use "Robert's Rules of Order", the latest edition, as a guide.

Rule 31. Insofar as these rules are not of statutory source or origin, the same may be suspended at any meeting by a two-thirds vote of all Councillors present, but not otherwise. Suspension of rules shall apply only for the subject matter under consideration, which must be stated prior to voting for said suspension of rules.

These rules may be amended or repealed by the vote of five Councillors, but said amendment or repeal shall not be effective until the next regular meeting.

If any action is taken inconsistent with these rules, the same shall be construed to have been taken in suspension thereof provided there is a two-thirds consent of all members of the Council, or there is no objection raised prior to the meeting being adjourned.

COUNCIL BUDGET

Rule 32. Each Councillor shall be allowed to provide his/her input to the City Council budget.

HEARINGS

Rule 33. All public hearings of the City Council will have the following guidelines. The proponent or petitioner will have up to thirty minutes to make their presentation. The opposition will have up to thirty minutes to make their presentation. Each side, proponent and opposition, will have up to five minutes each for rebuttal after initial presentations.

If a petitioner needs more time for a presentation, the presiding officer may at his/her discretion allow for additional time for any proponent or petitioner to complete a presentation, provided that an equal amount of time be granted to the opposition.

INDOCTRINATION OF NEW COUNCILLORS

Rule 34. It shall be the responsibility of the Council President to hold indoctrination for all new Councillors within thirty days of the final election. This also includes making available to Councillors Robert's Rules of Order in the City Council office and any other information that is pertinent for a smooth transition.

INTRADEPARTMENTAL COMMUNICATION

Rule 35. Any individual Councillor or the Council body may make a formal request for information or ask pertinent questions of the Mayor, City Department Heads, Boards or Commissions pursuant to a matter placed on the Council meeting agenda provided, that, in all cases, the information requested or questions asked, be in accordance with the manner provided in Section 19 of the City Charter as follows:

The City Council at any time may request from the Mayor, or, under Plan D or E, from the city manager, specific information on any municipal matter within its jurisdiction, and may request him to be present to answer written questions relating thereto at a meeting to be held not earlier than one week from the date of the receipt by the Mayor, or under Plan D or E, by the city manager, of said questions. The Mayor, or, under Plan D or E, the city manager, shall personally, or through the head of a department or a member of a board, attend such meeting and publicly answer all such questions. The person so attending shall not be obliged to answer questions relating to any other matter. The Mayor, or, under Plan D or E, the city manager, may attend and address the City Council in person or through the head of a department, or a member of a board, upon any subject. (1915, 267, I, § 19; 378, § 8; 1948, 459, § 6.)

USE OF CITY COUNCIL STATIONERY

Rule 36. The use of City Council stationery with official letterhead shall be afforded to the Council President to communicate with any City Department, citizens, private businesses or State and Federal entities as s/he deems necessary. However, any communication issued by

any other Council member on said stationery with respect to an issue previously, presently or potentially under the auspices of the City Council, Mayor or any commission, committee, authority, board, task force or any other decision making body on the local, state or federal level, must be through the Council Administrative Assistant and must be copied to the Council President.

The Council President shall be responsible for alerting each newly elected Councillor of this rule during the orientation period outlined in Rule 34.

SPECIAL ELECTION AND BALLOT QUESTIONS

Rule 37. Whenever the City Council votes for any special election or question to be placed on a ballot, the City Clerk shall immediately enter into the agenda for the following week an agenda item that would require providing a copy of the certified mail receipt to each Councillor. This would prove that the proper departments in local or state government have been notified of the special election or of the ballot question.

MOTIONS TO CENSURE

Rule 38. A communication to place a motion to censure a member of the City Council on the agenda must be filed with the City Clerk in a timely manner and must be in writing and signed by no less than six members of the City Council and must specify egregious behavior and/or conduct unbecoming of a City Councillor.

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
ROBERT H. SCATAMACCHIA
VICE PRESIDENT
MELINDA E. BARRETT
WILLIAM J. MACEK
WILLIAM H. RYAN
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TELEPHONE: 978 374-2328
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citycnd@cityofhaverhill.com

CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

DOCUMENTS REFERRED TO COMMITTEE STUDY

4	Communication from Councillor Macek requesting a discussion regarding the proposed Monument Square traffic divider/island.	Planning & Dev.	1/3/12
102	Communication from Councillor Macek requesting to discuss the Taxicab and Buses Ordinance	Administration & Finance	10/15/13
102-H	Communication from Councillor Macek requesting to propose the establishment of an Adult and Senior Fitness Park	NRPP	10/29/13
13/13-B	Central Business District Parking Map and Ordinances	A & F	1/28/14
84 & 84A/13	Ordinance re: Zoning, Amend City Code, Ch. 255, Table of Use & Parking Regulations Page 8; to allow Medical Marijuana Dispensary/Treatment centers to be located only in our business parks	Transferred to Administration & Finance	2/11/14
56	Home Rule Petition – An Act Authorizing that the Position of Deputy Chief in the City of Haverhill be removed from Civil Service	Public Safety	5/20/14
55-E	Communication from Councillor Macek – necessary repairs on the Clement Farm property leased to American Legion	NRPP	6/17/14
55-F	Communication from Councillor Daly O'Brien re: Street noise increasing on Essex St. and Washington St. area	Public Safety	6/17/14
55-U	Communication from President Michitson requesting to address comprehensive vision, plan & process – critical information for City Council to determine needs/gaps, solutions and spending priorities for Haverhill	A & F	8/19/14
55-X	Communication from Councillor Sullivan regarding a Jr. Park Ranger Sumer Program	Public Safety	8/19/14
98-B	Communication from Councillor McGonagle requesting discussion re: penalties for public use of marijuana	Public Safety	9/2/14
90	Ordinance Relating to Peddling and Soliciting, Section 191—9 Licenses add at end of subsection A: permitted to Locations: "Food Trucks of any size may be allowed at all permitted fixed location with approval from City Council"	A & F	9/2/14
125	Petition from Brian S. Minkle requesting to purchase City land abutting his property on Crystal Lake Rd., Assessor's Map 566, Block 2, Lot 11, said house is at 35 Mendum Rd/ 86 Crystal Lake Rd, Assessor's Map 566, Block 2, Lot 7A	NRPP	12/2/14
	On motion of Councillor McGonagle to refer Ordinance: Chapter 191 – Peddling/Soliciting to Administration & Finance	A & F	12/9/14
10-B	Communication from Councillor Barrett requesting to discuss lack of City representation on HC Media Board of Directors	A & F	1/6/15