



CITY OF HAVERHILL
CITY COUNCIL AGENDA

Linda

Tuesday, November 18, 2014 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

4.1. Communication from William Pillsbury, Economic Development and Planning Director, submitting Resolution and Documents related to 25 Computer Drive with the State Economic Development Incentive Program (EDIP Program)

4.1.1 *Resolution* – Adopts and Authorizes Mayor to approve and execute a TIF agreement with City of Haverhill on the basis of Southwick’s lease and purchase of the 25 Computer Drive parcel

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

Attachments

6. APPOINTMENTS

6.1. Confirming Appointments

NO SCHEDULE

Non-confirming Appointments

6.1.1 *Energy Taskforce Committee* Chris Kaczor

Attachment

Resignations:

NO SCHEDULE

6.2 PETITIONS

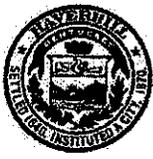
6.2.1 Petitions:

6.2.1.1 Petitions from Melissa Rivera requesting National Grid have permission to open 95 Summer st and 558 Main st to repair grade 2 gas leaks so that they don’t become grade 1 emergencies during this upcoming winter

Related communication from City Engineer, John Pettis in support of these requests

6.2.1.1.1 *Order* – Council approve the request of National Grid to excavate at 558 Main st and 95 Summer st for the purposes of repairing gas leaks at the subject lots

Attachments



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6.2.1.2 Petition from National Grid to construct underground electric conduits at Merrimack st and West st;
Plan 13397798

**Hearing Dec 16th
Attachment**

6.3 Applications:

6.3.1 **One Day Liquor Licenses**
NO SCHEDULE

6.3.2 **Applications for Permit**

6.3.3.1 Application from Roland E Plourde, Chairman *50th Annual VFW Santa Parade*, requesting permit for this year's parade to take place on Sunday, November 23rd; from C. D Hunking School in Bradford to VFW Post 29 Headquarters at 64 Kenoza av; at 1:00 with rain date of Saturday, November 29th, at 10:30 am

Attachment

6.3.3.2 Application from Greater Haverhill Chamber of Commerce, requesting permit to hold "*Chillfest*" (formerly Christmas Stroll); downtown Haverhill; Washington, Wingate, Essex, Merrimack sts and Columbus Park; Saturday, December 6th, 2:00 pm to 6:00 pm

Police Dept requests 3 officers 12 noon to 7 pm

Health Dept requests review of list of Vendors and also Vendors not licensed in City obtain temporary food permits

Applications for new Handicap Parking Signs:
NO SCHEDULE

6.4 Tag Days

NO SCHEDULE

6.5 Annual License Renewals

NO SCHEDULE

Hawker/Peddler:

Seasonal – Fixed location, Renewals;

1. Milton Russell to sell Christmas trees and wreaths at the *Elks*, 24 Summer st; November 29 to December 24th, Monday-Friday, 3 pm to 8 pm and Saturday & Sunday, 10 am to 6 pm
2. Paul Abare to sell Christmas trees, kissing balls, baskets, decorations at 403 River st; November 25 to December 24th, Monday-Sunday; 7 am to 9:30 pm



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Attachments

Hawker or Peddler Engaged in Door to Door Sales

Free Estimates for Windows & Roofs throughout
Haverhill:

3. Michelle Fleming; Monday-Saturday; 12 noon to 6 pm
4. Lyndsey M Burke; Monday-Saturday; 10 am to 8 pm

Attachments

6.5.1.1 Drainlayer 2014 License

NO SCHEDULE

7 HEARINGS AND RELATED ORDERS:

7.5.1 Document 116; Tax Classification – FY 2015, Board of Assessors

- B. Order that the residential factor for fiscal year 2015 be adopted as:
- C. Order that the City shall adopt a commercial exemption
- D. Order that the City shall adopt a residential exemption
- E. Order that the City shall select an open space discount factor
- F. Order that the City Council of the City of Haverhill hereby accepts the provisions Of the Massachusetts General Laws, Chapter 59, Section 5, Clauses 17E and 41D with respect to Permanent acceptance of the annual C.P.I. index increase to the tax exemptions for the elderly.
- G. Order that the City Council accept 100% of C.P.I. (Consumer Price Index) increase reported by the State for F.Y.2015 Exemptions. The 2015 C.P.I. amount is 1.37%



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7.5.2 Document 84-A; Zoning Hearing; City of Haverhill to Amend City Code, Chapter 255, Table of Use and Parking Regulations to allow Medical Marijuana Dispensaries/Treatment centers to be located in our Business Parks only

7.5.2.1 Document 84; Ordinance re: Zoning, Amend City Code Chapter 255, Table of Use and Parking Regulations, Page 8 to allow Medical Marijuana Dispensaries/Treatment Centers to be located in our Business Parks

Continued from February 11 2014

Updated recommendation from Haverhill Planning Board

Attachments

7.6 Document 101; Attorney Robert Harb, representing *Continental Wingate Development Co*, requests a special permit to construct a new 2-story building for Congregate Care Housing at un-numbered North Avenue; Assessor's Map 630, Block 2, Lot 1-1A; which will house a total of 90 units; Assisted Living Units consisting of 26 one-bedroom and 20 studio units; Supportive Independent Living Units consisting of 17 one-bedroom and 3 two-bedroom units; and Memory Care Units consisting of 20 studio and 4 companion units

Reports that have been received from various City departments are included

Attachment

7.7 Document 102; Attorney William Faraci representing Kerri Fronduto, Trustee of *13 High st Realty Trust*; requests a special permit for a Repetitive Petition for property at 13 High st; and a vacant lot across the street; Assessor's Map 515, Block 295, 3 Bldg, Lot 515-297-13; consisting of 6 residential units and 9 parking spaces on the vacant lot

Attachment

8 MOTIONS AND ORDERS

8.0 Order of Taking – Taking of Easement – Merrimack st; to facilitate construction of the new access roadway into the *Harbor Place project*

8.0.1 Order – transfer \$73,600 from WTP Pumps and Motors to Water Treatment Maintenance Capital

8.0.2 Order - \$600,458.57 be appropriated from the following accounts to the General Fund to reduce the FY15 levy:

\$445,458.57 Overlay Reserve
\$155,000.00 Agency Fund – Tailings

Attachments



**CITY OF HAVERHILL
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8.0.3 Order – authorize payment of bills of previous years and also payment from current year departmental appropriations as listed below:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Independent Living Aid	\$ 9.80	School Dept
Melanie Nazarian-travel reimb	340.00	" "
Safeway Transportation	\$ 12,461.00	" "
" "	\$ 16,114.50	" "
Coppola Inc	\$ 1,230.75	" "
Beacon ABA Services	\$ 615.36	" "

Attachment

8.1 Ordinances (File 10 Days)

8.1.1 Ordinance re: Vehicles and Traffic, Patient/Client Drop Off and Pickup Zones
56-74 Merrimack st

File 10 days

9 UNFINISHED BUSINESS OF PRECEDING MEETING

9.1.1 Document 12-Q; Ordinance re: Parking, 9 Hancock st, Add Handicap space *filed 10/22/2014*

9.1.2 Document 12-R; Ordinance re: Parking, 60 Lawrence st, Add Handicap space " " "

9.1.3 Document 12-S; Ordinance re: Parking, 13 Hancock st, Add Handicap space " " "Attachments

9.1.4 Document 38-G, Loan Order – (Amended) Additional \$5,184,176 to fund CSO (Combined Sewer Overflow) program
filed 10/29/2014

Attachment

10 COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES

11. MONTHLY REPORTS

Attachments

11.1 Abatement report for month of October from Board of Assessors

Attachment

11.2 Communications from Councillors

11.2.1 Communication from Councillor McGonagle requesting removal of a handicap parking space at 18 Jackson av that is no longer needed

Attachment

11.2.2 Communication from Councillor Ryan requesting a discussion about the proposed tree cutting at Winnekenni Park

Attachment



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11.3 Resolutions and Proclamations

NO SCHEDULE

12. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

12.1 COUNCIL COMMITTEE REPORTS

NO SCHEDULE

12.2 DOCUMENTS REFERRED TO COMMITTEE STUDY

13 ADJOURN



Haverhill

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

4.1

November 14, 2014

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

FROM: William Willsbury, Economic Development and Planning Director

SUBJECT: Resolution authorizing the Mayor to file Documents related to 25 Computer Drive with the State Economic Development Incentive Program (EDIP Program)

It is with a great deal of excitement that I am filing the attached documents relative to 25 Computer Drive. After numerous discussions and lengthy negotiations, Southwick Clothing (currently at 20 Computer Drive) will acquire and occupy the former Lowes building at 25 Computer Drive. As a result the city will see the retention of 468 manufacturing jobs currently in place at their facility. Additionally, the move will allow a substantial expansion of manufacturing operations resulting in the addition of a minimum of 70 new manufacturing jobs to be added in the new facility.

As you know the Lowes building has been vacant since Lowes closed the location several years ago, and continuous efforts to market the property to a retail user have produced no results. As you will also remember, this council took the proactive action step to amend the zoning to allow manufacturing as a matter of right in this zone.

The reuse of this building with the additional benefit of significant investment in building improvements to create a state-of-the-art clothing manufacturing facility represents a tremendous long-term benefit to the City.

The substantial investment and the retention and expansion of Southwick Clothing in the City is a strong statement on the part of Brooks Brothers about their long-

term confidence in manufacturing in the City of Haverhill and in the importance of "Made in USA" to the future of their products.

Southwick is seeking the assistance of the state and the city to make this investment possible, and the documents attached represent the City's participation in a partnership with the States Office of Business Development in the EDIP program. As you know the City has utilized this program on several occasion in the past to help create new manufacturing jobs by providing a Tax Increment Financing (TIF) agreement related to the improvements to the real estate thus enabling the company to proceed t receive tax credits and other assistance from the EDIP Program.

To facilitate this effort, we are asking the City Council to approve the attached resolution authorizing the Mayor to enter into a Tax Increment Financing (TIF) agreement for the property at 25 Computer Drive and to file the proper paperwork with the State for the TIF and all other required EDIP documents and certifications for the property and the project.

We will be happy to answer any questions that you may have and respectfully ask for passage of the proposed resolution to enable this exciting manufacturing project to go forward.

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

November 14, 2014

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

RE: Southwick Clothing

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

It is my great pleasure to offer my support for the Southwick Clothing expansion into the former Lowes building at 25 Computer Drive. This represents a tremendous commitment by Southwick and Brooks Brothers to the City of Haverhill. This commitment will enable Southwick to retain all 468 manufacturing jobs currently in place and add an additional 70 manufacturing jobs to their new facility.

Southwick will make substantial investments in the former Lowes building creating a state-of-the-art high tech manufacturing facility that they will own.

The City has partnered with the Commonwealth of Mass. EDIP program to assist Southwick in this project in the form of a Tax Increment Financing (TIF) proposal from the city and substantial additional support from the State. Together we are now able to see a long-term commitment to manufacturing by Southwick in the City and the creation of new manufacturing jobs a good portion of which will be targeted to Haverhill residents.

This type of investment by Southwick is a strong statement that MADE IN USA Brooks Brothers Suits will continue to be made in Haverhill and that high tech manufacturing is welcome in Haverhill and we as a city are open to supporting and creating a great environment for future manufacturing jobs as we go forward.

Very truly yours,


James J. Fiorentini, Mayor

JJF/ah



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

CITY OF HAVERHILL

RESOLUTION

4.1.1

BE IT RESOLVED THAT THE City Council of the City of Haverhill:

- (a) Adopts and authorizes the Mayor to approve and execute a TIF agreement (copy attached as Exhibit A), pursuant to Massachusetts General Laws chapter 23A, sections 3A-3F, chapter 40, section 59, and chapter 59, section 5, clause 51, between Golden Fleece Manufacturing Group LLC ("Southwick") and the City of Haverhill on the basis of Southwick's lease and purchase of the 25 Computer Drive parcel, Haverhill parcel ID 548-1-10; and
- (b) Authorizes the Mayor or his designee to take such other and further actions as may be necessary or appropriate to carry out the purposes of this resolution, or take any other action relative thereto.

**THE CITY OF HAVERHILL
TAX INCREMENT FINANCING AGREEMENT
FOR
GOLDEN FLEECE MANUFACTURING GROUP LLC
25 COMPUTER DRIVE HAVERHILL MA 01832-1300**

This agreement is made as of this ____ day of November 2014 by and between the City of Haverhill, Massachusetts (the "City"), and Golden Fleece Manufacturing Group LLC (d/b/a Southwick) ("Southwick").

RECITALS

WHEREAS,

1. The City is a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at City Hall, 4 Summer Street, Haverhill, Massachusetts, 01830-5886, and acting by and through its City Council (the "City").
2. Southwick is a Limited Liability Company qualified to do business in Massachusetts, with a principal place of business at 20 Computer Drive, Haverhill, Massachusetts 01832 ("Southwick").
3. Southwick also engages in manufacturing, principally the manufacture of men's suits, at 20 Computer Drive, which has approximately 86,000 square feet of space.
4. Southwick desires to transfer its operations from 20 Computer Drive to a larger facility at 25 Computer Drive in Haverhill, Massachusetts (the "Facility"), Haverhill parcel ID 548-1-10. A legal description of the Facility is attached as Exhibit A. The Facility has approximately 148,000 square feet of space.
5. The Facility previously was operated as a large retail store but has been abandoned since 2011.
6. The Facility requires substantial improvements before it can be used in garment manufacturing.
7. On September 12, 2014, Southwick finalized an agreement with Paradigm Properties ("Paradigm"), under which Paradigm would acquire the Facility, improve it so that it can be used in garment manufacturing, and then resell it to Southwick for \$13,600,000. The agreement also provides for Southwick to use the Facility once it can be occupied under a leasing arrangement by which Southwick compensates Paradigm for the operating costs of the Facility (insurance, taxes, etc.) but does not otherwise pay rent.

8. Paradigm purchased the Facility from its prior owner on September 25, 2014, for \$5,750,000. Paradigm's construction costs are estimated to be approximately \$5,200,000. Paradigm understands that it shall not inure to any of the benefit created by this TIF agreement.
9. Southwick anticipates its lease of the Facility beginning in April 2015, the relocation of the bulk of its operations from 20 Computer Drive to the Facility occurring in August 2015, and its purchase of the Facility from Paradigm for \$13,600,000 being concluded in January 2016.
10. Southwick's expansion and relocation at the Facility will keep 468 existing full-time jobs in Haverhill and create an additional 70 new full-time jobs by December 31, 2018. These jobs are principally skilled manufacturing jobs.
11. Southwick will use most of the Facility's space in its manufacturing operations. Some space will be used as office space for its general business operations, and it is anticipated that some space will be used for a Southwick outlet retail store.
12. The Facility is within the Northern Essex Regional Economic Target Area, No. R12 (the "ETA").
13. On October 17, 2014, Southwick submitted a preliminary application for certification of its relocation to and expansion at the Facility as a Manufacturing Retention Project. Southwick anticipates filing its supplemental application no later than November 24, 2014.
14. The City is willing to grant a Tax Increment Financing exemption from local property tax (hereinafter referred to as the "TIF" or "Tax Increment Financing") to Southwick in accordance with Massachusetts General Laws chapter 23A, sections 3A-3F, chapter 40, section 59, and chapter 59, section 5, clause 51 and regulations issued pursuant thereto in return for guarantee of the improvement and occupancy of the Facility and the maintaining and creation of employment opportunities for local workers by Southwick, particularly in the field of manufacturing.
15. No public improvements or associated betterments or special assessments are required for Southwick's proposed relocation to and expansion at the Facility.
16. On November 18, 2014, the City Council approved this TIF agreement.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties do mutually agree as follows:

A. SOUTHWICK'S OBLIGATIONS

This authorization for Tax Increment Financing agreement is made in consideration of Southwick's agreement to the following:

1. Southwick shall transfer all current 468 (four hundred and sixty-eight) full-time permanent jobs from Southwick's current location at 20 Computer Drive to the Facility. Further, Southwick agrees to hire 70 new full-time employees by 2018. The retained and new jobs shall be maintained until the termination of this TIF agreement.
2. Southwick shall ensure that Paradigm renovates the Facility to its specifications for use as a garment manufacturing facility.
3. Southwick shall occupy the Facility no later than June 30, 2016.
4. Southwick shall purchase the Facility from Paradigm no later than June 30, 2016.
5. Southwick shall use best efforts and cooperate with the Workforce Investment Board ("WIB"), the Department of Employment and Training of the Commonwealth of Massachusetts, and other agencies, as appropriate, in seeking to fill at least 30% of the 70 new positions at the Facility with residents of the City of Haverhill.
6. To report its performance under this agreement, Southwick shall submit to the City Clerk a copy of its Economic Development Incentive Program ("EDIP") annual report filed with the Massachusetts Economic Assistance Coordinating Council ("EACC") at the time that it is filed with the EACC, together with a statement as to how many of the 70 new positions have been filled with Haverhill residents pursuant to paragraph A.5.

B. THE CITY'S OBLIGATIONS

1. The City's real property tax assessment on the Facility for fiscal year 2016 shall be assessed as of January 1, 2015, based on a valuation of \$5,750,000, in light of the recent arm's-length sales transaction under which Paradigm acquired the Facility for \$5,750,000 on September 25, 2014. After January 1, 2015, the City shall not revalue the Facility with respect to fiscal year 2016, and under no event shall the valuation of the Facility for fiscal year 2016 take into account construction in progress.
2. The City shall grant a TIF exemption to Southwick for the Facility pursuant to Massachusetts General Laws chapter 23A, sections 3A-3F, chapter 40, section 59, and chapter 59, section 5, clause 51.
3. The TIF for the Facility for real property will be calculated as prescribed by Massachusetts General Laws chapter 59, section 5, clause 51, and shall apply to the incremental difference in the assessed real property tax valuation of the Facility, and its assessed valuation for the 20 fiscal years from 2017-2036 (*i.e.*, July 1, 2016 through June 30, 2036). It shall be calculated using an adjustment factor for each fiscal year of the specified term as required by Massachusetts General Laws chapter 40, section 59(iii), as currently in effect. The base valuation

shall be the assessed value of the property in fiscal year 2016 as set forth in paragraph B.1 above.

4. The City hereby authorizes a TIF exemption percentage schedule with respect to the Facility described in Section A above as follows:

Fiscal Year	TIF Year	Exemption %
2017	1	100%
2018	2	95%
2019	3	90%
2020	4	85%
2021	5	80%
2022	6	75%
2023	7	70%
2024	8	65%
2025	9	60%
2026	10	55%
2027	11	50%
2028	12	45%
2029	13	40%
2030	14	35%
2031	15	30%
2032	16	25%
2033	17	20%
2034	18	15%
2035	19	10%
2036	20	5%

5. The City agrees that all personal property will be exempt from taxation during the entire term of the TIF pursuant to Massachusetts General Laws chapter 59, section 5, clause 51.

C. OTHER CONSIDERATIONS

1. The City agrees that it has properly sought and obtained authorization from the City Council for the Mayor to enter into this agreement in accord with Massachusetts General Laws chapter 40, section 59(v) and (vi), and that it has performed all statutorily required steps to effectuate a TIF under the relevant Massachusetts General Laws.
2. Southwick agrees that the City has the right pursuant to Massachusetts General Laws chapter 23A, section 3F, to petition the Massachusetts Economic Assistance Coordinating Council ("EACC") to decertify the project and revoke this TIF if the City determines that a material variance has occurred between Southwick's conduct and its obligations under this agreement within the meaning of EACC

Policy 2010-1 (May 25, 2010), such as employing less than 90% of the full time jobs it has promised to retain and create or failing to submit its annual report. For clarification, 90% of the jobs would be as follows:

Period	Total Jobs	90% Threshold
Calendar Years 2015 - 2017	468	421
Calendar Years 2018 - 2036	538	484

3. However, prior to filing any such petition for decertification, the City shall give Southwick written notice of Southwick's alleged defaults and opportunity to cure such alleged default, including an opportunity be heard at a public hearing on the matter. If the City is satisfied that Southwick has made a good faith effort to meet its obligations under this TIF and is unable to cure the alleged default, then the parties will attempt to negotiate a mutually acceptable and reasonable resolution that may result in amendments to the terms of this TIF.
4. If, after the procedures set forth in paragraph C.3 above, the City does proceed with a petition to the EACC, then upon decertification by the EACC, the City shall be able to discontinue the TIF described above, commencing with the fiscal year immediately following the year for which Southwick failed to meet its obligations, and shall have the ability to recoup the value of any economic benefit received by Southwick prior or subsequent to such revocation to the extent applicable under Massachusetts General Laws chapter 23A, section 3F and 402 Code of Massachusetts Regulations section 2.16.
5. If the City petitions the EACC for decertification but the EACC declines to take action, then the City may proceed with its own investigation and hearing. Upon a determination that both (a) Southwick's conduct is materially at variance with its obligations under this agreement, and (b) and such variance frustrates the public purposes which this agreement was intended to advance, then the City may terminate the TIF effective as of the fiscal year in which the determination is made, and shall have the ability to recoup the value of any economic benefit received by Southwick prior or subsequent to such revocation to the extent applicable under Massachusetts General Laws chapter 23A, section 3F and 402 Code of Massachusetts Regulations section 2.16.
6. The matters described above as obligations of Southwick are only conditions to the eligibility for tax exemptions under this agreement and do not create any enforceable obligations or covenants of Southwick. The City's sole remedies for failure by Southwick to satisfy any of its obligations and conditions are the procedures the set forth in paragraphs C.2 through C.5 above.
7. This TIF shall be binding on all the parties hereto and, with respect to the Facility, shall be binding upon the subsequent owners of the Facility; provided, however, that if Southwick purports to convey, assign or otherwise transfer this TIF, or its rights hereunder to another party without the express and advance written consent

of the City, which consent may be withheld or denied by the City with or without cause, the City may, by written notice give to Southwick, terminate the TIF and petition for decertification as provided above. Any transaction, or series of transactions, which results in a change of control of Southwick, whether by the sale of a majority of its voting stock, merger, acquisition or otherwise, shall be deemed to be transfer within the meaning of the first sentence of this paragraph.

8. This agreement is subject to Massachusetts General Laws chapter 23A, sections 3A to 3F, chapter 40, section 59, and chapter 59, section 5, clause 51, as well as applicable regulations.
9. The time within which Southwick shall be required to perform any of its obligations under this agreement shall be extended to the event the performance of such obligation is delayed by a force majeure event such as an act of God, earthquake, fire, act of terrorism, war, labor dispute, delay or restriction by a government body, or any other cause beyond the reasonable control of Southwick.

Executed, as a sealed instrument on the day and year first above written.

Accepted by Mayor:

Date

Approved as to form:

Date

Accepted by Southwick

Date

Exhibit A

PARCEL I:

That certain parcel of land located in Haverhill, Essex County, Massachusetts, with any improvements thereon, shown as Lot 4B-1A on that certain plan entitled "Plan of Land in Haverhill, Massachusetts" prepared for KGI Properties, LLC by Merrimack Engineering Services, dated August 16, 2006 and recorded with the Essex South Registry of Deeds in Book 26015, Page 310, Plan Book 401, Plan 14, as supplemented and amended by that certain Affidavit dated September 8, 2006 and recorded at Book 26086, Page 554 with the Essex South Registry of Deeds. Said Lot 4B-1A contains approximately 914,532 square feet or 20.9947 acres.

PARCEL II:

Together with the benefit of rights reserved in Deed from Wang Laboratories to the City of Haverhill in Book 8167, Page 594, subject to the terms thereof.

Together with the benefit of Drainage and Signage Easement Agreement in Book 9209, Page 158, as amended in Book 9680, Page 354, as affected by Release of Signage Easement recorded in Book 26086, Page 549, subject to the terms thereof.

Together with the benefit of rights and easements described in that certain Operation and Easement Agreement by and among Koffler/GID Haverhill II LLC, Lowe's Home Centers Inc. and Koffler/GID Haverhill I LLC dated as of September 21, 2006 and recorded in Book 26104, Page 297, subject to the terms thereof.

DM_US 56365812-9.093956.0011

JAMES J. FIORENTINI
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
2 STREET
HAVERHILL, MA 01830
74-2300
3-7544
HAVERHILL.COM
HILL.MA.US

6.1.1

November 14, 2014

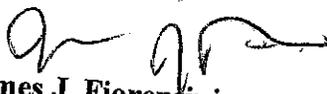
City Council President John A. Michitson and
Members of the Haverhill City Council

RE: Energy Taskforce Committee

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

I hereby name Chris Kaczor, 46 Crowell Street, to the Energy Taskforce Committee.
This is a non-confirming appointment and I recommend your approval.

Very truly yours,


James J. Fiorentini
Mayor

JJF/ah

0013054
05/21/11 10:10:00
Nationalgrid
40 Sylvan Rd
Waltham, Ma 02451
617-293-0595
603-231-5089

6.2.1.1

Honorable City Council
4 Summer Street
Haverhill, MA 01830

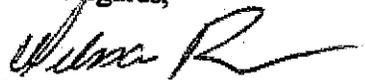
Dear Council Members:

Nationalgrid respectfully requests your permission to open 558 Main St for the purpose of repairing a grade 2 gas leak that falls under our mandated program. There have been various complaints in this area due to a gas odor. We are concerned this leak will soon turn into a grade 1 emergency during this upcoming winter. Main St is currently under moratorium until 2017.

All work will be done in accordance with the Engineering and Highway Departments standards under the direct supervision of the Highway Department. We are looking to have this work completed before the construction season ends this fall.

Thank you in advance for your review of this issue and your anticipated cooperation in this matter. If you have any questions or concerns, please feel free to contact Ken Silva, area supervisor, or me at anytime.

Regards,


Melissa Rivera

RECEIVED
03/17/2017
Nationalgrid
40 Sylvan Rd
Waltham, Ma 02451
617-293-0595
603-231-5089

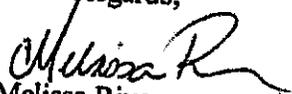
Honorable City Council
4 Summer Street
Haverhill, MA 01830

Dear Council Members:

Nationalgrid respectfully requests your permission to open 95 Summer St for the purpose of repairing a grade 2 gas leak that falls under our mandated program. We are concerned this leak will soon turn into a grade 1 emergency during this upcoming winter. Summer St is currently under moratorium until 2017.

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Thank you in advance for your review of this issue and your anticipated cooperation in this matter. If you have any questions or concerns, please feel free to contact Ken Silva, area supervisor, or me at anytime.

Regards,

Melissa Rivera



Haverhill

Engineering Department, Room 214
Tel: 978-374-2335 Fax: 978-373-8475
John H. Pettis III, P.E. - City Engineer
JPettis@CityOfHaverhill.com

October 31, 2014

**MEMO TO: CITY COUNCIL PRESIDENT JOHN MICHITSON AND
MEMBERS OF THE CITY COUNCIL**

Subject: *Main Street and Summer Street – National Grid work*

I support the request to cut the pavement for proposed work adjacent to 558 Main Street and 95 Summer Street to repair gas leaks. As both of the roadways were paved within the last 5 years Council approval is required. I have discussed this work with National Grid and the permits issued by this office for the work will require gravel backfill to ensure proper compaction can be achieved quickly, and infrared treatment will be performed on the trench pavement.

Please contact me if you have any questions.

Sincerely,

John H. Pettis III, P.E.
City Engineer

C: Mayor Fiorentini, Stankovich, Ward, Cox, Melissa Rivera-NGrid



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

6.2.1.81

ORDERED:

That the City Council approves the request of *National Grid* to excavate at *558 Main Street and 95 Summer Street* for the purposes of repairing gas leaks at the subject lots. Main Street and Summer Street have been rebuilt within the last 5 years and in accordance with Chapter 222, Section 11, Notice to abutters; restrictions on future paving of the 1981 Municipal Ordinance. Council approval is necessary.

Linda Koutoulas

write down years for clerk
11/2/14

From: John Pettis <Jpettis@cityofhaverhill.com>
Sent: Thursday, November 06, 2014 12:07 PM
To: Linda Koutoulas
Subject: RE: important document

Years - 6
Barrett
Daly
Michitson
Sullivan
Cox
McGeagle

I saw 3 yes votes only, did you receive others?

Thanks,
John

-----Original Message-----

From: Melinda Barrett [mailto:MBarrett@cityofhaverhill.com]
Sent: Monday, November 03, 2014 1:06 PM
To: Linda Koutoulas
Cc: Colin LePage; Mary Ellen Daly O'Brien; Michael McGonagle; Michitson, John A; Robert Scatamacchia (scatamacchiaFH@aol.com); roundpond@comcast.net; Thomas J. Sullivan (tsullivan@cityofhaverhill.com); William J. Macek (wjm227@gmail.com); John Pettis
Subject: Re: important document

Hi
I think I voted earlier but don't see it on thread. I vote yes.
Thanks Melinda

Sent from my iPhone

- > On Oct 31, 2014, at 3:56 PM, Linda Koutoulas <LKoutoulas@cityofhaverhill.com> wrote:
- >
- > John and All: I just opened this email (busy with election stuff) and am forwarding to you for your action. Please respond - thank you!
- > Linda
- > -----Original Message-----
- > **From:** John Pettis [mailto:Jpettis@cityofhaverhill.com]
- > **Sent:** Friday, October 31, 2014 12:34 PM
- > **To:** Linda Koutoulas
- > **Cc:** John Michitson (michitson@mitre.org); Bill Cox
- > **Subject:** FW: Send data from MFP07657037 10/31/2014 12:16
- >
- > Linda,
- > I just brought down original. I talked to Bill Cox and John Michitson. Please send this out for preliminary email vote so NGrid can get going on the work, and then vote will be formalized at Nov 18th meeting.
- >
- > Call if any questions,
- >
- > Thanks,
- > John
- >
- > -----Original Message-----
- > **From:** copier [mailto:scanner@cityofhaverhill.com]

Hearing December 16
2014

Questions contact – Andrew Hadden 508-935-1610

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

6.2.1.2

To the City Council of Haverhill Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massac
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.

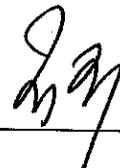
Wherefore it prays that after due notice and hearing as provided by law, it be granted
permission to excavate the public highways and to run and maintain underground electric conduits,
together with such sustaining and protecting fixtures as it may find necessary for the transmission
of electricity,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

The following are the streets and highways referred to:
13397798 Merrimack St & West St

Petitioning to install one 11x7 switch gear manhole adjacent to existing manhole #C-46 on
Merrimack St. Manhole will be used for the installation of new primary switch. The location
begins at a point approximately 50 feet west of the centerline of the intersection of West and
Merrimack St.

Location approximately as shown on plan attached

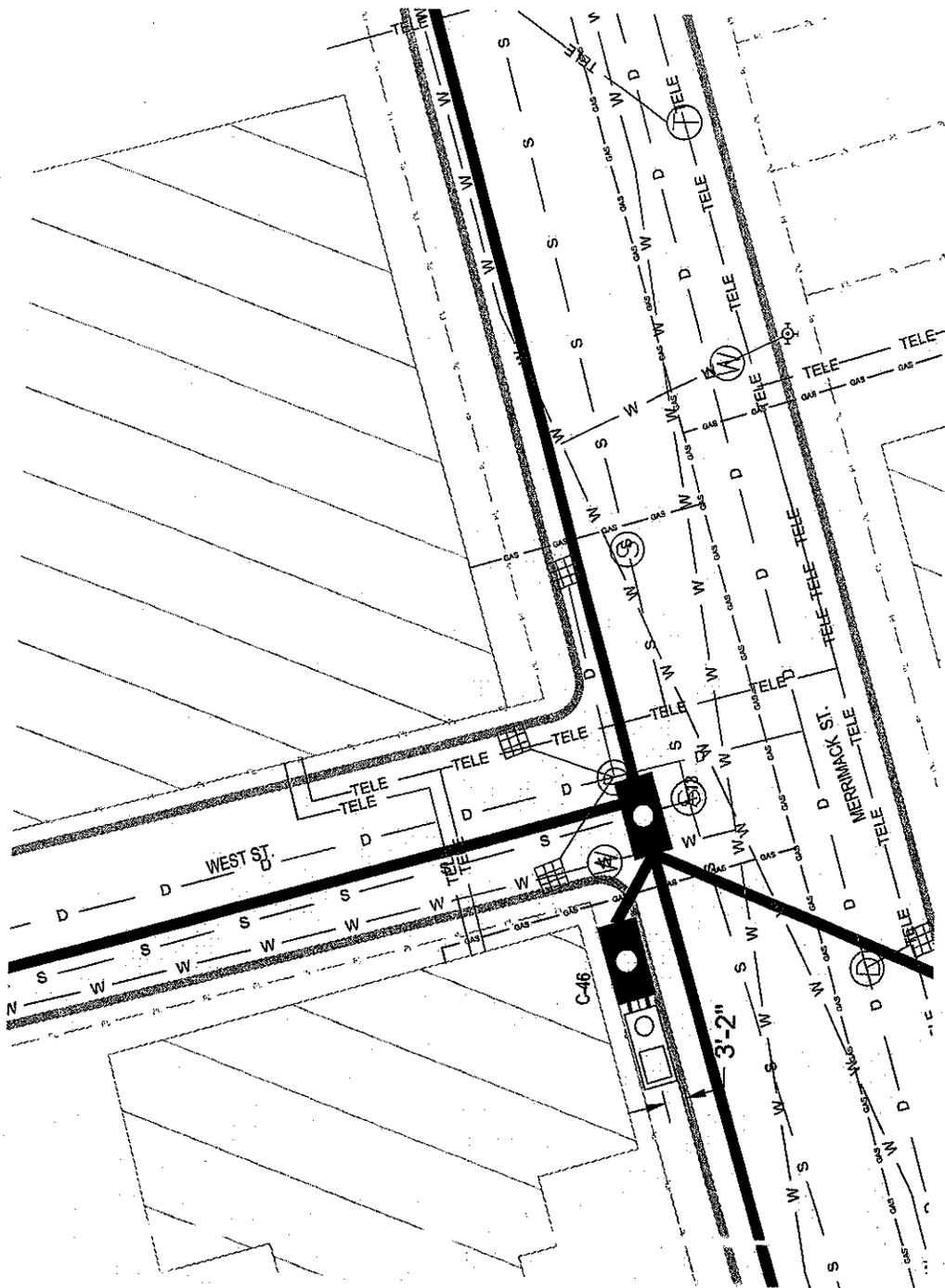
NATIONAL GRID
BY Bob Pulcoski
Engineering Department



Dated: October 22, 2014



- LOT LINES
- EXISTING CONDUIT
- PROPOSED CONDUIT
- ROAD
- EXISTING MANHOLE
- PROPOSED SWITCHGEAR MANHOLE-11'X7'
- TELEPHONE LINE
- SEWER LINE
- WATER LINE
- GAS LINE
- DRAIN LINE
- HYDRANT
- DRAIN
- TELEPHONE MANHOLE
- SEWER MANHOLE
- WATER MANHOLE
- DRAIN MANHOLE



DATE: 10/26/14
 SHEET 1 OF 1
 REVISIONS: NONE
 MERRIMACK-100

SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
 1 MANHOLE
 ALONG MERRIMACK ST IN
 HAVERHILL, MA



nationalgrid

ISSUED FOR
 REVIEW AND COMMENT
 NOT CONSTRUCTION DOCUMENT

REV	DATE	CHG'D BY	DESCRIPTION

LORRAINE POST NO. 29
VETERANS OF FOREIGN WARS
SANTA PARADE COMMITTEE

64 KENOZA AVENUE, HAVERHILL, MA 01830

TEL. 978-373-3777

Email: rplourde@vfwsantaparade.com

Copy 3

6.3.2

Plourde
Chairman

an, Esq.
Chairman

n Cartier
Secretary

Bergeron
Treasurer

Commander
William J. Shea
V.F.W. Post 29

September 7, 2014

Alan R. De Naro, Chief of Police
City of Haverhill
40 Bailey Boulevard
Haverhill, MA 01830

Dear Chief De Naro:

On behalf of the 50th Annual VFW Santa Parade Committee, I would like to take this opportunity to request a parade permit for this year's event.

The parade will take place on Sunday, November 23, 2014, at 1:00 p.m., from the C.D. Hunking School in Bradford to VFW Post 29 Headquarters at 64 Kenoza Avenue in Haverhill. The rain date for the event is Saturday, November 29, at 10:30 a.m.

Thank you for your consideration of this request.

Sincerely,



Roland E. Plourde
Chairman
50th Annual VFW Santa Parade

City of Haverhill
Application for Permit for
Amusements, Public Shows and Exhibitions

Name of Organization: V.F.W. Post 29 SANTA PARADE

Address of Organization: 64 KENOZA AVE. HAV.

Is the Organization a Non-Profit? Yes No (If yes, must provide evidence of non-profit status)

Religious Societies conducting events on property owned by them; Events given in school buildings by or for the benefit of pupils or Events on public property permitted and approved by the appropriate permit granting authority (Stadium, Winnekenni and Tattersall Farm) or Enterprises holding appropriate Entertainment Licenses from the License Commission are exempt.

EVENT INFORMATION

Requesting permit for (List type of event):
SANTA CLAUSE PARADE

Date of Event: Nov 23, 2014 Time of Event: 12:01p.m - 4:00p.m

Location of Event: So. MAIN ST - To - MAIN ST - To - KENOZA AVE.

Indoor: _____ Outdoor: YES

Name and Address of the Owner of the Property: CITY OF Haverhill

If applicant is not the Owner of the Property, Applicant must provide written proof of permission from the property owner.

Number of Anticipated Attendees: 30,000 - 40,000

Number of Parking Spaces available on Site: NOT NEEDED

Have arrangements been made for offsite parking? Yes No

If yes, please give details of the offsite parking: SIDE STREETS ALONG ROUTE

Are there charges or fees for parking? Yes No If yes, list charges/fees _____

Please identify the plans for solid waste disposal and recycling: _____

Number of public restrooms available: Permanent _____ Portable 6

Other special considerations for event (e.g. fireworks, street closure, use of areas for set-up):
NO PARKING ON PARADE ROUTE

Are you requesting that the fees be waived? ? Yes No
(City sponsored events or registered non-profit groups conducting events for wholly charitable purposes only)

Authorized Person: ROBERT E. PHOENIX, CHAIRMAN

Address of Authorized Person: 69 KENAZA AVE. Haverhill

Telephone #/Cell #/Pager # (Indicate if Pager): 978-373-3777 978-984-2059

Social Security Number of Authorized Person: _____

Copies of any event agreements, including leases and contracts for entertainers, performers, sound stage, cleaning, security, vendor, catering or food service must be provided with application.

OFFICE OF CHIEF OF POLICE
HAVERHILL, MASSACHUSETTS

DATE: Sept. 10, 2014

Permission is hereby granted to . . . V.F.W
. Santa Parade Committee located at
. 69 Kemona Ave., Haverhill, MA for the performance
of Labor on Sunday, November 23, 2014
Reason . . . Santa Parade

Signed . . . 
Chief of Police

Rain date: Saturday, November 29, 2014

APPROVALS:

Fire Chief:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Recreational Director: Required for all recreational facilities:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Police Chief:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Health Inspector/Board of Health:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Building Inspector:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Public Works Director:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Checklist for Applications For Amusements, Public Shows and Exhibitions

- _____ Completed Application – must be returned to the City Clerk’s Office (Room 118) at least thirty (30) days prior to the event.

- _____ Written permission from the owner of the property where the event will take place, including evidence of approval of the department or oversight authority of land that is protected or restricted by agreement with the state or federal government, if applicable.

- _____ Copies of any event agreements, including leases and contracts for entertainers, performers, sound stage, cleaning security, vendor, catering or food services.

- _____ Proof of adequate insurance coverage

- _____ If non-profit group, must provide evidence of non-profit status.

Upon request of any City official reviewing the application or the City Council, the applicant shall in addition furnish reasonable information concerning the conditions of the premises and the action to be taken in order to prevent danger to the public safety, health or order.

NOTE: In any calendar year, the City Council may grant a maximum for three (3) public event licenses, with a minimum of sixty (60) days between events on any privately owned land parcel(s) throughout the City.

OFFICE USE

PERMIT

Permit approved on: _____ Number of Detail Officers: _____

Proof of Insurance: Policy Number _____ Expiration date _____

Attendance Limited to: _____

Other Conditions/Requirements: _____

All permits issued fully incorporate the terms and conditions of Article IV Public Shows, Exhibitions and Events of Chapter 104 of the Code of the City of Haverhill

Signed: _____ Issued on: _____
City Clerk

6.3.32

City of Haverhill
Application for Permit for
Amusements, Public Shows and Exhibitions

Name of Organization: Greater Haverhill Chamber of Com

Address of Organization: 80 Merrimack St.

Is the Organization a Non-Profit? Yes No (If yes, must provide evidence of non-profit status)

Religious Societies conducting events on property owned by them; Events given in school buildings by or for the benefit of pupils or Events on public property permitted and approved by the appropriate permit granting authority (Stadium, Winnekenni and Tattersall Farm) or Enterprises holding appropriate Entertainment Licenses from the License Commission are exempt.

EVENT INFORMATION

Requesting permit for (List type of event):

Chamber Chill Fest (formerly Christmas Stroll)

Date of Event: 12/6/14 Time of Event: 2-6 pm

Location of Event: Downtown Haverhill (Washington Wingate, Essex, Merrimack, Columbus Park) Indoor: Outdoor:

Name and Address of the Owner of the Property: N/A

If applicant is not the Owner of the Property, Applicant must provide written proof of permission from the property owner.

Number of Anticipated Attendees: 3,000 - 5,000
Number of Parking Spaces available on Site: Public lots in area

Have arrangements been made for offsite parking? Yes public lots No _____

If yes, please give details of the offsite parking: Only public lots/spaces

Are there charges or fees for parking? Yes No _____ If yes, list charges/fees per city

Please identify the plans for solid waste disposal and recycling: Host businesses to provide receptacles for their own patrons, otherwise outdoor city receptacles to be used.

Number of public restrooms available: Permanent _____ Portable _____

Other special considerations for event (e.g. fireworks, street closure, use of areas for set-up):
Street Closure: Washington St. @ Railroad Sq. & Columbus Park, down to Merrimack St. @ Howe St., Wigate St, Essex St. from Washington Sq. to Granite St.

Are you requesting that the fees be waived? Yes No _____
(City sponsored events or registered non-profit groups conducting events for wholly charitable purposes only)

Authorized Person: Beverly Donovan, Dir. of Economic Dev.

Address of Authorized Person: 90 Merrimack St.

Telephone #/Cell #/Pager # (Indicate if Pager): F-(978) 373-5663 C-(603) 235-0857

Social Security Number of Authorized Person: Tax ID# 04-1426880

Copies of any event agreements, including leases and contracts for entertainers, performers, sound stage, cleaning, security, vendor, catering or food service must be provided with application.

APPROVALS:

Fire Chief:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Recreational Director: Required for all recreational facilities:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Police Chief:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Health Inspector/Board of Health:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: provide list of food food vendor.
Food vendors Not lic'd in the City of Haverhill must obtain
a temporary food permit.

Building Inspector:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Public Works Director:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

APPROVALS:

Fire Chief:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Recreational Director: Required for all recreational facilities:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Police Chief:

Reviewed: Approved: Denied: _____

Comments/Conditions/Requirements: *Chamber will hire 3 officers noon-2:00 P.M.
Police will supply 3 officers for every security.*

Health Inspector/Board of Health:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Building Inspector:

Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

Public Works Director:

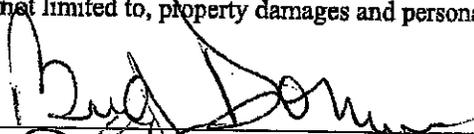
Reviewed: _____ Approved: _____ Denied: _____

Comments/Conditions/Requirements: _____

General Release & Indemnity Agreement

The Above organization in consideration of the permit granted by the City Council as above requested hereby remises, releases and forever discharges the City of Haverhill, its respectful employees, agents and attorneys from all manner of actions, causes of actions, debts,, dues, claims and demands both in law and in equity, more especially any and all claims as a result of the issuance of this permit or use of any City Property, including, but not limited to, property damages and personal injuries resulting from the same.

Signature of Authorized
Agent of Organization:



Date: 11/17/14

Signature Witnessed By:



Date: 11/17/14

City Council will hear this request for application on:

Nov. 17 at 7 PM
(date) (time)

Applicant must attend: Yes No

Licensee is solely responsible for the cost of any damage that occurs to public property or extraordinary expense necessary for the public safety as a result of the public event, exhibition, show or amusement.

Licensee shall be responsible for the cost of any police or fire official(s) required by the City Council to be attendance at the event.

OFFICE USE

PERMIT

Permit approved on: _____ Number of Detail Officers: _____

Proof of Insurance: Policy Number _____ Expiration date _____

Attendance Limited to: _____

Other Conditions/Requirements: _____

All permits issued fully incorporate the terms and conditions of Article IV Public Shows, Exhibitions and Events of Chapter 104 of the Code of the City of Haverhill

Signed: _____ Issued on: _____
City Clerk

Greater Haverhill Chamber of Commerce

ChillFest! 2014

If you have enjoyed the Christmas Stroll, you will LOVE the Chamber "Chill" Fest

Activities...

- * Child Identification
- * Cookie Decorating
- * Face painting
- * Fun Photo Booth
- * Holiday Ornament Painting
- * Holiday Movie Viewing
- * Photos with Santa
- * Snowball Pitch Game
- * Stories with Mrs. Claus
- * Strolling Carolers

Plus...

- * Games & Crafts
- * Christmas Tree Lighting
- * Much More...

Look for...

Drop-off Bins for: food, clothing, toys, winter wear and personal care supplies

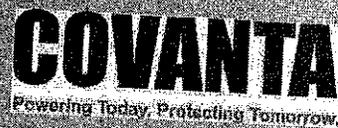
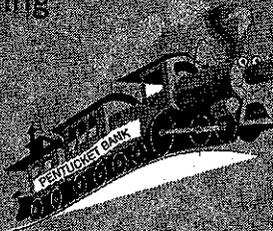
Saturday, December 6,
2:00 to 6:00 PM

All activities will take place in downtown Haverhill, including the Riverfront Cultural District triangle of Washington, Wingate, Granite and Essex Streets (and everything in between), as well as Merrimack Street, and Railroad and Washington Squares.

Tree Lighting Sponsored by



Sponsored by



Please contact the Chamber office for additional details
by telephone 978-373-5663 or email at info@haverhillchamber.com



Have

6.5

City ()
Phone: 978-420-
citycl

1 2014

The undersigned respectfully asks to receive a license to conduct business in the City of Haverhill as a:

- Hawker or Peddler
- Employee of a Hawker or Peddler

NAME: Milton Russell

SIGNATURE: Milton Russell

ALL MERCHANDISE TO BE SOLD: at Elks 24 Summer St
Christmas trees + wreaths

MONTH(S): Nov 29 to Dec 24th DAY(S)/TIME(S): Mon-Fri 3pm-8pm
Sat + Sun 10AM-6pm

LOCATION (CHECK ONE):

- New - Fixed Location
- Renewal - Fixed Location
- Seasonal - Fixed Location
- New - Mobile Cart
- Renewal - Mobile Cart

IF FIXED LOCATION, SELECT ONE BOX:

- Bradford Common
- GAR Park
- Other: _____
- Outside Haverhill Stadium @ Lincoln/Nettleton Ave
- Riverside Park
- Swasey Park
- Washington Square
- Winnemenni Area, Route 110

Fee: \$ 200.00
Bond on File

Department Use ONLY			
<u>[Signature]</u> Police Chief	<u>11/12/14</u> Date	_____ Health Inspector	_____ Date
_____ Wire Inspector	_____ Date	_____ Rec Director (Stadium Only)	_____ Date

In Municipal Council, _____

Attest: _____, City Clerk

Please Complete the Back side of this form.

RECEIVED
CITY CLERK
NOV 20 11 5 43



Haver

6.5

City Clerk's
Phone: 978-420-3623
cityclerk@

2

The undersigned respectfully asks to receive a license to conduct business in the City of Haverhill as a:

Hawker or Peddler

Employee of a Hawker or Peddler

NAME: Paul Abare

SIGNATURE: [Signature]

ALL MERCHANDISE TO BE SOLD: Christmas trees, kissing balls, Baskets, decorations at 403 River St

MONTH(S): Nov 25 - Dec 24 th DAY(S)/TIME(S): Mon - Sunday

7 AM - 9:30 pm

LOCATION (CHECK ONE):

- New - Fixed Location
- Renewal - Fixed Location
- Seasonal - Fixed Location

- New - Mobile Cart
- Renewal - Mobile Cart

Renewal

IF FIXED LOCATION, SELECT ONE BOX:

- Bradford Common
- GAR Park
- Other: _____
- Outside Haverhill Stadium @ Lincoln/Nettleton Ave

- Riverside Park
- Swasey Park
- Washington Square
- Winnekenni Area, Route 110

Fee: \$ 200.00

Bond on File _____

Department Use ONLY

<u>[Signature]</u> Police Chief	<u>11/3/14</u> Date	_____ Health Inspector	_____ Date
_____ Wire Inspector	_____ Date	_____ Rec Director (Stadium Only)	_____ Date

In Municipal Council

Attest: _____, City Clerk

RECEIVED

Please Complete the Back side of this form.

SOM OCT 31 PM 3 TO

6.5
3

CITY OF HAVERHILL

Date 10/31

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

FREE Estimates windows & Roofs

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

City of Haverhill

Location/s

Residential

Mondays - Saturdays NOON to 6 pm

Date and Time of Operation

Additional Comments

Name Michelle Fleming

Signature Michelle Fleming

Fee \$ 62

RECEIVED
OCT 31 11 40 AM '01
POLICE

Police Chief

APPROVED

DENIED

MORE INFO ON BACK

615
4

CITY OF HAVERHILL

Date OCT 23 2014

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

Roof & Window Quotes (free estimates)
Type of Goods/Wares/Merchandise/Services to be Sold

throughout Haverhill
Location/s

Monday - Saturday 10 AM to 8:00 pm
Date and Time of Operation

Additional Comments

Name Lyndsey M Burke ("Carte Marketing Co")
Urburn MA

Signature Lyndsey M Burke

Fee 60.00

[Signature]
Police Chief

APPROVED ✓

DENIED _____

116



Hearing November 18
2014

CITY OF HAVERHILL

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

7,5.1

October 24, 2014

TO: Linda Koutoulas
Haverhill City Clerk

FROM: Stephen C. Gullo, MAA
Tax Assessor

SUBJECT: Communication from the Board of Assessors for the FY 2015 Classification
Hearing

The Tax Classification Hearing for Fiscal Year 2015 will be held on Tuesday, November 18, 2014 in the Haverhill City Council Chambers at 7:00 P.M.

IN CITY COUNCIL: October 28 2014

VOTED: that COUNCIL HEARING BE HELD NOVEMBER 18 2014

Attest:

City Clerk

Legals



CITY OF HAVERHILL
ASSESSORS OFFICE - ROOM 115
Phone: 978-374-2316
Fax: 978-374-2319

Assessors@cityofhaverhill.com
In conformance with the requirements of Chapter 369 of the Acts of 1982, The City Council of the City of Haverhill, MA will hold a Public Hearing on the issue of determining a residential factor.

The hearing will be held on Tuesday, November 18, 2014 at 7:00 o'clock p.m. in Haverhill City Council Chambers.

Linda Koutoulas
Assistant City Clerk
ET - 11/7/14

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court
Essex Probate and Family Court
45 Congress Street
Salem, MA 01970
(978) 744-1020

NOTICE OF PETITION FOR TERMINATION OF PARENTAL RIGHTS G.L. c. 210 § 3
Docket No. ES14A0076CW
In the matter of: Grace Jasmine Tejada

To: and any unknown or unnamed father, parent(s) of the above named child.

* A putative father will not have standing as a party to this case without a voluntary acknowledgment of parentage or an adjudication of paternity.

A petition has been presented to said court by Bethany Christian Services of New England, North Andover, MA 01845 representing that the parent(s) of the child lack(s) current ability, capacity, fitness and readiness to assume parental responsibility for the child; that the petitioner's plan for the child will serve the child's best interests; and, requesting that this Honorable Court enter a decree under the provisions of the General Laws of Massachusetts, Chapter 210, Section 3, that shall have the effect of terminating the rights of the person(s) named herein to receive notice of or to consent to any legal proceeding affecting the custody, guardianship, adoption or other disposition of the child named herein.

IF YOU DESIRE TO OBJECT THERETO, YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT SALEM ON OR BEFORE TEN O'CLOCK IN THE MORNING (10:00 AM) ON: 12/15/2014.

YOU ARE ENTITLED TO THE APPOINTMENT OF AN ATTORNEY IF YOU ARE AN INDIGENT PERSON. An indigent person is defined by SJC RULE 3:10. The definition includes but is not limited to persons receiving AFDC, EAEDC, poverty related veteran's benefits, food stamps, refugee resettlement benefits, medicaid, and SSI. The Court will determine if you are indigent. Contact an Assistant Judicial Case Manager/Adoptions Clerk of the Court on or before the date listed above to obtain the necessary forms.

WITNESS, Hon. Mary Anne Sahagian, First Justice of this Court.
Date: October 30, 2014
Pamela A Casey O'Brien, Register of Probate

ET - 11/7, 11/14, 11/21/14

High School Swim and Dive Team
Tuesday, November 18, 2014
7:00 PM
Community Development
Conference Room
3 N. Lowell Road
Windham, NH 03087
ET - 11/7/14

Further information is available at the Assessors' office or by calling 603-890-2115.
Salem Board of Selectmen
By Its Chairman
Patrick M. Hargreaves
ET - 11/7/14

MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by Luis R. Peralta to Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for America's Wholesale Lender, dated September 9, 2005 and recorded at Essex County (Northern District) Registry of Deeds in Book 9767, Page 79 of which mortgage Nationstar Mortgage LLC is the present holder by assignment from Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for America's Wholesale Lender to Countrywide Home Loans, Inc., for the benefit of Greenwich Capital Financial Products, Inc. dated December 6, 2007 recorded at Essex County (Northern District) Registry of Deeds in Book 11071, Page 191; assignment from Countrywide Home Loans, Inc., for the benefit of Greenwich Capital Financial Products, Inc. to U.S. Bank National Association, as Trustee, for the Benefit of Harborview 2005-16 Trust Fund dated November 29, 2011 recorded at Essex County (Northern District) Registry of Deeds in Book 12785, Page 118 and assignment from U.S. Bank National Association, as Trustee, for the Benefit of Harborview 2005-16 Trust Fund to Nationstar Mortgage LLC dated May 27, 2014 recorded at Essex County (Northern District) Registry of Deeds in Book 13920, Page 41, for breach of conditions of said mortgage and for the purpose of foreclosing the same, the mortgaged premises located at 217 Prospect Street, Lawrence, MA 01841 will be sold at a Public Auction at 12:00PM on November 21, 2014, at the mortgaged premises, more particularly described below, all and singular the premises described in said mortgage, to-wit:

The land with the buildings thereon situated in said Lawrence, Essex County, Massachusetts, being shown as Lot 4 on plan of land entitled: "Plan of Land located in Lawrence, Mass., prepared for Modern Realty Trust, May 6, 1983, Cyr Engineering Services, Inc.", which plan is recorded with said Registry of Deeds.

Said Lot No. 4 is more particularly bounded and described as follows:
NORTHERLY: One hundred thirteen and 0/10 (113.0) feet by land now or formerly of Joseph & Wadad Hamuae, as shown on said plan;
EASTERLY: ninety-four and 0/10 (94.0) feet by land now or formerly of Antonio & Giuseppina Pappalardo and by a part of the land of Alfred S. & Christine M. Pappalardo; as shown on said plan;
SOUTHERLY: fifty-one and 0/10 (51.0) feet;
WESTERLY: forty-seven and 0/10 (47.0) feet;
SOUTHWESTERLY: again, forty-two (42.0) feet;
WESTERLY: again, twenty-two and 0/10 (22.0) feet, all of said last bounds being by a portion of Lot 5, as shown on said plan.

Containing 7,406 square feet, more or less, according to said plan. This conveyance is made subject to and benefiting from easements as indicated on plan of land located in Lawrence, Massachusetts, which easements are for ingress and egress only to all 5 parcels of land as shown on said plan. Said easements are indicated in pink in the original plan duly recorded in said registry of deeds as plan # 9241. Said easements to be kept free and open for the mutual use of all parties, and maintained at the mutual expense of all parties using said easement. This conveyance is made with the benefit of an easement over a parcel of land lying to the West of Lot 4 over that part of Lot 5 lying between the lot line of Lot 4 and the three story dwelling located on Lot 5 for foot passage only for the benefit of the occupants of said Lot 4.

The property is commonly known as 217 Prospect Street, Lawrence, MA 08841.

Under and subject to any existing covenants, easements, encroachments, conditions, restrictions, and agreements affecting the property.

Together with all and singular improvements, ways, streets, alleys, passages, water, watercourses, right, liberties, privileges, hereditaments, and appurtenances whatsoever hereto belonging or in anywise appertaining and the reversions and remainders, rents, issues and profits hereof, and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor in law, equity, or otherwise howsoever, of and to the same and every part thereof.

For mortgagor's title see deed recorded with the Essex County (Northern District) Registry of Deeds in Book 7410, Page 141.

The premises will be sold subject to any and all unpaid taxes and other municipal assessments and liens, and subject to prior liens or other enforceable encumbrances of record entitled to precedence over this mortgage, and subject to and with the benefit of all easements, restrictions, reservations and conditions of record and subject to all tenancies and/or rights of parties in possession.

Terms of the Sale: Cash, cashier's or certified check in the sum of \$5,000.00 as a deposit must be shown at the time and place of the sale in order to qualify as a bidder (the mortgage holder and its designee(s) are exempt from this requirement); high bidder to sign written Memorandum of Sale upon acceptance of bid; balance of purchase price payable in cash or by certified check in thirty (30) days from the date of the sale at the offices of mortgagee's attorney, Korde & Associates, P.C., 321 Billerica Road, Suite 210, Chelmsford, MA 01824-4100 or such other time as may be designated by mortgagee. The description for the premises contained in said mortgage shall control in the event of a typographical error in this publication.

Other terms to be announced at the sale.
Nationstar Mortgage LLC
Korde & Associates, P.C.
321 Billerica Road
Suite 210
Chelmsford, MA 01824-4100
(978) 256-1500
Peralta, Luis R., 10-002485
ET - 10/24, 10/31, 11/7/14

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and if the court...
are indigent, the...
attorney to repre...
If you fail to ap...
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thereafter with a...
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this matter.
For further i...
Office of the Cle...
725-4900.

DATE I...
WITNESS:
Hon. Sally F. Pe...
FIRST JUSTICE
ET - 11/7, 11/14

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DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the residential factor for fiscal year 2015 be adopted as:



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the City shall adopt a commercial exemption



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the City shall adopt a residential exemption

11



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the City shall select an open space discount factor



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the City Council of the City of Haverhill hereby accepts the provisions of the Massachusetts General Laws, Chapter 59, Section 5, Clauses 17E and 41D with respect to Permanent acceptance of the annual C.P.I. index increase to the tax exemptions for the elderly.

G



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the City Council accept 100% of C.P.I. (Consumer Price Index) increase reported by the State for F.Y. 2015 Exemptions. The 2015 C.P.I. amount is 1.37%

Hearing October 1 2013

84-A



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

August 2, 2013

City Council President Robert Scatamacchia
and Members of the Haverhill City Council

RE: Ordinance relating to zoning

Dear Mr. President and Members of the Council:

Enclosed, please find an ordinance that would allow Marijuana Dispensary/Treatment centers to be located only in our business parks. This must be sent to the Planning board and public hearings must be held after which time I recommend approval.

Very truly yours,

James J. Fiorentini, Mayor

JJF/ik

Encl.

IN CITY COUNCIL: August 20 2013
REFER TO PLANNING BOARD AND
VOTED: that COUNCIL HEARING BE HELD October 1 2013
Attest:

Acting City Clerk

IN CITY COUNCIL: October 1 2013
CONTINUED TO NOVEMBER 12 2013
Attest:

Acting City Clerk

IN CITY COUNCIL: November 12 2013
HEARING CONTINUED TO NOVEMBER 19 2013 and
MORATORIUM CONTINUED TO NOVEMBER 19 2013
Attest:

Acting City Clerk

IN CITY COUNCIL: November 19 2013
COUNCIL HEARING BE CONTINUED
TO FEBRUARY 25 2014 and
MORATORIUM CONTINUED TO FEB 25 2014
Attest:

Acting City Clerk

IN CITY COUNCIL: February 11 2014
COUNCIL HEARING BE CONTINUED TO
NOVEMBER 18 2014 and MEDICAL MARIJUANA
MORATORIUM BE EXTENDED TO
NOVEMBER 18 2014 and ZONING ORDINANCE
BE REFERRED TO ADMINISTRATION &
FINANCE FOR PUBLIC HEARING TO BE
TELEVISIONED
Attest:

Acting City Clerk

9/30 Ordinance: Dec 8 2013



Haverhill

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

September 27, 2013

TO: City Council President Robert Scatamaccia and members of the Haverhill City Council

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

SUBJECT: Zoning –Medical Marijuana Dispensaries

On September 11, 2013 the Haverhill Planning Board held a public hearing on the proposed zoning amendment. At the conclusion of the hearing the board voted a conditional favorable recommendation to be forwarded to the City Council. The minutes have been filed with the council.

The proposed conditions involved establishing the IG zone on Hale Street as the location for Registered Marijuana Dispensaries. Any such project proposed would require a special permit of the City Council. This would be the only IG zone to be allowed, and no other IG zone would be affected. Previous discussion about the BP zone should not be acted upon at this time.

Additionally, the Planning Board raised concerns that any special permit granted should require a Payment in Lieu of Taxes Agreement (PILOT) to be submitted and approved by the Council.

As Planning Director, I concur with the planning board and request that the city council vote to approve the zoning amendment with the proposed modifications as requested.

Recommendation: Approve the zoning amendment with modifications as requested.



CITY OF HAVERHILL
MASSACHUSETTS 01830

PLANNING BOARD

CITY HALL, ROOM 201
FOUR SUMMER STREET
HAVERHILL, MASSACHUSETTS 01830
TELEPHONE 374-2330
FAX 374-2315

September 18, 2013

City Council President
& City Councilors
City of Haverhill

RE: Zoning Amendment—MEDICAL MARIJUANA ZONING AMENDMENT—to amend the City Code, Chapter 255, to allow Medical Marijuana Dispensary/Treatment Centers to be located only in Business Parks (BP ZONE)

City Council President and City Councilors:

The Haverhill Planning Board at its regular meeting held on 9/11/13 voted to send a favorable recommendation to the City Council to amend the Haverhill Zoning Ordinance for the location of medical marijuana dispensing facilities in BP Zone (Business Parks).

William Pillsbury, Jr. Economic Development/Planning Director reminded the board members that a few months ago the board had a zoning amendment to create an interim or a short term moratorium on the locations of these facilities as the regulations were being promulgated by the commonwealth. Subsequent to that the Mayor has brought forward a committee and had a committee take a look at possible locations and also worked with the city solicitor on a drafted document that subsequently has been filed with the city council. The role for the planning board this evening in looking at a zoning amendment would be to make a recommendation to the city council on the proposed zoning. The proposed zoning as written in the ordinance allows these state regulated medical marijuana dispensaries to be located in what is currently showing the BP Zones which is the Business Parks Zones of the city by special permit by the city council. He noted that would be the category of use and then that would be the method for approval for these projects. It has come to his attention and the attention of the city solicitor and the mayor as well that there really seems to be some concerns since the initial

Zoning Amendment
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discussions of this strictly being in the business park zones. Specifically some of the business park zones being in close proximity to residential areas and that has raised some concerns. The sense is that we still need to go forward and the sense is that some zoning amendment needs to be under taken but it was his sense that we should really look at more specifically some other zones perhaps the industrial general zones being a possibility or at least some of those zones. This is where we stand right now. The mayor is reconvening his committee to take another look at this. The reason we are not just tabling this tonight and the reason that we are not just postponing which would be the logical thing to do was because of the way the timeframe works with the city council hearing is that the planning board has to have their input and then the council has their hearing and if we do not act tonight we don't meet again until after their hearing so this is the opportunity for the board to take input from the public if there is any and then also to make a recommendation or a conditional recommendation changing and making some suggestions along the way. He was going to stop there and the chairman can open it up to the rest of the hearing and we can discuss some possible conditions that the board would want to make. One of the things that I want to make sure of and there are some things that are unclear to me right now as to some of the inquiries that he was getting is whether the facilities can be split into cultivation component and a manufacturing component. He was not exactly sure and we were checking with the solicitor and with the legal folks to see whether that bifurcation of the use is what the law allows and what the regulations that are coming out of the commonwealth allows. There is some unclarity there but it was unclear to him what exactly what the answer is to that question because we do have a proposal along those lines somebody suggesting that is how they want to do it. He was not exactly sure that this zoning envisions that properly. So again some questions, some need to look further and investigate further but at the same time we want to continue to move forward with the zoning process and give the city council some feedback so that they can give some consideration... The city council could still table this too... they could at their stage table it which would be good to know in advance but we do not so the bottom line we need to have the opportunity for the hearing, have people be heard and have the opportunity to reflect back to the council some thoughts.

Chairman Paul Howard: just because the state allows it does that mean we have to live by that or could the board, in our own zoning, say no you cannot.

Director Pillsbury felt that was a good question. The state law is generally the way the state law works with zoning Chapter 40A is if you don't regulate it and put it into a specific zone where that zone allows it and regulates it and says how it gets approved then by case law and by court cases that have come down it was allowed anywhere... you could put them anywhere. So if you do not have it in the zone then it needs to be... we do need to specify something. We do need to move forward with some type of regulation if we choose to do so... Or...

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Chairman Howard was saying if the state allows it to be vacated and expect to can we say just no, well you allow it but we are not going to allow it in our city.

Director Pillsbury did not know the answer to that question and was not sure if you could deviate that far from the state... whether you can tighten down the local regulation beyond what the state allows... he was not exactly sure. We have run into that with other situations like with the solar projects. Sometimes in the solar projects we are trying to tighten down and do it a little more restrictively and the state says no, you cannot do that you have to allow them under the state law... Telecommunications is the same way and we run into some problems there as well. It is such a new field that we are dealing with and there are not all the answers there that we would like to have. He apologized to a degree because we really are dealing with a hearing that we are really not totally prepared to have so at this point but we still have a timeframe that we have to comply with so thought we would open it up for discussion.

Chairman Howard asked if there was anyone in the audience that wanted to speak on this. No one in the audience wanted to come forward to speak (there were 2 people in audience).. We can go to the board members and see what the board members have to say.

Member Kenneth Cram noted that Bill (Pillsbury) said something in your statement about growing the marijuana yet the ordinance the way that it is written says dispensary/treatment and wanted to know how that was clarified.

Director Pillsbury noted that the definition of a dispensary to his knowledge until I got into some of these other types of inquiries was that a dispensary by definition was vertically integrated from everything from growing i.e. cultivating to putting it out the door and delivering it, which was his understanding or what they needed to be... one unit doing everything. The questions that we are getting are such as... we want to put the cultivation over in Ward Hill and over at Broadway we want to put the manufacturing. He noted that is a different proposition that he did not think that we do not fully define here. We need further guidance from the state in terms of what their allowing and suggesting is the direction that they want to see it go. It was the planner's sense that it was going to be very tightly defined to a single site, a secure site that was going to do all things. You were going to cultivate there, it had to be grown there, processed there, manufactured there and put it into whatever final form it was put into and then dispense to farm there, which was the idea. In other states they have had issues where they had a kind of a looser structure than that which has not really worked out that well.

Chairman Howard noted in Colorado when his daughter lived out there for a while for five years and they popped up on every street corner. Then they had to finally zone where they had to be located and had to be so many blocks apart. It was taken over the open store fronts.

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Director Pillsbury noted this again was the intent to limit it to the business park zones which obviously by definition takes it out of all the residential areas and takes it out of downtown and that is what the thinking was about... because you do not want to end up with a store front scenarios that some of the other states had to contend with... that was the thinking, so it was noted that thinking was open to further discussion.

Member Bob Driscoll had two concerns and one of them was the neighborhood aspect of it and the closeness to playgrounds, families, homes and all those types of things. A lot of our industrial parks back into homes and so forth and some of those parks are still being developed and with all of the other activities in some of those locations this might not be the appropriate place for it. He was thinking something more in line with the IG the Industrial General Zoning, which might be a better alternative than what is presently being the BP Zoning. The other thing is without the rules and regulations that we know what we are agreeing to or suggesting then we are kind of shooting in the dark here because we don't know what the state rules and regulations are... so his consideration would be that we should let it go back to the city council with a conditional recommendation with the condition being we need to know what the state is going to finally set forth as the rules and regulations addressing your complaint about separating the product from the delivery and was not sure that was the proper place to put them.

Chairman Paul Howard noted that the mayor may convene another study group...

Director Pillsbury has indicated that he was going to be bringing that committee back together for further deliberations on this point. It was certainly an appropriate condition to suggest back to the council.

Member Driscoll wanted to make sure that our comments go forward to that committee.

Director Pillsbury noted that they would get the minutes and they could have the minutes and have the benefit of those minutes.

Member Tim Connors asked if the city council meeting was next Tuesday.

Director Pillsbury answered no... he thought it was the following week.

Member Connors wanted to know if any other communities in Essex County have dealt with this issue and if you know...

Director Pillsbury answered yes. Some communities have banded it saying that they do not want it, and that is a choice and or option. Some communities are still wrestling as to where should it go and they are trying to figure out where to put it. Some communities have actually gone with the Business Park Zoning type of scenario. It was a bit of a mixed bag in terms of what they have done. He did not have all the results in every community but we could get that for you.

Zoning Amendment
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Member Connors thought it might be interesting to see and help the city council make a decision about it. He recalled correctly the state mandated three dispensaries in each county.

Director Pillsbury answered that number is five dispensaries. The maximum number is five in each county.

Member Connors noted that if everyone through their city government voted to ban these centers, dispensaries, and cultivation centers in Essex County then it's kind of a moot point is it not?

Director Pillsbury asked the question... if everyone bans?

Member Connors answered yes, it was unlikely but...

Chairman Howard noted if everyone bans except a few then they would all go to those few communities.

Member Connors noted so just if we agree to ban... if we do not find a suitable place for the marijuana it might not negate the states over riding the need to follow what they...

Director Pillsbury noted that one of the considerations that has to be dealt with here that the proposal as the state has brought it forward mandates that these projects be done by none profit co-operations. Whoever steps up to the plate as a non-profit cooperation... if they were to buy an industrial building in the industrial park in Ward Hill as a non-profit cooperation we will not get any taxes. So it would basically take it off the tax rolls almost like a school. So there is a consideration there of that aspect of our industrial base our buildings that are there specifically in Ward Hill to house industry and we are working as hard as we can and was not the busiest time to restore industry but we have some industry coming back reassuring bringing companies back from other companies and seeing that type of industrial growth again, manufacturing again not wildly over whelming but at the same time we are starting to see some of that but if we take some of these buildings and make them non-profit not paying any taxes then that creates another dynamic for us in terms of some of the space that we have allocated for industry.

Chairman Howard thought that the advent of robotics that we are going to see huge parts of manufacturing coming back to the united states because the robotics allow us to do it comparable costs to labor overseas so if you can control it, control the quality he thought over the next 20 years or so you are going to see a huge resurgence of manufacturing in this country. We still have the ability to exclusions like that is in the... (inaudible) ...so we can say it is in a zone but could exclude certain... (inaudible) ...form that.

Director Pillsbury answered sure... we could begin to get that specific... then we can.

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Member Driscoll referred to what the chairman said and asked if what you said to the planning director was that in a particular zone we could further redefine that within that zone to limit it.

Director Pillsbury noted... or you could limit it to... rather than saying all BP Zones you could limit it to a small select number of BP Zones or Industrial General Zones you could say it only was going to be one Industrial General Zone. It is possible to do that type of selection. You are clearly delineating what zone you want to see it in.

Chairman Paul Howard you would get it to a parcel that where we exclude places that are near neighborhoods or schools or...

The director noted by putting in a standard in there that says that you must be greater than 500 feet or 1000 feet from a residential neighborhood, a school, or those kinds of considerations can also be put on the conditions for the zoning.

Member Driscoll also noted that one of our options was to opt out of the whole process.

Director Pillsbury noted that was a possibility...

Chairman Paul Howard noted that if we are not going to get any tax revenue from it... then what is the benefit. Unless we can drive some revenue from it what is the benefit to have it in the city. He could see no benefit.

The planning director noted that one of the things that we are looking at is the idea of the possibility of a payment in lieu of taxes... a pilot. You can do that with a lot of different types of projects where it was not expressly prohibited in the law. You can do that with solar projects. The director explained that right now some of the solar projects that we have seen coming through have payment in lieu of taxes. Again, they are not paying industrial rate but they are paying a rate that is agreed to on the encumbered land with the solar panels. So the same kind of thing could be looked at here... it was a possibility.

The chairman would take it to the point of making that a recommendation from us. Does anyone on the board see a benefit to any of these unless we are going to get some revenue from it.

Member Connors completely agreed with the chairman. He thinks that unless there is some type of revenue coming in...

Member James Cronin wanted to clarify a question. He wanted to know if the city could limit the number of these establishments to 20% of those in Essex County so that we do not become the dumping ground for all of these things. If it goes to 10 or to 50 that we

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could say we will take 20% which is one of five and on that relationship... wanted to know if that was possible to limit it that way.

Director Pillsbury noted that was a good question but did not know the answer to that. It certainly is... if you create the zone and the zone allows more than one you would have to have additional criteria within the special permit that says that we would not grant more than one per community or whatever. We can certainly look at that and does not think that we have explored that question. He was not going to try to give you a good answer on that because he did not have one.

Chairman Paul Howard thought that in Colorado how they did that was they made it a distance between facilities that it had to be.

Member Cronin noted that the rest of the county bans and we give them some opportunity he would not want to see 100% of these things in Haverhill. He would vote to ban in Haverhill under those circumstances.

Director Pillsbury noted that was a good question as to whether we can limit internally within the county. He noted that is a question for more research.

The chairman asked if there were any more comments from the board members.

Member Timothy Connors asked the director if besides the payment in lieu of taxes wanted to know if there was any other way to generate revenue from this non-profit cooperation possibility.

The chairman's answer was rent. Could we implement a marijuana sales tax in the City of Haverhill? You have a restaurant sales tax so why couldn't we have a marijuana sales tax.

Member Cronin mentioned a city sales tax like other cities like New York.

Director Pillsbury noted those were questions that were way beyond my ability to give you a real serious answer right now.

Member Driscoll asked the chairman if we could put into our recommendation to city council or a conditional recommendation that, that be one of the conditions that we have payment in lieu of taxes.

Chairman Paul Howard answered or something revenue generating and if it did not generate revenue then we don't recommend allowing it.

Member Driscoll could see no benefit to it at all if that is what is presented.

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The chairman noted that it actually not only a benefit it is a detriment because it keeps someone that would open a manufacturing facility in that spot that would generate revenue and joining in to that spot, so it actually is a detriment to the city.

Member Tim Connors Agreed.

Planning Director Pillsbury noted that those were all excellent suggestions and will pass them back to the committee as well because I am on that committee and will make sure that the Mayor gets the comments also. He knew he wanted to get this kind of input and the city solicitor wanted to get this kind of input also. You could formulate it into some specific recommendations or you could just include everything as it was presented and just make them all recommendations, which would get forwarded to the city council as suggested course of action with these areas that are for inclusion in the ultimate zoning ordinance.

Member Timothy Connors had another comment. If we do allow a center to be brought into Haverhill do you think that we will have to hire additional law enforcement. The first thing that he thinks of is going to be additional marijuana users for medicinal purposes and was concerned of the people that are reliant upon medicinal marijuana get behind the wheel of a motor vehicle, drive around, under the influence of drugs... it was just an idea and did not know if other municipalities have thought of this and have recommended if we do this that perhaps there should be some type of increase in law enforcement and other people hired from the city to maintain, to supervise... it's just an idea.

The planner noted those were good thoughts. You could always make an argument for the additional police, which he thought was always an argument for law enforcement but he thought in this particular case there was no provision for that in the statute as he knew it. So it would have to be saying locally that there would be a payment... maybe a payment in lieu of taxes is incorporated to include some of those elements like additional law enforcement that would be directed towards law enforcement. Again... that is completely outside... that would be up to the mayor and the city council to decide how they would incorporate any funds but it is an area to definitely keep in mind. He knew that was why the mayor had the police represented on that committee. Detective Burrill was on that committee with us. They have been trying to get educated themselves in terms of what this was going to be like in terms of once the prescriptions are able to be issued and to whom and that type of thing.

The chairman asked Director Pillsbury how he would like to see the motion formulated... that will incorporate all of these or to be specific.

Director Pillsbury thought Bob had ticked off several of those as Lori (the planning board secretary/office manager) transcribes those and combine those with what everyone has said as a whole package... if that is agreeable then I think we can just present the whole thing to the council.

Zoning Amendment
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9/11/13 Planning Board Meeting

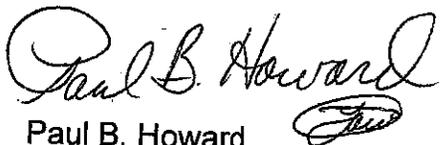
Chairman Paul Howard I would prefer to just present the whole thing.

The director answered yes, rather than try to restate the individual items. He understood them and knew what he was talking about but it does make good sense to get the whole package to the council and to the mayor and to the committee.

Chairman Paul B. Howard asked for a motion.

After board consideration Member Bob Driscoll motioned to go forward with a conditional recommendation to the city council with outlining those recommendations and comments from the board along with those of the planning director. Member April DerBoghossian seconded the motion. Members that vote in favor were: April DerBoghossian, Kenneth Cram, Tim Connors, James C. Cronin, Bob Driscoll and Paul B. Howard. Members absent were Jack Everette and Krystine Hetel. Motion passed to forward a conditional recommendation to the city council.

Signed,


Paul B. Howard
Chairman

Cc: Zoning Amendment File
Mayor James Fiorentini
City Council
William Cox, Jr., City Solicitor



Haverhill

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

September 13, 2013

Notice is hereby given that a hearing will be held for all parties interested, in the Council Chambers, City Hall Building, on Tuesday, October 1 2013 at 7:00 o'clock P.M. on Document 84-A, being a petition from City of Haverhill to Amend City Zoning Code: Chapter 255, Table of Use and Parking Regulations to allow Medical Marijuana Dispensaries/Treatment centers to be located in our business parks only

Description of area, maps and plans are on file in the City Clerk's Office.

Heather M Budrewicz

Heather M Budrewicz
Acting City Clerk

Advertise: September 13 and September 20 2013

65



DOCUMENT 65

Back-up copy

CITY OF HAVERHILL

In Municipal Council May 28 2013

MUNICIPAL ORDINANCE

CHAPTER 255

AN ORDINANCE RELATING TO ZONING

PREAMBLE

Whereas, on November 6, 2012 Massachusetts voters approved Ballot Question 3, also known as the Massachusetts Medical Marijuana Initiative or "Law for the Humanitarian Medical Use of Marijuana" (hereinafter the "Medical Marijuana Law"); and

Whereas, the Medical Marijuana Law took effect on January 1, 2013; and

Whereas, under the Medical Marijuana Law a "Medical Marijuana Treatment Center shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers." ; and

Whereas, the Medical Marijuana Law enables the Massachusetts Department of Public Health (DPH) to register up to 35 such centers within the first year of enactment, with a minimum of one and a maximum of five located within each county; and

Whereas, DPH issued regulations for the implementation of the Medical Marijuana Law on May 8, 2013; therefore

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

"§255-16.1 Temporary Moratorium on Medical Marijuana Uses

A. Purpose and Justification – The purpose of the temporary moratorium is to give

65

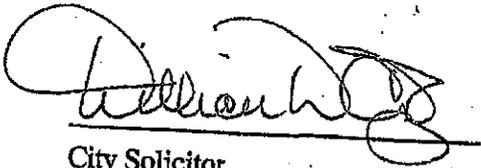
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the City of Haverhill sufficient time after the promulgation of DPH regulations to evaluate the potential land use impacts of Medical Marijuana Treatment Centers as such term is defined under the Medical Marijuana Law, and, if necessary and appropriate, to prepare and adopt zoning standards for Medical Marijuana Treatment Centers.

B. Temporary Moratorium Provision - For the duration of this Temporary Moratorium a Medical Marijuana Treatment Center as defined in the Medical Marijuana Law shall be prohibited as a PRINCIPAL and ACCESSORY USE in all zoning districts, and no use variance shall be granted to allow a Medical Marijuana Treatment Center.

C. Temporary Moratorium Expiration - Unless extended, continued or modified by a subsequent action of the City Council and Mayor, the provisions of this Temporary Moratorium shall expire upon either of the first to occur of: (a) the adoption by the City Council and Mayor of an amendment to this ordinance that explicitly rescinds or replaces this moratorium, or (b) October 1, 2013."

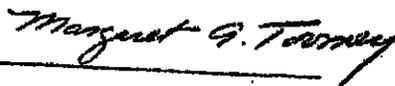
APPROVED AS TO LEGALITY:



City Solicitor

PLACED ON FILE for at least 10 days

Attest:

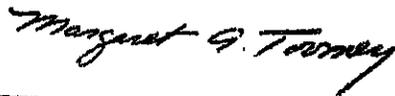


City Clerk

IN CITY COUNCIL: July 23 2013

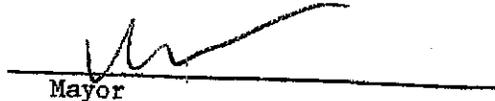
PASSED

Attest:



City Clerk

APPROVED:


Mayor



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

October 1, 2013

TO: City Council President Robert Scatamacchia and members of the Haverhill City Council

FROM: Mayor James J Fiorentini

**SUBJECT: POSTPONE HEARING AND EXTEND MORATORIUM TO
NOVEMBER 12, 2013 Zoning –Medical Marijuana Dispensaries**

At this time I respectfully requested that the zoning hearing on the above subject be postponed to the meeting of November 12, 2013 and that the city council vote to extend the existing moratorium to that date .

This additional time will enable the reconvening of the committee advising me on this matter and provide time to review new and additional information from the Department of Public Health.



Haverhill

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

November 12, 2013

TO: City Council President Robert Scatamaccia and members of the Haverhill City Council

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

SUBJECT: POSTPONE HEARING TO NOVEMBER 19, 2013 Zoning –Medical Marijuana Dispensaries

At this time I respectfully requested that the zoning hearing on the above subject be postponed to the meeting of November 19, 2013 and further that the city council vote to extend the existing moratorium to that date.

This additional time will enable the reconvening of the committee advising the mayor on this matter and provide time to review new and additional information from the Attorney General and from the Department of Public Health.

24



7.5.2.1

CITY OF HAVERHILL

In Municipal Council August 6 2013

~~ORDERED~~

MUNICIPAL ORDINANCE

CHAPTER 255

AN ORDINANCE RELATING TO ZONING

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 255, Zoning, Table of Use and Parking Regulations, Page 8, as amended, be and is hereby further amended as follows:

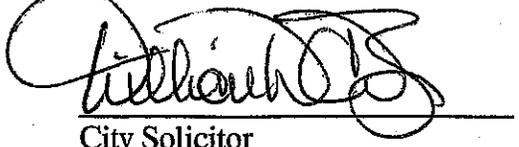
By adding the following at the end of the sub-section "OTHER COMMERCIAL":

	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	IG	BP*	SC
"Registered														1
Marijuana	..	..	..	..	..	..	..	..	..	..	..	..	S	..
Dispensary/ Treatment Centers														
														Parking Code or Minimum
														C

*Excluding the Newark Street Business Park."

Further, upon the enactment of this ordinance, the temporary zoning moratorium on Medical Marijuana Treatment Centers adopted as §255-16.1 of the Code, is hereby rescinded and deleted.

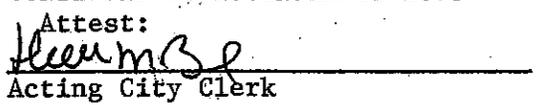
APPROVED AS TO LEGALITY


City Solicitor

PLACED ON FILE for at least 10 days

Attest: 
Acting City Clerk

IN CITY COUNCIL: October 1 2013
CONTINUED TO NOVEMBER 12 2013

Attest: 
Acting City Clerk

IN CITY COUNCIL: November 12 2013
CONTINUED TO NOVEMBER 19 2013 AND
MORATORIUM CONTINUED ALSO TO NOV 19 2013

Attest: 
Acting City Clerk

84

IN CITY COUNCIL: November 19 2013
HEARING CONTINUED TO FEBRUARY 25 2014 and
MORATORIUM CONTINUED TO FEBRUARY 25 2014

Attest:

[Signature]
Acting City Clerk

IN CITY COUNCIL: February 11 2014
TRANSFER FROM COMMITTEE STUDY LIST FROM PLANNING & DEVELOPMENT COMMITTEE AND
REFERRED TO ADMINISTRATION & FINANCE COMMITTEE FOR PUBLIC HEARING TO BE TELEVISED AND
EXTEND MORATORIUM ON ON MEDICAL MARIJUANA USES TO NOVEMBER 18 2014

Attest:

City Clerk

Heather Budrewicz

New amendments Doc 84

From: BILLCOXLAW@aol.com
Sent: Monday, November 18, 2013 4:05 PM
To: scatamacchiafh@aol.com; kenoza105@mva.net; michitson@mitre.org; roundpond@comcast.net; MIKE@MCSITEMPS.com; wjm227@gmail.com; clepage@cityofhaverhill.com; medobrn@aol.com; tom@tsullivanlaw.com
Cc: mayor@cityofhaverhill.com; wpillsbury@cityofhaverhill.com; cityclerk@cityofhaverhill.com; citycncl@cityofhaverhill.com
Subject: Amendment to Medical Marijuana Zoning Ordinance
Attachments: COHMMOverlayDistrictMap.pdf; COHordinanceMedMJamendment.pdf

Dear Councillors:

A meeting of the Mayor's Medical Marijuana Zoning Committee was held last Friday to address several concerns that had been raised and to review an overlay district procedure which has been used successfully in several other communities. As a result of the meeting, it was agreed that the attached proposal would be put forward to the Council tomorrow evening as an alternative to the original proposal.

The use of an overlay district provides for more structure and oversight with regards to any allowed uses within the district. This proposal also eliminates the Ward Hill Business Park as an available area.

Bill Pillsbury and myself will be present to answer any questions you may have with regards to this matter. In the meantime, feel free to contact me should you wish to discuss the proposal.

Bill Cox

WILLIAM D. COX, JR., ESQ.
City Solicitor - City of Haverhill
145 South Main Street
Bradford, MA 01835
(978) 373-2360
(978) 891-5424 - Fax
Email: billcoxlaw@aol.com

Amendment to Document 84 of 2013: That the proposed amendment to Chapter 255, Zoning Table of Use and Parking Regulations, Page 8, shall be deleted and the following inserted in place thereof:

"Article XVII - Medical Marijuana Overlay District

255-175: Establishment - The Medical Marijuana Overlay District ("MMOD") is established as an overlay district. The boundaries of the MMOD are shown on the Zoning Map on file with the City Clerk. Within the MMOD, all requirements of the underlying district(s) remain in effect, except where these regulations provide an alternative to such requirements. Land within the MDOD may be used either for (1) a Registered Marijuana Dispensary ("RMD"), in which case the requirements set forth in this section shall apply; or (2) a use allowed in the underlying district, in which case the requirements of the underlying district shall apply. If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MMOD conflict with the requirements of the underlying district, the requirements of the MMOD shall control.

255-176: Purpose - To provide for the placement of RMDs, in accordance with the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq., in locations suitable for lawful medical marijuana facilities and to minimize adverse impacts of RMDs on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of RMDs.

255-177: Definitions - Where not expressly defined in the Zoning Ordinance, terms used in the MMOD Ordinance shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq. and the Department of Public Health Regulations promulgated thereunder, 105 CMR 725.001, et seq., and otherwise by their plain language.

- a. Registered Marijuana Dispensary: also known as a Medical Marijuana Treatment Center, means a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products ("MIPs"), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

255-178: Location –

- a. RMDs may be permitted in the MMOD pursuant to a Special Permit.
- b. RMDs may not be located within 500 linear feet of the following:
 - (1) School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
 - (2) Child Care Facility;
 - (3) Library;
 - (4) Playground;
 - (5) Public Park;
 - (6) Youth center;
 - (7) Public swimming pool;
 - (8) Video arcade facility; or
 - (9) Similar facility in which minors commonly congregate.
- c. The distance requirement may be reduced by twenty-five percent or less, but only if:
 - (1) The applicant demonstrates that the RMD would otherwise be effectively prohibited within the municipality;
 - (2) The applicant demonstrates that the RMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.

255-179: Procedure - The City Council shall be the Special Permit Granting Authority (SPGA) for a RMD special permit.

- a. **Application:** In addition to the materials required under Section 255-80 of the Zoning Ordinance, the applicant shall include:
 - (1) A copy of its registration as an RMD from the Massachusetts Department of Public Health (“DPH”);
 - (2) a detailed floor plan of the premises of the proposed RMD that

- (3) identifies the square footage available and describes the functional areas of the RMD, including areas for any preparation of MIPs;
- (4) detailed site plans that include the following information:
 - (a) Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, and all other provisions of this Ordinance;
 - (b) Convenience and safety of vehicular and pedestrian movement on the site and for the location of driveway openings in relation to street traffic;
 - (c) Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected be substantially affected by on-site changes;
 - (d) Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises, including designated parking for home delivery vehicle(s), as applicable;
 - (e) Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and
 - (f) Adequacy of water supply, surface and subsurface drainage and light.
- (5) a description of the security measures, including employee security policies, approved by DPH for the RMD;
- (6) a copy of the emergency procedures approved by DPH for the RMD;
- (7) a copy of the policies and procedures for patient or personal caregiver home-delivery approved by DPH for the RMD;
- (8) a copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between RMDs approved by DPH;
- (9) a copy of proposed waste disposal procedures; and

(10) a description of any waivers from DPH regulations issued for the RMD.

- b. The SPGA shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, the Conservation Commission, the Department of Public Works, and the Planning Board. These boards/departments shall review the application and shall submit their written recommendations. Failure to make recommendations within 35 days of referral of the application shall be deemed lack of opposition.
- c. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other City boards and departments, the SPGA may act upon such a permit.

255-180: Special Permit Conditions on RMDs - The SPGA shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's RMD, the SPGA shall include the following conditions in any special permit granted under this Bylaw:

- a. Hours of Operation, including dispatch of home deliveries.
- b. The permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer and the SPGA within 24 hours of creation by the RMD. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
- c. The permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the RMD with the Zoning Enforcement Officer and SPGA within 48 hours of receipt by the RMD.
- d. The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.

- e. The special permit shall lapse within five (5) years of its issuance. If the permit holder wishes to renew the special permit, an application to renew the special permit must be submitted at least 120 days prior to the expiration of the special permit.
- f. The special permit shall be limited to the current applicant and shall lapse if the permit holder ceases operating the RMD.
- g. The special permit shall lapse upon the expiration or termination of the applicant's registration by DPH.
- h. The permit holder shall notify the Zoning Enforcement Officer and SPGA in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH.

255-181: Exemption from RMD Special Permit Requirement - RMDs that demonstrate that they are protected pursuant to the agricultural exemption under G.L. c.40A §3 are not required to obtain a special permit, but shall apply for Site Plan Approval pursuant to Section 255-68 of the Zoning Ordinance.

255-182: Prohibition Against Nuisances - No use shall be allowed in the MMOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

255-183: Severability - The provisions of this Ordinance are severable. If any provision, paragraph, sentence, or clause of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

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DOCUMENT 65

Back-up
copy

CITY OF HAVERHILL

In Municipal Council May 28 2013

~~SECRET~~

MUNICIPAL ORDINANCE

CHAPTER 255

AN ORDINANCE RELATING TO ZONING

PREAMBLE

Whereas, on November 6, 2012 Massachusetts voters approved Ballot Question 3, also known as the Massachusetts Medical Marijuana Initiative or "Law for the Humanitarian Medical Use of Marijuana" (hereinafter the "Medical Marijuana Law"); and

Whereas, the Medical Marijuana Law took effect on January 1, 2013; and

Whereas, under the Medical Marijuana Law a "Medical Marijuana Treatment Center shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."; and

Whereas, the Medical Marijuana Law enables the Massachusetts Department of Public Health (DPH) to register up to 35 such centers within the first year of enactment, with a minimum of one and a maximum of five located within each county; and

Whereas, DPH issued regulations for the implementation of the Medical Marijuana Law on May 8, 2013; therefore

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

"§255-16.1 Temporary Moratorium on Medical Marijuana Uses

A. Purpose and Justification – The purpose of the temporary moratorium is to give

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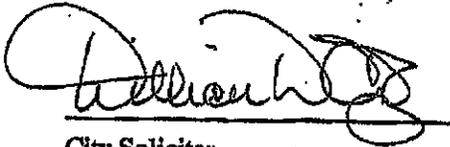
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the City of Haverhill sufficient time after the promulgation of DPH regulations to evaluate the potential land use impacts of Medical Marijuana Treatment Centers as such term is defined under the Medical Marijuana Law, and, if necessary and appropriate, to prepare and adopt zoning standards for Medical Marijuana Treatment Centers.

B. Temporary Moratorium Provision – For the duration of this Temporary Moratorium a Medical Marijuana Treatment Center as defined in the Medical Marijuana Law shall be prohibited as a **PRINCIPAL** and **ACCESSORY USE** in all zoning districts, and no use variance shall be granted to allow a Medical Marijuana Treatment Center.

C. Temporary Moratorium Expiration - Unless extended, continued or modified by a subsequent action of the City Council and Mayor, the provisions of this Temporary Moratorium shall expire upon either of the first to occur of: (a) the adoption by the City Council and Mayor of an amendment to this ordinance that explicitly rescinds or replaces this moratorium, or (b) October 1, 2013."

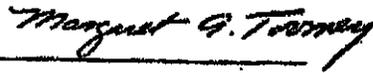
APPROVED AS TO LEGALITY:



City Solicitor

PLACED ON FILE for at least 10 days

Attest:

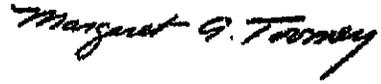


City Clerk

IN CITY COUNCIL: July 23 2013

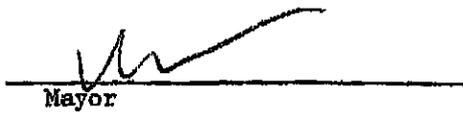
PASSED

Attest:



City Clerk

APPROVED:



Mayor

CITY OF HAVERHILL

MASSACHUSETTS

CITY SOLICITOR'S OFFICE

145 South Main Street

Bradford, MA 01835

(978) 978.891.5424

EMAIL: billcoxlaw@aol.com

WILLIAM D. COX, JR.
CITY SOLICITOR

November 4, 2013

TO: Robert H. Scatamacchia, President, City Council

FR: William D. Cox, Jr., City Solicitor 

RE: Zoning Ordinance - Registered Marijuana Dispensary/Treatment Centers

As a result of the deliberations of the Mayor's Registered Marijuana Dispensary/Treatment Centers Committee, they have requested several changes in the proposed zoning ordinance as to the location of such facilities. Specifically, the Committee has recommended that such facilities be located in either the Hale Street IG zone or the Ward Hill Business Park only, and, that no such facility be located within 1,500 feet of a residential dwelling or school/educational building.

Attached are proposed amendments which would accomplish the Committee's recommendations.

Should you have any questions or concerns, please feel free to contact me.

cc: James J. Fiorentini, Mayor

(1st old amendment)

Amendment
to MC 84

That the ordinance be amended as follows:

By adding “*” after the IG Zone and “S¹ “ under the IG zone; and,

By adding “*Hale Street in the Hale Street IG Zone only.”

By deleting “*” after the BP zone and inserting “” in place thereof, and,**

By deleting the words “*Excluding the Newark Street Business Park.” and inserting in place thereof the words “Ward Hill Business Park only.”, and,**

By adding the words “No Dispensary/Treatment Center shall be located within 1,500 feet of a residential dwelling or a school/educational building.”



Haverhill

Planning Board
Phone: 978-374-2330 Fax: 978-374-2315

November 13, 2014

City Council President John A. Michitson
& City Councilors—Room 204
City of Haverhill

RE: Zoning Overlay District—Medical Marijuana Updated recommendation to the City Council held on 11/12/14 by the Haverhill Planning Board

Members Present: Karen J. Peugh, Bill Evans, Karen Buckley, April DerBoghossian, Kenneth Cram, Krystine Hetel, Jack Everette, Bob Driscoll and Paul B. Howard

Members Absent: None

Also Present: William Pillsbury, Jr., Economic Development & Planning Director and Lori A. Woodsum, Office Manager/Board Clerk

Councilor Mitchitson & City Councilors:

The Haverhill Planning Board at its meeting held on 11/12/14, Wednesday Evening, at 7:00 P.M. in the City Council Chambers heard the above-cited agenda item for Medical Marijuana. Member Jack Everette read the rules for a public hearing and informed the people in the audience to leave their name and address if they wanted to be informed of any appeal taken for any hearings held at this meeting. Paul B. Howard chaired the meeting. The chairman turned the hearing over to William Pillsbury, Jr., Economic Development/Planning Director.

Director William Pillsbury Jr. informed the board members at the 11/12/14 Planning Board meeting that this matter was forwarded to the planning board by the City Council for review and its recommendation. The director informed the board members of the purpose of this meeting. He referred to the meeting that the board members had that was held some time ago. It was noted that at that time the board members were asked by the City Council, as required under zoning, to make a recommendation to the city council on the proposed medical marijuana zoning overlay district that was proposed at the time was recommended to go back and do additional work and get additional information and at that time was not a delineation of location. Where it has gone since it was before the board previously the Council set up a sub-committee and had a number of meetings and looked at the zoning and reviewed and recommended the special permit process, the overlay process that the solicitor brought forward and was a good process and believed would proceed accordingly next Tuesday at the city council meeting.

Page One

**Zoning Overlay District—Medical Marijuana
11/12/114 Planning Board Meeting**

Director Pillsbury noted that they had exhaustively looked at locations, zones and things like that and produced a map. At that time he informed everyone that this was an opportunity to have the board interject their thoughts and to bring to closure with a recommendation to get more information. Director Pillsbury noted that was done and then it was brought back to this board as a recommendation of the City Council Subcommittee and that it would be going forward this Tuesday night on 11/18/14 and that the map before the board tonight would be the zone adopted and also the documents of the special permit process and would send comments back to the city council.

The director noted that in response to the question by Member Hetel the representatives of Healthy Farms spoke and then the chairman asked for a motion on this agenda item.

Note that Attorney Scottie Gordon represented Healthy Farms and was present to represent her client and to answer any questions that the board might have regarding this matter.

The chairman asked for a motion.

MOTION

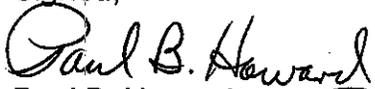
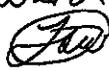
After board consideration, **Member Bob Driscoll motioned**, that we one, recommend the Council vote favorably the overlay district structure and procedures and two, recommend that Council modify the boundary of the overlay district east and north of the boundary on the right hand side at the property line and extend that property line straight down to crossing Research Drive at the dotted line. (See the attached Map).

Attorney Scottie Gordon did note to the board that the more options you give to them then they will have more to work with and noted that they would like several options.

Chairman Paul Howard noted that we could mark up the map and send it along with the motion.

Member Karen Peugh seconded the motion that was made by Member Driscoll. All members present voted in favor with and abstention vote by Member Karen Buckley. Motion passed to forward a recommendation to the city council.

Signed,


Paul B. Howard
Chairman 

Cc: Zoning Overlay District—Medical Marijuana Update File
Mayor James Fiorentini
William D. Cox, Jr., City Solicitor
City Clerk
City Council
City Departments

101

Heating November 18
2014

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

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

Of Counsel
Alfred J.

7.6

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

10.1

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



Haverhill

RECEIVED

Economic Development and Planning

Conservation Department

Phone: 978-374-2334 Fax: 978-373-8475

rmoores@cityofhaverhill.com

conservation@cityofhaverhill.com

MEMO TO: Linda L. Koutoulas, City Clerk
FROM: Robert E. Moore, Jr., Environmental Health Technician 
DATE: October 27, 2014
RE: Special Permit for Congregate Care Housing
Wingate Development Company for North Avenue

The Conservation Commission reviewed the subject project at its meeting on October 23, 2014. The Commission noted the following concerns with the current project design:

- The project proposes significant encroachment upon the 25'-No Disturbance Zone, which protects the site's wetland resource areas, for the installation of stormwater management areas and abutter landscape screening.
- The project proposes significant excavations immediately adjacent to the site's wetland resource areas, potentially having negative effects on the hydrology of these areas.
- The project appears to propose an area of encroachment upon the 50'-No Build Zone, which protects the site's wetland resource areas.
- The project does not propose any mitigation for these impacts.

In conclusion, the Haverhill Conservation Commission does not support this project at this time.

C (via email): Haverhill City Councilors
Barbara Arthur, City Council Clerk
William Pillsbury, Economic Development and Planning Director
John Pettis, PE, City Engineer



James J. Fiorentini
Mayor

Richard B. Borden
Fire Chief

Haverhill Fire Department

Fire Prevention / Investigation Unit

D/C William F. Laliberty
Lieut. Roger E. Moses
Insp. Steven Trocki



4 Summer St, Room 113
Tel: (978) 373-8460
Fax: (978) 521-4441

October 31, 2014

Linda L. Koutoulas, City Clerk
4 Summer Street, room 118
Haverhill, MA 01830

Re: Wingate at Haverhill Assisted Living/ North Avenue/ 630-2-1/ Special Permit

The planning, design and construction of new buildings, renovation of existing buildings and structures to provide egress facilities, fire protection and built-in fire protection equipment shall be in accordance with 780 CMR; and any alterations, additions or changes in buildings required by the provisions of 527 CMR which are in the scope of 780 CMR shall be made in accordance therewith. (527 CMR 1.04(4) and 780 CMR 102)

Plans approved by the fire department are approved with the intent they comply in all respects to 780 CMR, 527 CMR, MGL Chapter 148 and any City of Haverhill ordinance. Any omissions or errors on the plans do not relieve the applicant of complying with applicable requirements.

I have reviewed the submitted Special Permit Application for the address stated above and in the interest of public safety, have the following comments:

- **Applicant is seeking a Special Permit to construct a new 2-story building for Congregate Care Housing; to house a total of 90 units; Assisted 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.**
- **Fire protection systems shall conform to the requirements of the eighth edition of the Massachusetts State Building Code, 780 CMR including the Massachusetts Amendments to the IBC, 2009 edition based on the Occupancy Use group I-1 and any other Use Group found to be applicable during any additional code reviews.**
- **A fire hydrant shall be located no further than one hundred feet (100-feet) from the fire department connection (FDC) to the automatic fire sprinkler system.**
- **Access for emergency fire apparatus to the proposed facility is adequate for proper placement and operations during an emergency.**

Respectfully,

William F. Laliberty
Deputy Fire Chief

102

Hearing November 18

2014

William S. Faraci
Attorney at Law
211 South Main Street
Bradford, MA 01835-7373
Tel. (978) 373-5520
Fax (978) 373-5262
e-mail: faracilaw@aol.com

7.7

September 12, 2014

John Michitson, President
Haverhill City Council
4 Summer Street
Haverhill, MA 01830

Re: 13 High Street

Dear President Michitson:

I represent Kerri Fronduto, Trustee of 13 High Street Realty Trust, the owner of property at 13 High Street and a vacant lot across the street which was the subject of a Special Permit Application to convert the building into 7 residential units with parking on the vacant lot to be used in connection with the building. Both the dimensional aspects of the multi-family home use and for the parking had been approved through a variance.

I am re-submitting the proposal for the Special Permit with significant material changes.

(a) The request is for 6 residential units and (b) A plan has been drawn which designates 9 parking spaces on the vacant lot in a scheme which complies with zoning.

I am filing 19 sets of plans. I am also filing the required brief. The list of abutters would be the same as for the last hearing, but I am supplying a form for the Assessor's office to confirm that. For informational purposes, an application in the form used by the Planning Board is enclosed and it has been initialed by the assistant building inspector.

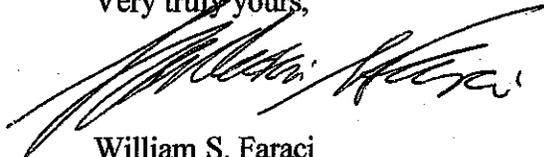
Because this application must be reviewed by the Planning Board as to the "repetitive petition" finding, I am hopeful that the council will refer this to Planning at its meeting on September 16. Copies of this application have been delivered to Planning this day in order to secure a place on their agenda for October 8.

The applicant waives the 65 day decision requirement.

IN CITY COUNCIL: September 16 2014
REFER TO PLANNING BOARD AND BE
VOTED: THAT COUNCIL HEARING BE HELD
NOVEMBER 18 2014

Attest:

Very truly yours,



William S. Faraci

City Clerk

PETITION FOR VARIANCE under the ZONING ORDINANCE

APPLICATION FOR SPECIAL PERMIT under the ZONING ORDINANCE

Backups
JMB

Notice: This application must be typewritten; filed in duplicate and accompanied by a plan of the affected premises; a copy of the refusal by the Building Inspector or other authority.

The undersigned, petitions the Board of Appeals to vary, in the manner and for the reasons hereinafter set forth, the application of the provisions of the zoning ordinance to the following described premises.

APPLICANT: Kerri Fronduto, Trustee
13 High Street Realty Trust 4 Wayne Rd Peabody, MA 01960
Full Name Address

OWNER: Same
Full Name Address

LESSEE: None
Full Name Address

1. LOCATION OF PREMISES: 13 High Street and vacant lot across street

2. ASSESSORS PLAT: 515 295 3 Bldg 515-297-13 Lot
Plat No. Block No. Lot No.

2A. DEED OF PROPERTY RECORDED IN: Essex South District REGISTRY
BOOK: 32366 PAGE: 270

3. DIMENSIONS OF LOT: 29'x48'x3'x71.93'x41.44'x120.42' lot is 65'x44'

4. ZONING DISTRICTS IN WHICH PREMISES ARE LOCATED? CG

5. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? 13+ months

6. HOW MANY BUILDINGS ARE ON THE LOT? one

7. GIVE SIZE OF EXISTING BUILDINGS: 100'x33' +/-

PROPOSED BUILDINGS: Same

8. STATE PRESENT USE OF PREMISES: Vacant - former store, warehouse and apartment(s)

9. STATE PROPOSED USE OF PREMISES: six residential apartment units

10. GIVE EXTENT OF PROPOSED ALTERATIONS: Interior restructure to build 6 apartment units. Floor plans filed. No exterior dimensional change

11. HAS THERE BEEN A PREVIOUS APPEAL UNDER ZONING ON THESE PREMISES? Yes

IF SO WHEN? Variances granted 7/13
Special permit application 9/13

12. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: 6

NOTE: IF THE APPLICANT IS NOT THE OWNER, A STATEMENT MUST BE WRITTEN BY THE OWNER AUTHORIZING THE APPLICANT TO APPLY TO THE BOARD OF APPEALS

C.G 9-12-14

Backup info

BUILDING INSPECTOR'S CHECK LIST FOR BOARD OF APPEALS ACTION NEEDED ON:

LOCATION 13 High Street and vacant lot across the street

ZONE CG

APPLICANT 13 High Street Realty Trust, Kerri Fronduto, Trustee

ACTION REQUIRED

DIMENSIONAL VARIANCE

USE VARIANCE

LOT AREA

PARKING

LOT FRONTAGE

SPECIAL PERMIT

LOT DEPTH

FRONT YARD

SIDE YARD

REAR YARD

HEIGHT

BUILDING COVERAGE

FLOOR AREA RATIO

OPEN SPACE

SIGN SIZE

OTHER Repetitive Petition Review

DATA TO BE INCLUDED ON APPLICATION:

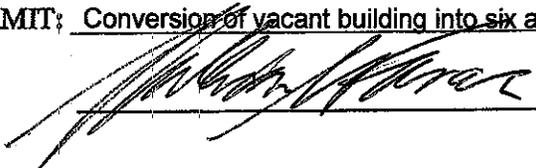
3. PROVISION OF ZONING ORDINANCE UNDER WHICH PETITION FOR VARIANCE IS MADE:

IN MAKING ITS DECISION, THE BOARD SHALL SPECIFICALLY FIND THAT ALL OF THE FOLLOWING CONDITIONS HAVE BEEN MET. (FINDINGS MUST BE MADE ON ALL THREE TO HAVE A VALID DECISION.) (1) THAT THERE ARE UNIQUE CIRCUMSTANCES RELATIVE TO THE SOIL CONDITIONS, SOIL SHAPE, OR TOPOGRAPHY WHICH SPECIFICALLY AFFECT THE LAND OR STRUCTURE IN QUESTION, BUT NOT AFFECTING GENERALLY THE ZONING DISTRICT IN WHICH THE LAND OR STRUCTURE IS LOCATED; (2) THAT THE LITERAL ENFORCEMENT OF THE ORDINANCE WOULD INVOLVE SUBSTANTIAL HARDSHIP, FINANCIAL OR OTHERWISE; (3) THAT DESIRABLE RELIEF MAY BE GRANTED WITHOUT SUBSTANTIALLY DEROGATING FROM THE INTENT AND PURPOSE OF THE ZONING ORDINANCE OR BY LAW. (SEE ZONING ORDINANCE FOR ADDITIONAL REQUIREMENTS FOR GRANTING OF VARIANCE.)

3A. STATE REASON FOR VARIANCE: _____

4. PROVISION OF ZONING ORDINANCE UNDER WHICH APPLICATION FOR SPECIAL PERMIT IS MADE 255-(80)A and Table of Use and Parking Regulations

4A. REASON FOR SPECIAL PERMIT: Conversion of vacant building into six apartments, 4 two BR and 2 3BR



L.S. 9-12-14

APPLICANT 13 High Street Realty Trust, Kerri Fronduto, Trustee

Backup Info

**PARTIES IN INTEREST
CERTIFICATION FORM**

I hereby certify to the Board of Appeals and/or City Council, that the below listed names and addresses constitutes a complete listing of the parties in interest, as taken from the most recent City of Haverhill Tax List respective to the property at 13 High Street

as shown on Assessor's Plat 515 295 3
(Plat) (Block) (Lot #)

Chapter 40A of the Massachusetts General Laws defines "parties in interest" as the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner as they appear on the most recently applicable tax list, not withstanding that the land of any such owner is located in another City or Town, the Planning Board of the city or town, and the Planning Board of every abutting city or town.

DATE _____ CITY ASSESSOR _____

	Name	Address
Owner:		
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

CITY OF H

8.0

ORDER OF TAKING

At a regularly convened meeting of the CITY COUNCIL of the CITY O held this 18th day of November, 2014, it was voted and ordered as follows:

The City Council of the CITY OF HAVERHILL, duly elected, qualified, and acting on behalf of the City, in accordance with the provisions of Massachusetts General Laws, Chapter 79, and the City's Charter, as amended, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the City, temporary and permanent easements over, in, through, under and upon land commonly known and numbered 56-66 Merrimack Street, Haverhill, Essex County, Massachusetts and more particularly described in a deed dated May 22, 2007 from Marchand Holding Corporation to D.R. Locke LLC filed with the Land Court Division of the Essex South District Registry of Deeds noted as Document No. 479416 on Certificate of Title No. 80584, in the locations identified as the "Access & Utility Easement, A=2033 S.F.+/-" and "Piling Easement, A= 169 S.F.+/-" both of which are shown on a plan entitled: "Easement Plan Located In Haverhill, Mass. Prepared for the City of Haverhill", dated June 18, 2014, prepared by Christiansen & Sergi, Inc., a copy of which is attached hereto as EXHIBIT A and recorded herewith (hereinafter "the Plan"), as is set forth more fully herein. The land being subject to the temporary easement described herein below, the "Access & Utility Easement" and the "Piling Easement" is hereafter collectively defined as the "Easement Property".

1. Temporary easements are taken on and over the Easement Property depicted on the Plan for all purposes incidental to the construction of improvements on land adjacent to and

temporary easement described herein below, the "Access & Utility Easement" and the "Piling Easement" is hereafter collectively defined as the "Easement Property".

1. Temporary easements are taken on and over the Easement Property depicted on the Plan for all purposes incidental to the construction of improvements on land adjacent to and on the Easement Property, such purposes to include, without limitation, surveying, constructing, inspecting, and installing, and maintaining improvements, parking and driveway areas, utilities, a boardwalk area to be developed adjacent to Wall Street and upon such other land adjacent to and upon the Easement Property including, without limitation, the portions of the Easement Property subject to the permanent easements described below, and including entry upon the Easement Property with any and all materials by foot, vehicle, and any equipment for all purposes stated herein and uses incidental thereto, the erection of temporary structures, the parking and storage of vehicles and equipment, changing the grade of the Easement Property to accommodate all permanent improvements, as described below, subject to the permanent easements, to be located within such Easement Property and land which is adjacent thereto and upon the Easement Property, and all other acts incidental thereto. The temporary easement, described herein, shall expire in **five (5) years** from the date this Order is recorded, provided that the completed grades and slopes on the Easement Property and those improvements designated herein below subject to the permanent easements shall be maintained in perpetuity. Upon completion of the City's use of said temporary easement described herein, the City shall remove all vehicles, materials and equipment and restore the surface of the Easement Property to as close to the condition that existed immediately prior to such work as is practicable, excepting the completed grades and slopes on the Easement Property and those permanent improvements designated herein below pursuant to the permanent easements.

2. A permanent, perpetual and exclusive easement is taken through, under, over and across that portion of Easement Property depicted on the Plan as an "Access & Utility Easement" as shown on the Plan, for all purposes necessary and appurtenant for the construction, installation, maintenance, repair and replacement of utilities and related improvements, such purposes to include, without limitation, surveying, constructing, reconstructing, installing, inspecting, using, maintaining, repairing, replacing, removing or abandoning in place utilities and related improvements including, without limitation, underground sewer lines, underground drain lines and catch basins, and including entry by foot, vehicle, and all equipment to be used for all purposes stated herein and uses incidental thereto, and the right to allow public use of such easements.

3. A permanent, perpetual and exclusive easement is taken through, under, over and across that portion of the Easement Property depicted on the Plan as a "Piling Easement" for all purposes necessary and appurtenant for the construction, installation, maintenance, repair and replacement of a support/piling system to support an elevated boardwalk to be constructed on and between the support/piling system and a flood protection wall located adjacent to Wall Street and shown on the plan entitled "Proposed Highway Adjacent to Flood Protection Wall Lower County Bridge Westerly, Haverhill, Mass. Prepared by Harry W. Bailey, City Engineer dated May 1940 and recorded at Essex South Registry of Deeds in Plan Book 73, Page 32 and all related and ancillary improvements, such purposes to include, without limitation, surveying, constructing, reconstructing, installing, inspecting, using, maintaining, repairing, replacing, removing or abandoning in place the support/piling system and related improvements and including entry by foot, vehicle, and any equipment used for all purposes stated herein and uses incidental thereto, and the right to allow public use of such easements.

4. All of the easement rights taken hereunder shall burden and encompass that portion of the land situated seaward of the Low Water Lines, as depicted on the Plan, and landward of Wall Street to the extent of owner's interest in any portion of the land situated seaward of said Low Water Lines.

This taking does not include structures presently situated on the easement premises, but does include the right of the City to remove such structures whenever their removal shall be required for said easement purposes. This taking does include such trees and shrubs within the easement premises whose removal is necessary to carry out the purposes of the easements taken herein. By this Order, the City takes no interest in existing easements, if any, affecting the easement premises.

The lands affected by the herein taking is owned or supposedly owned by the owner listed in Schedule A, attached hereto and incorporated within. If, in any instance, the name of any owner is not correctly stated in Schedule A, it is understood that in such instance the land referred to is owned by an owner or owners unknown to the City.

In accordance with the provision of General Laws, Chapter 79, Section 6, we hereby award to the owner, those damages sustained by such owner of its property by reason of the aforesaid takings, the amount of such award being set out herein in Schedule A, which is not recorded herewith, and which Order and acted on this day.

No betterments are to be assessed under this taking.

[Remainder of Page Left Intentionally Blank]

IN WITNESS WHEREOF, we, the duly elected and qualified City Council for the City of Haverhill have hereunto set our hands and seal this 18th day of November, 2014.

CITY OF HAVERHILL,
By its City Council

John A. Michitson, President

William H. Ryan

Robert Scatamacchia, Vice President

Thomas J. Sullivan

Melinda Barrett

Mary Ellen Daly O'Brien

William J. Macek

Michael S. McGonagle

Colin F. LePage

APPROVED:

APPROVED AS TO FORM:

James J. Fiorentini,
Mayor

Jason A. Panos, Kopelman and Paige. PC.
Special Assistant City Solicitor

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this ____ day of November, 2014, then personally appeared the above-named members of the City Council for the City of Haverhill, as aforesaid, and proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his/her free act and deed, and the free act and deed of the City of Haverhill, before me.

Notary Public
My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this ____ day of November, 2014, then personally appeared the above-named James J. Fiorentini, Mayor of the City of Haverhill, as aforesaid, and proved to me through satisfactory evidence of identification, which were _____, to be the person whose name he signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his free act and deed as Mayor, before me.

Notary Public
My Commission Expires:

509804/HAVE/0001

EXHIBIT A

Easement Plan

FOR REGISTRY USE ONLY

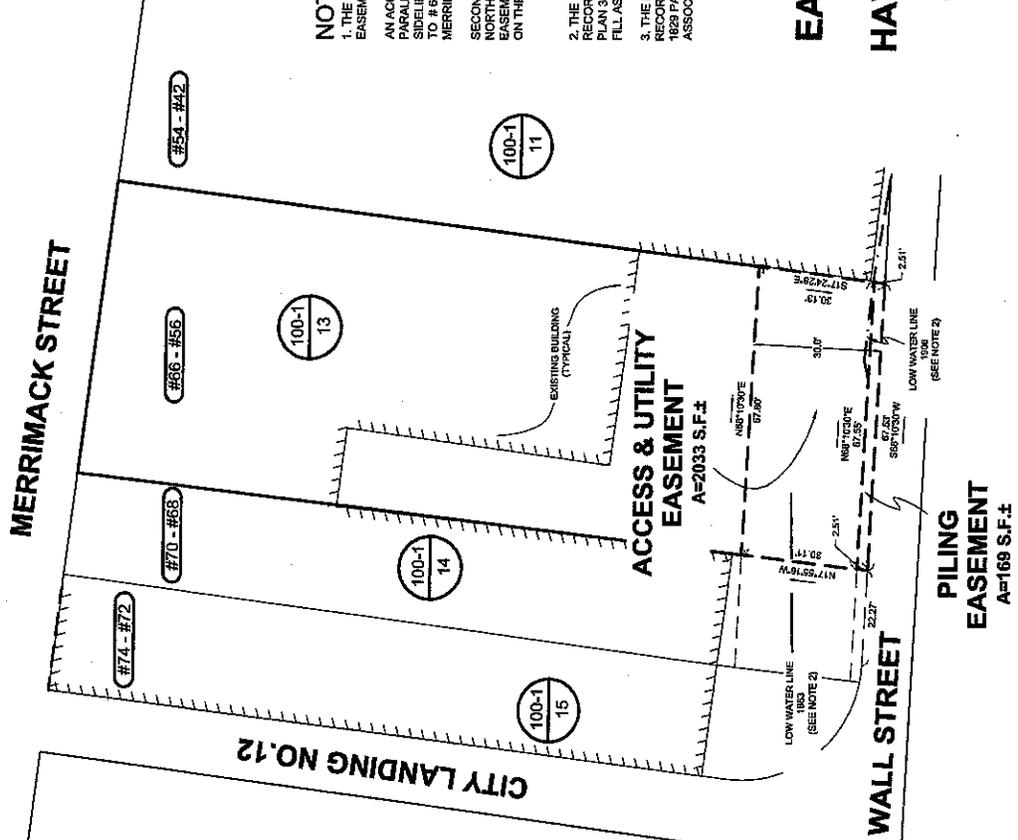
LEGEND
#66 - #56 STREET ADDRESS
MAP-BLOCK/LOT
CITY OF HAVERHILL, ASSESSOR

RECORD OWNERS

-  FREDERIC ROSE REVOCABLE TRUST & BARBARA ROSE REVOCABLE TRUST
FREDERIC & BARBARA ROSE TRUSTEES
BOOK 28947 PAGE 7
-  VINTAGE TREASURES REALTY TRUST
KIMBERLEY COOK TRUSTEE
-  D. R. LOCKE LLC
CERTIFICATE 06994
ACCESS EASEMENT AREA=1890 S.F.±
-  MERRIMACK STREET OWNER LLC
BOOK 32727 PAGE 449

I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE RECORD OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.
CHAPTER 41 SECTION 81X

MICHAEL J. SERGI, P.L.S.
DATE _____
THE CERTIFICATION SHOWN ABOVE IS INTENDED TO MEET REGISTRATION REQUIREMENTS AND IS NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERSHIP OF ADJOINING PROPERTIES ARE ACCORDING TO ASSESSORS RECORDS.



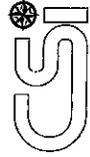
NOTES

1. THE INTENT OF THIS PLAN IS TO DESCRIBE TWO EASEMENTS.
AN ACCESS EASEMENT ACROSS # 56-66 MERRIMACK STREET, PARALLEL WITH AND 30.0' NORTHERLY OF THE NORTH SIDELINE OF WALL STREET. THE EASEMENT IS CONTIGUOUS TO # 66-70 MERRIMACK STREET ON THE WEST AND # 42-54 MERRIMACK STREET ON THE EAST.
2. SECOND A PILING EASEMENT PARALLEL WITH AND 2.5' NORTHERLY OF THE NORTH SIDELINE OF WALL STREET. THE EASEMENT IS CONTIGUOUS TO # 66-70 MERRIMACK STREET ON THE WEST AND # 42-54 MERRIMACK STREET ON THE EAST.
3. THE LOW WATER LINE WAS TAKEN FROM A PLAN RECORDED AT THE SOUTH ESSEX REGISTRY OF DEEDS AS PLAN 35 OF 1942. SAID PLAN ACCOMPANIED A PETITION TO FILL ASSOCIATED WITH LICENSE 23494.
4. THE LOW WATER LINE WAS TAKEN FROM A PLAN RECORDED AT THE SOUTH ESSEX REGISTRY OF DEEDS AS PLAN 1829 PAGE 273. SAID PLAN ACCOMPANIED A PETITION TO FILL ASSOCIATED WITH LICENSE 3094.

EASEMENT PLAN
LOCATED IN
HAVERHILL, MASS.
PREPARED FOR
THE CITY OF HAVERHILL



DATE: JUNE 18, 2014 SCALE: 1"=20'



PROFESSIONAL ENGINEERS & LAND SURVEYORS
CHRISTIANSEN & SERGI, INC.
160 SUMNER STREET, HAVERHILL, MASSACHUSETTS 01830
WWW.CSILENGR.COM TEL: 978-379-0310 FAX: 978-372-3960

SCHEDULE A

DO NOT RECORD

Easement(s)	Property Address	Owner Name	Assessor Map/Lot No.	Title Ref.	Damages
"Access & Utility Easement"; "Piling Easement"; and Temporary Easement	56-66 Merrimack Street, Haverhill, Essex County, Massachusetts	D.R. Locke LLC, a Massachusetts limited liability company	100-1-13	Certificate of Title No. 80584; Document No. 479416	\$10,000.00

Award of Damages

DOCUMENT # _____

ORDERED: That the City Council of the City of Haverhill hereby:

Take such action as is necessary to acquire, by eminent domain, permanent and temporary easements for access, installation and construction of utilities, pilings and other improvements in, on and under certain portions of the parcel of land known and numbered 56-66 Merrimack Street, Haverhill, Essex County, Massachusetts and more particularly described in a deed filed with the Land Court Division of the Essex South District Registry of Deeds, Document No. 479416 on Certificate of Title No. 80584, which portions are shown as the "Access & Utility Easement, A=2033 S.F.+/-" and "Piling Easement, A= 169 S.F.+/-" on a plan entitled: "Easement Plan Located In Haverhill, Mass. Prepared for the City of Haverhill", dated June 18, 2014, prepared by Christiansen & Sergi, Inc., and to accomplish the foregoing, execute the Order of Taking presented to us this day by counsel, and further award \$10,000 as damages for such taking to the owner of the land affected by said taking.

In the City Council: November 18, 2014

Passed Yeas _____, Nays _____

Attest:

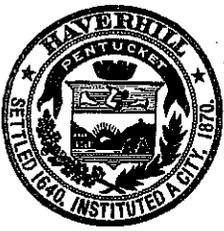
Approved: November 18, 2014

City Clerk

Mayor

[Simple Majority vote required]

510109/HAVR/0001



Haverhill

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

November 14, 2014

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

FROM: William Pillsbury, Economic Development and Planning Director

RE: Taking of Easement—Merrimack Street

In order to facilitate the construction of the new access roadway into the Harbor Place project it is necessary to provide for action to the city council the attached order of taking. This involves a very small portion of land (2200 sq. ft.) to the rear of 56-66 Merrimack Street along the right of way of Wall Street. The easement we are taking is solely for access and utilities.

As required we have undertaken an appraisal and there is a related request for an appropriation of \$10,000 to pay for the value of the easement.

This action comes after extensive efforts to procure the access easement through negotiations but as we move aggressively forward to the beginning of Harbor Place is vital to have this easement in place at this time.

I respectfully request your approval of this matter.



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

8.0.1

ORDERED:

That the sum of \$73,600 be transferred from WTP Pumps and Motors to Water Treatment Maintenance Capital.

AMOUNT:
\$73,600

FROM:
WTP Pumps & Motors

TO:
Water Treatment Maintenance Capital

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

November 14, 2014

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

RE: Transfer of Funds for Water

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

Attached is a transfer for \$73,600 from WTP pumps and Motors to the Water Treatment Maintenance Capital account. The additional funds are needed to pay for the replacement of raw water pumps.

I recommend approval.

Very truly yours,

James J. Fiorentini, Mayor

JJF/ah



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

8.0.2

ORDERED:

That the sum of \$600,458.57 be appropriated from the following accounts to the General Fund to reduce the FY15 levy.

- \$445,458.57 Overlay Reserve
- \$155,000 Agency Fund - Tailings



CITY OF HAVERHILL

ASSESSORS OFFICE -- ROOM 115
Phone: 978-374-2316 Fax: 978-374-2319
Assessors@cityofhaverhill.com

Mr. Andrew Vanni
Finance Director
City of Haverhill

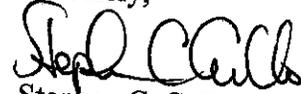
November 14, 2014

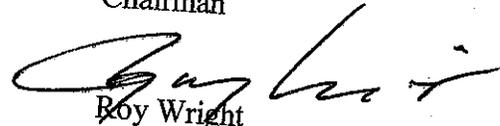
Dear Mr. Vanni,

Please be advised that The Haverhill Board of Assessors has voted to surplus \$445,458.57 from the following Assessors Overlay Accounts on this day.

FY 2000 - \$	1,300.00
FY 2001 -	1,400.00
FY 2002 -	1,900.00
FY 2003 -	219,663.98
<u>FY 2004 -</u>	<u>221,194.59</u>
TOTAL -	\$445,458.57

Sincerely,


Stephen C. Gullo, MAA
Chairman


Roy Wright
Board Member

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

November 14, 2014

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

RE: Tax Rate

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

This Tuesday we will set the tax rate for the upcoming year. The good news is that even if we do nothing the residential tax rate will go down by 44 cents, a decrease of 2.7%. This would mean that over the past two years there has been no increase at all in the residential tax rate. However, the vast majority of our residents are concerned about their tax bill, not their tax rate.

As you know, Haverhill has had a lot of good news over the past few years. This good news includes a lot of great new developments, and fabulous press including the recent rating by Money Magazine as one of the best places to live. People are rediscovering Haverhill and, as a result, residential property values are up.

Commercial and industrial values are also up, but have not kept pace with residential values.

This would result, if we do not take action, in residents seeing a higher than expected increase in their property tax bill this year.

I believe that to minimize the impact to our residential base we should take two actions:

1. Reduce the amount of our tax Levy by \$600,458.57;
2. Adjust the tax classification rate to somewhere between 155 and 160.

Attached is an Order to transfer \$600,458.57 from two Reserve Funds to the General Fund and an Order to reduce the FY15 tax rate.

Mr. Vanni and I will be before you Tuesday night to discuss these two transfers. I had originally proposed taking money from Stabilization. After speaking with Councilors, I believe we can accomplish the same thing from these two accounts.

The first account is money from what is called "Overlay Reserves". Overlay Reserve is the amount of money needed to settle accounts of those who have asked for abatements claiming that their values are too high. The \$455,458.57 is from a previous year where the time has now expired to file for abatements.

The \$155,000 is from what is known as "tailings." Tailings are money that is returned to us from checks we have sent to various people who did not cash the checks. The Treasurer's Office, led by Mary Beth Roy, did an outstanding job of complying with the law on this to make certain that we are able to transfer this money.

In total, I recommend that we reduce our Levy by \$600,458.57.

Mr. Vanni and I will be before you Tuesday night to answer questions. If there are any questions in the interim, please do not hesitate to call.

Attached is an order for the transfer and I recommend approval.

Very truly yours,



James J. Fiorentini, Mayor

JJF/ah



Document

CITY OF HAVERHILL

In Municipal Council

8.0.3

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 below:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Independent Living Aid	\$ 9.80	School Dept
Melanie Nazarian – travel reimb	\$ 340.00	School Dept
Safeway Transportation	\$ 12,461.00	School Dept
Safeway Transportation	\$ 16,114.50	School Dept
Coppola Inc	\$ 1,230.75	School Dept
Beacon ABA Services	\$ 615.36	School Dept

independent living aids SOUNDBYTES

1-800-517-2118 • Fax 516-937-3906

1 08/22/13 1033545*
SUMMARY COPY

Web Sites www.independentliving.com • www.soundbytes.com
E-Mail orders@independentliving.com • info@soundbytes.com

Haverhill City Hall School Dept*
4 Summer Street
Room 104
Haverhill, MA 01830-5841

Kathy Sciacca
Moody School
596 Margin Street
Haverhill, MA 01830

Customer No.	Sales I.D.	Purchase Order #	Reference Code	Terms
278533	KD /KD	1400865	S /09	NET 30, DUE:09/21/13

(978) 374-2309

2.2 2 2 FXC

Thank you for your order!
Visit us at www.independentliving.com or soundbytes.com
Please order using your customer ID number.

Qty.	B/O	Shipped	Item #	Description	Unit Price	Disc	Extension
1	0		1 2013V1	2013 Print Catalog - Volume 1	0.00	--	0.00
1	0		1 A25279-01	Skwoosh Gel Wheelchair Seat Cushion	49.99	--	49.99
					MERCHANDISE INVOICE TOTAL \$		49.99
					SHIPPING & HANDLING \$		9.80
					INVOICE TOTAL \$		59.79

paid \$ 49.99 10-18-2013
owe \$ 9.80 for shipping

Box 9022 • Hicksville, NY 11802-9022
 1-800-537-2118 • Fax 516-937-3906

Web Sites: www.independentliving.com • www.soundbytes.com
 E-Mail: orders@independentliving.com • info@soundbytes.com

FOUNDRIES
 ESTABLISHED 1977
 RECEIVED
 HAVERTHILL
 FEDERAL ID 46-0666188
 PUBLIC SCHOOLS

Page	Date	Order Number
1	08/30/13	1033545B

INVOICE

SOLD TO
 School Department
 City Hall
 4 Summer Street
 Room 104
 Haverhill, MA 01830-5841

SHIPPED TO
 Kathy Sciacca
 Moody School
 96 Margin Street
 Haverhill, MA 01830

2013 SEP 5 PM 12 22

Customer No. 278533	Sales I.D. KD /KD	Purchase Order # 1400865	Reference Code S /09	Terms NET 30, DUE:09/29/13
Credit Card Number	Type	Picked By	Phone Number (978) 374-2309	Total Wt. 1:6 Lbs
Message:			Zone	Ship Via FXC

Thank you for your order!
 Visit us at www.independentliving.com or soundbytes.com
 Please order using your customer ID number.

Qty	B/O	Shipped	Item #	Description	Unit Price	Disc	Extension	Pkg
1	0	1	A25279-01	Skwoosh Gel Wheelchair Seat Cushion	49.99		49.99	
9	9	0	2013V1	2013 Print Catalog - Volume 1	0.00		0.00	
					OPENING BALANCE FOR THIS ORDER \$		9.80	
					MERCHANDISE INVOICE TOTAL \$		49.99	
					INVOICE TOTAL \$		49.99	
					PAYMENT DUE: \$		59.79 ON 09/29/13	

OCT 1 8 2013

ORDERED ITEMS WILL BE SHIPPED AT NO ADDITIONAL FREIGHT CHARGE

ORIGINAL

PLEASE REFER TO OUR INVOICE & CUSTOMER NUMBER WHEN CORRESPONDING
 A FINANCE CHARGE OF 1% PER MONTH WILL BE ADDED
 TO ANY BALANCE DUE OVER 60 DAYS. THIS IS AN APR OF 18%

PARENT MILEAGE REIMBURSEMENT

NAME

ADDRESS *Melanie Abzarian for Kyle Abzarian*

CITY

605 River Street

PHONE

*FAIRFIELD STATE MA
778-540-8304*

ZIP *01832*

*11/6/14
11/3/14*

DATE	FROM HOME	TO SCHOOL/CITY	Rate
<i>11/6/14</i>	<i>605 River St.</i>	<i>Pentucket Lake School</i>	<i>\$10/day</i>
<i>11/7/14</i>			
<i>11/8/14</i>			
<i>11/9/14</i>			
<i>11/10/14</i>			
<i>11/11/14</i>			
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<i>12/30/14</i>			
<i>12/31/14</i>			

PARENT MILEAGE REIMBURSEMENT

NAME

Melanie Alonzo

ADDRESS

485 Dixie Street
 Lake Bluff, IL 60044

PHONE

708-591-8373

ZIP 01832

DATE

FROM HOME

TO SCHOOL/CITY

From

2/23/14

685 River St.

Dartmouth Lake School

Friday

2/24/14

2/25/14

2/26/14

2/27/14

2/28/14

2/29/14

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2/28/14



SAFeway Training & Transportation Services, Inc.
PO Box 308, 62 Newton Junction Rd., Newton Junction, NH 03859
(603) 382-0600 FAX (603) 382-5839

INVOICE

Invoice Date **06/30/14**
Invoice No. **T149417**

Ms Susan Hancock
Transportation Coordinator
Haverhill Public Schools
137 Monument St. c/o Haverhill High Sch.
Haverhill, MA 01830

Total charges for transportation services:

PLEASE PAY THIS AMOUNT ->

\$12,461.00

Details of specific charges appear on the following page(s)

Handwritten initials
11/12/14
1 of 3

Thank you for choosing Safeway

Please call us at the number shown above if there are any questions regarding this invoice.
Unpaid balances over 30 days subject to a 1 1/2 percent interest charge

Haverhill Public Schools

PO Number	Student, Address and Destination	Number of Days or Weekend Trips	Daily/Wkend Rate	Amount Due
	From 06/01/14 To 06/18/14 Cora Walsh 39 School St Haverhill, MA 01830	13.	\$103.50	\$1,345.50
	TO-> Coastal Alternative School Newburyport, MA			
	From 06/19/14 To 06/30/14 Cora Walsh 39 School St Haverhill, MA 01830	3.	\$103.50	\$310.50
	TO-> Coastal Alternative School Newburyport, MA			
	From 06/01/14 To 06/18/14 Victoria Webb 100 Presidential Drive Haverhill, MA 01830	13.	\$103.50	\$1,345.50
	TO-> Coastal Alternative School Newburyport, MA			
	From 06/19/14 To 06/30/14 Victoria Webb 100 Presidential Drive Haverhill, MA 01830	3.	\$89.00	\$207.00
	TO-> Coastal Alternative School Newburyport, MA			
	From 06/01/14 To 06/30/14 Falcia Edwards 40 Lawrence St Haverhill, MA 01830	15.	\$49.50	\$742.50
	TO-> East Derry Elementary School Derry, NH			
	From 06/01/14 To 06/30/14 Jamel Garcia 159 Pelham St Methuen, MA 01844	13.	\$61.50	\$799.50
	TO-> Golden Hill School Haverhill, MA			
	From 06/01/14 To 06/30/14 Angel Waugh 187 Chelmsford St Chelmsford, MA 01824	13.	\$72.00	\$936.00
	TO-> Haverhill High School Haverhill, MA			
	From 06/01/14 To 06/30/14 Chris Owens 7 LeBlanc St Haverhill, MA 01830	4.	\$84.00	\$336.00
	TO-> Bus Monitor			
	From 06/01/14 To 06/05/14 Chris Owens 7 LeBlanc St Haverhill, MA 01830	4.	\$103.50	\$414.00
	TO-> Merrimac Early Childhood Center Chelmsford, MA			

2 of 3

Haverhill Public Schools

PO Number	Student, Address and Destination	Number of Days or Weekend Trips	Daily/Wkend Rate	Amount Due
	From 06/05/14 To 06/30/14 Jesus Perez 233 Washington ST apt B Haverhill, MA 01830 TO-> Merrimac Early Childhood Center Chelmsford, MA	13.	\$207.00	\$2,691.00
	From 06/01/14 To 06/30/14 Emma Gladstone 20 coffin Ave Haverhill, MA 01830 TO-> New England Academy Beverly, MA	20.	\$69.00	\$1,380.00
	From 06/01/14 To 06/30/14 Richele Ellen 12 Nesmith St Lowell, MA 01851 TO-> Nettle School Haverhill, MA	13.	\$68.00	\$894.00
	From 06/01/14 To 06/30/14 Shane Corbett 401 Lowell Ave Haverhill, MA 01830 TO-> Pelham Memorial School Pelham, NH	6.	\$45.00	\$270.00 102 Miles
	From 06/01/14 To 06/30/14 Luis Marales 159 Pelham Street Methuen, MA 01844 TO-> Tilton School Haverhill, MA	13.	\$61.50	\$799.50
	Total Charges			\$12,461.00 =====

3 of 3

SAFEWAY Training & Transportation Services, Inc.
PO Box 308, 62 Newton Junction Rd., Newton Junction, NH 03859
(603) 382-0600 FAX (603) 382-5839

INVOICE

Invoice Date **05/31/14**
Invoice No. **T149367**

Ms Susan Hancock
Transportation Coordinator
Haverhill Public Schools
137 Monument St., c/o Haverhill High Sch.
Haverhill, MA 01830

Total charges for transportation services:

PLEASE PAY THIS AMOUNT -> \$16,114.50

Details of specific charges appear on the following page(s)

JS
11/12/14
1 of 3

Thank you for choosing Safeway
Please call us at the number
shown above if there are any questions regarding this invoice.
Unpaid balances over 30 days subject to a 1 1/2 percent interest charge

Haverhill Public Schools

PO Number	Student, Address and Destination	Number of Days or Weekend Trips	Daily/Wkend Rate	Amount Due
	From 05/01/14 To 05/28/14 Cora Walsh 39 School St Haverhill, MA 01830	19.	\$65.00	\$1,235.00
	TO-> Coastal Alternative School Newburyport, MA			
	From 05/29/14 To 05/31/14 Cora Walsh 39 School St Haverhill, MA 01830	2.	\$103.50	\$207.00
	TO-> Coastal Alternative School Newburyport, MA			
	From 05/01/14 To 05/28/14 Victoria Webb 100 Presidential Drive Haverhill, MA 01830	19.	\$40.00	\$760.00
	TO-> Coastal Alternative School Newburyport, MA			
	From 05/29/14 To 05/31/14 Victoria Webb 100 Presidential Drive Haverhill, MA 01830	2.	\$103.50	\$207.00
	TO-> Coastal Alternative School Newburyport, MA			
	From 05/05/14 To 05/31/14 Falcia Edwards 40 Lawrence St Haverhill, MA 01830	19.	\$49.50	\$940.50
	TO-> East Derry Elementary School Derry, NH			
	From 05/15/14 To 05/31/14 Jamel Garcia 159 Pelham St Methuen, MA 01844	11.	\$61.50	\$676.50
	TO-> Golden Hill School Haverhill, MA			
	From 05/01/14 To 05/14/14 Jamel Garcia 159 Pelham St Methuen, MA 01844	10.	\$36.00	\$360.00
	TO-> Golden Hill School Haverhill, MA			
	From 05/01/14 To 05/31/14 Angel Waugh 187 Chelmsford St Chelmsford, MA 01824	21.	\$72.00	\$1,512.00
	TO-> Haverhill High School Haverhill, MA			
	From 05/01/14 To 05/31/14 Chris Owens 7 LeBlanc St Haverhill, MA 01830	21.	\$84.00	\$1,764.00
	TO-> Bus Monitor			

2 of 3

Haverhill Public Schools

Page 2

PO Number	Student, Address and Destination	Number of Days or Weekend Trips	Daily/Wkend Rate	Amount Due
	From 05/01/14 To 05/31/14			
	Chris Owens 7 LeBlanc St Haverhill, MA 01830	21.	\$103.50	\$2,173.50
		TO->	Merrimac Early Childhood Center Chelmsford, MA	
	From 05/01/14 To 05/31/14			
	Jesus Perez 233 Washington ST apt B Haverhill, MA 01830	21.	\$103.50	\$2,173.50
		TO->	Merrimac Early Childhood Center Chelmsford, MA	
	From 05/01/14 To 05/31/14			
	Emma Gladstone 20 coffin Ave Haverhill, MA 01830	21.	\$69.00	\$1,449.00
		TO->	New England Academy Beverly, MA	
	From 05/01/14 To 05/31/14			
	Shane Corbett 401 Lowell Ave Haverhill, MA 01830	13.	\$45.00	\$585.00 221 Miles
		TO->	Pelham Memorial School Pelham, NH	
	From 05/01/14 To 05/14/14			
	David Plourde 187 Chelmsford Street Chelmsford, MA 01824	10.	\$103.50	\$1,035.00
		TO->	Tilton School Haverhill, MA	
	From 05/01/14 To 05/14/14			
	Luis Marales 159 Pelham Street Methuen, MA 01844	10.	\$36.00	\$360.00
		TO->	Tilton School Haverhill, MA	
	From 05/15/14 To 05/31/14			
	Luis Marales 159 Pelham Street Methuen, MA 01844	11.	\$61.50	\$676.50
		TO->	Tilton School Haverhill, MA	
			Total Charges	\$16,114.50 =====

3013

COPPOLA INC.
 21 SOUTH CENTRAL STREET
 BRADFORD, MA 01835

Invoice

Date	Invoice #
3/10/2014	1586

Bill To
CITY OF HAVERHILL Kevin Eldridge 4 SUMMER ST. HAVERHILL, MA. 01830

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	1 case of circle check books (100)	400.00	400.00
	000		
	0.00 *		
	400.00*+		
	75.00 +		
	615.75 +		
	140.00 +		
	004		
	1,230.75 *		
Total			\$400.00

Handwritten signature and date:
 11/12/14

COPPOLA INC.
21 SOUTH CENTRAL STREET
BRADFORD, MA 01835

Invoice

Date	Invoice #
3/21/2014	1587

Bill To
CITY OF HAVERHILL Kevin Eldridge 4 SUMMER ST. HAVERHILL, MA. 01830

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	city bus 53 trace electrical problem	75.00	75.00
Total			\$75.00

[Handwritten Signature] 3/21/14

COPPOLA INC.
 21 SOUTH CENTRAL STREET
 BRADFORD, MA 01835

Invoice

Date	Invoice #
4/28/2014	1589

Bill To
CITY OF HAVERHILL Kevin Eldridge 4 SUMMER ST. HAVERHILL, MA. 01830

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	city bud 62 oil change and fuel (city fuel pumps down for repair)	615.75	615.75
Total			\$615.75

[Handwritten signature]
 4/28/14

COPPOLA INC.

21 SOUTH CENTRAL STREET
BRADFORD, MA 01835

Invoice

Date	Invoice #
6/6/2014	1626

Bill To
CITY OF HAVERHILL Kevin Eldridge 4 SUMMER ST. HAVERHILL, MA. 01830

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	Mark Morse trainors pay for meetings for CDL drivers inservice	140.00	140.00
		Total	\$140.00

Handwritten signature and date
11/2/14

11-21-14A - School

NOV 21 2014

City of Haverhill
Expense Voucher

Make Checks payable to:
(Behavioral Ed Assess + Consultation Inc)
Beacon ABA Services
321 Fortune Blvd, Milford, MA 01757

Appropriation to be charged:
T.E.A.C.H. Program

Date: 10/27/14

Date	Description	Each	Cost	Total
6/10/14	services for			615.36
Total:				615.36

I hereby certify under penalty of perjury that the above amounts as itemized are true and correct.

Approved

Terry Davis
Department Head
10/27/14

10/27/14
Date

Nancy Prozess 11/21
Not B warrant
Add to one warrant already
ok be held in auditor
City council needs to approve 11/18

City of Haverhill
 4 Summer Street
 Haverhill MA 01830

Purchase Order
 No. 1501569

Sons of Israel School Department
 Crystal Hill Rd
 Haverhill MA 01830-5875

Shipping Charges Must be Prepaid
 PO# required on all invoices & shipments

Payment Terms: Net 30
 upon approval of invoice by department
 Tax Ex #: E 046 001 392

PO Date: 09/19/2014

Questions? Purchasing Dept. (978) 374-2309

Account:

PO Issued To:
 Behavioral Ed Assess & Consultation Inc
 221 Romine Blvd
 Milford MA 01757

Ship To:
 Teach Prog. Trans Learning Ct
 Attn: Crystal Habib
 415 Primrose Street
 Haverhill MA 01830
 (978) 374-3482

Phone: (978) 374-0207

Location: Teach Prog. Trans Learning Ct
 Project: School-Grants

Description	Project	Account Number	Unit Price	Extended	Tax	Freight	Req#
ABA Therapy for	School-Grants	1010000.4.2440.6420.63.771.00.30	615.36	615.36	0.00	0.00	15001854

...on the next to last Friday of the month for all...
 ...the date of purchase, Order and Requisition...
 ...the City Purchasing Agent.

CERTIFICATE OF AUDITOR OF ACCOUNTS
 The unencumbered balance of the appropriation to be charged, is sufficient to liquidate the amount of this order and the amount has been recorded as an encumbrance against said appropriation.
 AUDITING DEPARTMENT

Sub-Total:	615.36
Freight:	0.00
Tax:	0.00
Total Amount:	615.36

FINANCE DIRECTOR - City Auditor
 APPROVED BY:

[Signature]

by _____
 CITY PURCHASING AGENT

Order Via: _____
 Send check to _____

FILE COPY
 1 of 1

September 23, 2014

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

November 14, 2014

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

RE: FY14 Bills – School Department

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

Enclosed, please find an order to authorize payment for bills from the previous fiscal year.

I recommend approval.

Very truly yours,

James J. Fiorentini, Mayor

JJF/ah



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

8.1.1

~~ORDER~~

301910 11/10/10
J.M. J. [unclear]

File 10 days

MUNICIPAL ORDINANCE

CHAPTER 240

**AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC
PATIENT/CLIENT DROP OFF AND PICKUP ZONES**

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

By adding the following:

“§ 240-33A

Patient/Client Drop Off and Pickup Zone.

No person shall park a vehicle upon any street in any patient/client drop off and pick up zone for a period of time longer than 30 minutes and except while actually engaged in dropping off and/or picking up patients or clients to medical, psychological or therapeutic appointments, treatment or programs. Drop off and pick up zones are hereby established in those locations described in § 240-104, Schedule W.”

and, by adding the following at the end of § 240-10, Schedule V:

“Schedule W: Patient/Client Drop Off and Pickup Zone.

In accordance with the provisions of § 240-33A, patient/client drop off and pickup zones are established in the following locations:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Merrimack Street	South	In front of #56 - 74, Monday through Friday, 8:00 a.m. to 5:00 p.m.”

APPROVED AS TO LEGALITY

City Solicitor

CITY OF HAVERHILL

MASSACHUSETTS

CITY SOLICITOR'S OFFICE

145 South Main Street

Bradford, MA 01835

(978) 873-2360

FAX: 978/372-0688

EMAIL: billcoxlaw@aol.com

WILLIAM D. COX, JR.
CITY SOLICITOR

November 10, 2014

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

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

RE: **Patient/Client Drop Off and Pickup Zone Parking Ordinance**

The above referenced Ordinance is being submitted to the City Council to be placed on file for 10 days. The purpose of the ordinance is to mitigate problems and difficulties with patient/client drop offs and pickups for the two businesses which will remain within the Harbor Place development area on the south side of Merrimack Street.

I will be providing additional information to you prior to the December 2nd City Council meeting when this matter will come back before you for action. If I can be of further assistance, please do not hesitate to call upon me. Thank you.

cc: James J. Fiorentini, Mayor

124



DOCUMENT 12-Q

CITY OF HAVERHILL

In Municipal Council October 2

9.1.1

~~ORDERED~~ MUNICIPAL ORDINANCE

An Ordinance Relating to Parking (9 Hancock Street—Establish Handicap Parking)

BE IT ORDAINED by the City Council of the City of Haverhill that Article XIII, Section 240-1302 Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by adding the following:

LOCATION	REGULATION	HOURS/DAYS
<u>9 Hancock Street</u>	No Parking	24 Hours
In front of No. 9 Hancock Street except for 1-24 hour handicapped parking space at No. 9		

APPROVED as to legality:

City Solicitor
William D. Cox, Jr.

PLACED ON FILE for at least 10 days
Attest:

City Clerk



Haverhill

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

October 17, 2014

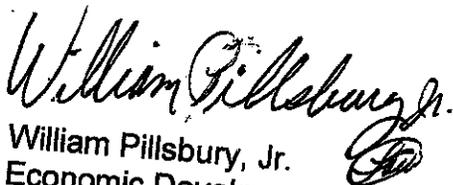
John A. Michitson, Council President
& City Council Members
City Hall—Room 204
City of Haverhill

RE: REQUEST TO ADD A HANDICAP PARKING SPACE AT # 9 Hancock St.

Dear Council President Michitson & Councilors:

As per your request dated 10/16/14 and the request of Chief DeNaro dated 9/23/14, I am submitting a Municipal Ordinance that will allow for HANDICAP PARKING in front of Number 9 Hancock Street.

Sincerely,


William Pillsbury, Jr.
Economic Development &
Planning Director

law


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



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

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

RECEIVED
OCT 17 2014

Econ Devlp & Planning
& B.O.A.

October 16, 2014

TO: Mr. William Pillsbury
Planning and Development Director

RE: **Documents to Establish Handicap Parking Ordinances**

Dear Mr. Pillsbury:

At the City Council meeting held on October 14, 2014 the following requests for handicap parking spaces were approved and submitted by Chief DeNaro:

- ✓ • Doc. 5-M - 9 Hancock St.
- Doc. 5-N - 13 Hancock St.
- Doc. 5-O - 60 Lawrence St.

The City Council concurred with these requests and ask that the proper documents be prepared and placed on the next council agenda for action.

Thank you for your continued cooperation, consideration and assistance. It is appreciated.

Sincerely yours,

John A. Michitson, President
Haverhill City Council

JAM/bsa

encl.

c: Mayor James J. Fiorentini
City Councillors
Officer Lance Powell

CITY OF HAVERHILL
APPLICATION FOR HANDICAP PARKING SIGN

*NEW
*RENEWAL

6.23.1

DATE OF REQUEST 9/23/2014 DATE OF APPROVAL

NAME: NICOLA PHILIP SPERA

ADDRESS: 9 HANCOCK ST

TELEPHONE #: 978-374-8635

VEHICLE TYPE: FORD TAURUS

PLATE #: Z1HMO8

Do you currently have off street parking at your residence? Yes No

If yes, why is there a need for a handicap parking sign?

Did you have a handicap parking sign at a previous address? Yes No

If yes, location?

Nicola Philip Spera

Applicant Signature

• Please include a copy of your current handicap placard or handicap registration, along with this application.

Approve Denied

Reason for denial

Ala R. J. [Signature]

Chief of Police Signature

Approve Denied

Reason for denial

City Council Approval

Please allow for a minimum of thirty (30) days for sign placement upon approval of City Council.

*ORDINANCE WILL EXPIRE 24 MONTHS FROM DATE OF APPROVAL.

MAIL OR DELIVER COMPLETED APPLICATION TO CHIEF OF POLICE, 40 BAILEY BLVD.



DOCUMENT 12-R

CITY OF HAVERHILL

In Municipal Council October 21 2

CH

9.1.2

~~ORDERED~~ MUNICIPAL ORDINANCE

An Ordinance Relating to Parking (60 Lawrence Street—Establish Handicap Parking)

BE IT ORDAINED by the City Council of the City of Haverhill that Article XIII, Section 240-1302 Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by adding the following:

LOCATION	REGULATION	HOURS/DAYS
<u>60 Lawrence Street</u> In front of No. 60 Lawrence Street except for 1-24 hour handicapped parking space at No. 60	No Parking	24 Hours

APPROVED as to legality:

City Solicitor
William D. Cox, Jr.

PLACED ON FILE for at least 10 days
Attest:

City Clerk



Haverhill

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

October 17, 2014

John A. Michitson, Council President
& City Council Members
City Hall—Room 204
City of Haverhill

RE: REQUEST TO ADD A HANDICAP PARKING SPACE AT # 60 Lawrence St.

Dear Council President Michitson & Councilors:

As per your request dated 10/16/14 and the request of Chief DeNaro dated 9/16/14, I am submitting a Municipal Ordinance that will allow for HANDICAP PARKING in front of Number 60 Lawrence Street.

Sincerely,

William Pillsbury, Jr.
Economic Development &
Planning Director

law

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



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

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

RECEIVED
OCT 17 2014
Econ Devlp & Planning
& B.O.A.

October 16, 2014

TO: Mr. William Pillsbury
Planning and Development Director

RE: Documents to Establish Handicap Parking Ordinances

Dear Mr. Pillsbury:

At the City Council meeting held on October 14, 2014 the following requests for handicap parking spaces were approved and submitted by Chief DeNaro:

- Doc. 5-M – 9 Hancock St.
- Doc. 5-N – 13 Hancock St.
- Doc. 5-O – 60 Lawrence St.

The City Council concurred with these requests and ask that the proper documents be prepared and placed on the next council agenda for action.

Thank you for your continued cooperation, consideration and assistance. It is appreciated.

Sincerely yours,

John A. Michitson
John A. Michitson, President
Haverhill City Council

JAM/bsa

encl.

c: Mayor James J. Fiorentini
City Councillors
Officer Lance Powell

CITY OF HAVERHILL
APPLICATION FOR HANDICAP PARKING SIGN

*NEW
*RENEWAL

DATE OF REQUEST 9/16/14 DATE OF APPROVAL _____

6.2.33

NAME: MARY MERRICK

ADDRESS: 60 LAWRENCE ST.

TELEPHONE #: (978) 373-1206

VEHICLE TYPE: BUICK LESABEE

PLATE #: MA 28442

Do you currently have off street parking at your residence? Yes No

If yes, why is there a need for a handicap parking sign? see attached sheet

Did you have a handicap parking sign at a previous address? Yes No
If yes, location? _____

x Mary Merrick
Applicant Signature

- Please include a copy of your current handicap placard or handicap registration, along with this application.

Approve Denied

Reason for denial

Ala R. Powell
Chief of Police Signature

Approve Denied

Reason for denial

City Council Approval

Please allow for a minimum of thirty (30) days for sign placement upon approval of City Council.

*ORDINANCE WILL EXPIRE 24 MONTHS FROM DATE OF APPROVAL.

MAIL OR DELIVER COMPLETED APPLICATION TO CHIEF OF POLICE, 40 BAILEY BLVD.
c/o Officer Powell

12-5



DOCUMENT 12-5

CITY OF HAVERHILL

In Municipal Council October 21 201

9.1.3

~~ORDERED~~ MUNICIPAL ORDINANCE

CH

**An Ordinance Relating to Parking
(13 Hancock Street—Establish Handicap Parking)**

BE IT ORDAINED by the City Council of the City of Haverhill that Article XIII, Section 240-1302 Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by adding the following:

LOCATION	REGULATION	HOURS/DAYS
<u>13 Hancock Street</u>	No Parking	24 Hours
In front of No. 13 Hancock Street except for 1-24 hour handicapped parking space at No. 13		

APPROVED as to legality:

City Solicitor
William D. Cox, Jr.

PLACED ON FILE for at least 10 days
Attest:

City Clerk



Haverhill

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

October 17, 2014

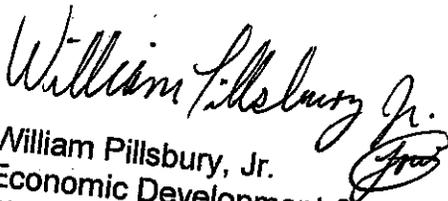
John A. Michitson, Council President
& City Council Members
City Hall—Room 204
City of Haverhill

RE: REQUEST TO ADD A HANDICAP PARKING SPACE AT # 13 Hancock St.

Dear Council President Michitson & Councilors:

As per your request dated 10/16/14 and the request of Chief DeNaro (which is not dated), I am submitting a Municipal Ordinance that will allow for HANDICAP PARKING in front of Number 13 Hancock Street.

Sincerely,



William Pillsbury, Jr.
Economic Development &
Planning Director

law



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



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

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

RECEIVED
OCT 17 2014

Econ Devlp & Planning
& B.O.A.

October 16, 2014

TO: Mr. William Pillsbury
Planning and Development Director

RE: Documents to Establish Handicap Parking Ordinances

Dear Mr. Pillsbury:

At the City Council meeting held on October 14, 2014 the following requests for handicap parking spaces were approved and submitted by Chief DeNaro:

- ✓ • Doc. 5-M - 9 Hancock St.
- Doc. 5-N - 13 Hancock St.
- Doc. 5-O - 60 Lawrence St.

The City Council concurred with these requests and ask that the proper documents be prepared and placed on the next council agenda for action.

Thank you for your continued cooperation, consideration and assistance. It is appreciated.

Sincerely yours,

John A. Michitson, President
Haverhill City Council

JAM/bsa

encl.

c: Mayor James J. Fiorentini
City Councillors
Officer Lance Powell

CITY OF HAVERHILL
APPLICATION FOR HANDICAP PARKING SIGN

*NEW
*RENEWAL

DATE OF REQUEST _____

DATE OF APPROVAL _____

6.23.2

NAME: Eleanor M Raymond

ADDRESS: 13 Hancock St

TELEPHONE #: 978-373-8827

VEHICLE TYPE: 2012 Chevy Cruze

PLATE #: 99 VM 74

Do you currently have off street parking at your residence? Yes No

If yes, why is there a need for a handicap parking sign? Due to cancer, have no balance and legs do not carry very far, you might say well as tho I am drunk, does not happen all the time

Did you have a handicap parking sign at a previous address? Yes No just difficult to walk a long distance. I do see a sign most of the time

x Eleanor M. Raymond
Applicant Signature

Please include a copy of your current handicap placard or handicap registration, along with this application.

Approve Denied

Reason for denial _____

Ala R. [Signature]
Chief of Police Signature

Approve Denied

Reason for denial _____

City Council Approval _____

Please allow for a minimum of thirty (30) days for sign placement upon approval of City Council.
*ORDINANCE WILL EXPIRE 24 MONTHS FROM DATE OF APPROVAL.

MAIL OR DELIVER COMPLETED APPLICATION TO CHIEF OF POLICE, 40 BAILEY BLVD.

38-G



DOCUMENT 38-G

9.1.4

CITY OF HAVERHILL

In Municipal Council October 28 2014

ORDERED:

That \$5,184,176.00 is appropriated in addition to the \$6,892,076.00 previously appropriated, for the purpose of financing the study, engineering, planning and construction to complete the Phase II Combined Sewer Overflow (CSO) Long-Term Control Plan and related wastewater treatment facility and collection system improvements including without limitations all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c78; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$5,184,176.00 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c78; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c78 or any other enabling authority; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c78; and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection and respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes.

PLACED ON FILE for at least 10 days
Attest:

City Clerk

LOAN ORDER - FILE 10 DAYS

RECEIVED
OCT 29 10 54 AM '14
CITY OF HAVERHILL

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

October 24, 2014

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

RE: Phase II Combined Sewer Overflow Program; Proposed Amended Loan Order

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

As discussed last week, attached please find an amended loan order to do more work for CSO abatement.

This must be placed on file for two weeks after which time I recommend approval.

In two weeks Mr. Ward or I will be before you to discuss this.

Very truly yours,

James J. Fiorentini, Mayor

JJF/ah



Haverhill

Robert E. Ward, Deputy DPW Director
Water/Wastewater Division
Phone: 978-374-2382 Fax: 978-521-4083
E-mail: rward@haverhillwater.com

Date: October 23, 2014
To: The Honorable James J. Fiorentini
Mayor of Haverhill
From: Robert E. Ward
Deputy DPW Director
Subject: Phase II Combined Sewer Overflow Program
Proposed Amended Loan Order

We respectfully submit for your approval a proposed loan order for an additional \$5,184,176 for funding the city's Phase II Combined Sewer Overflow (CSO) program. This proposed loan order is in addition to the \$6,892,076 approved by City Council (Document 38-B) on April 22, 2014. The CSO program is required by the U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (DEP).

Since 1995, EPA and DEP have required the city to develop and continue with a CSO program to eliminate CSOs under the EPA's CSO Control Policy and the National Pollutant Discharge Elimination System (NPDES) to achieve compliance with the Clean Water Act. The attached project narrative provides the regulatory background on the Phase II CSO program.

This proposed loan order will fund the design and construction of improvements to the Wastewater Treatment Plant and several miscellaneous tasks included in the Phase II CSO program. The major part of WWTP improvements is replacing two centrifuges which are used for dewatering sludge for transport and disposal. The project descriptions are included in the attachments.

The construction phase of this project and miscellaneous tasks are eligible for a low-interest loan from DEP's State Revolving Fund (SRF) loan program. The design phase is not eligible for SRF funds and will be funded with a general obligation bond.

The table below provides a summary of the project costs and estimated loan payments.

	Estimated Cost	Estimated Annual Debt Service (20 years)
Document 38-B	\$6,892,076	\$430,116
Proposed Loan Order	\$5,184,176	\$316,000
Total authorization	\$12,076,252	\$746,116

Subject: Phase II Combined Sewer Overflow Program
Proposed Amended Loan Order

Page 2

Please note that this project includes updating the CSO Long-Term Control Plan. We expect EPA and DEP will require the City to implement additional CSO control measures beyond the Phase II CSO Program.

If acceptable to you, I will coordinate with the city's finance director to prepare the loan order and submit it to the City Council.

Your attention to this matter is greatly appreciated. If you need additional information, please call me at extension 2382 or via e-mail at rward@haverhillwater.com.

Enclosures

Cc: John Michitson, City Council President
and Members of the City Council
Andrew Vanni, City Auditor/Finance Director
Mary Beth Roy, City Treasurer
Michael Stankovich, Director of Public Works

Phase II Combined Sewer Overflow (CSO) Program

List of Attachments

Loan Order	
Authority to File	For City Council approval
Document 38-B – Loan Order	For City Council approval
Estimated Costs	
Project Schedule	
Project Narrative	
Project Descriptions	

That \$5,184,176.00 is appropriated in addition to the \$6,892,076.00 previously appropriated, for the purpose of financing the study, engineering, planning and construction to complete the Phase II Combined Sewer Overflow (CSO) Long-Term Control Plan and related wastewater treatment facility and collection system improvements including without limitations all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c78; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$5,184,176.00 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c78; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c78 or any other enabling authority; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c78; and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection and respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes.

AUTHORITY TO FILE

Whereas, City of Haverhill, (the "Applicant"), after thorough investigation, has determined that the work activity consisting of study, engineering, planning and construction to complete Phase II Combined Sewer Overflow Long-Term Control Plan and related wastewater treatment facility and collection system improvements is both in the public interest and necessary to protect the public health, and that to undertake this activity, it is necessary to apply for assistance; and

Whereas, the Massachusetts Department of Environmental Protection (the "MassDEP") and the Massachusetts Water Pollution Abatement Trust (the "Trust") of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth ("Chapter 21" and "Chapter 29C") are authorized to make loans to municipalities for the purpose of funding planning and construction activities relative to Water Pollution Abatement Projects; and

Whereas, the Applicant has examined the provisions of the Act, Chapter 21 and Chapter 29C, and believes it to be in the public interest to file a loan application.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Haverhill as follows:

1. That the Mayor is hereby authorized on behalf of the Applicant to file applications and execute agreements for grant and/or loan assistance as well as furnishing such information, data and documents pertaining to the applicant for a grant(s) and/or loan(s) as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application;
2. That the purpose of said loan(s), if awarded, shall be to fund construction activities.
3. That if said award is made the Applicant agrees to pay those costs which constitute the required Applicant's share of the project cost.



DOCUMENT 38-B

CITY OF HAVERHILL

In Municipal Council April 8 2014

ORDERED:

Ordered: That \$6,892,076 is appropriated, for the purpose of financing the study, engineering, planning and construction to complete the Phase II Combined Sewer Overflow (CSO) Long-Term Control Plan and related Wastewater Treatment Facility improvements including without limitations all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c78; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$6,892,076 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c78; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c78 or any other enabling authority; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c78; and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection and respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes.

Bond Order

Further Ordered: That the \$556,076 balance of the loan order approved by the Council on June 23, 2009 for study, engineering and planning to complete the Phase II Combined Sewer Overflow (CSO) Long-Term control Plan is hereby rescinded.

PLACED ON FILE for at least 10 days
 Attest:
 City Clerk

IN CITY COUNCIL: April 22 2014
 PASSED Yeas 9, Nays 0
 Attest:
 City Clerk

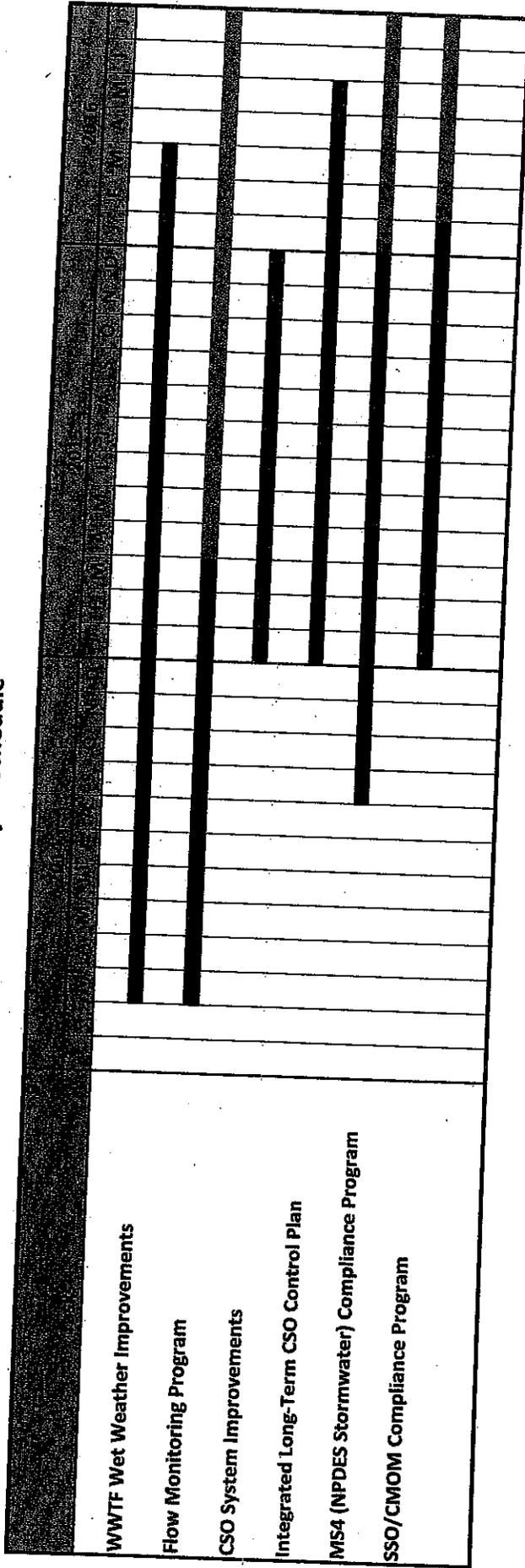
APPROVED:
 May 1 2014
 Mayor

Original Copy
 City Clerk
 Finance Department

Haverhill, Massachusetts
Phase II CSO Program
Estimated Costs and Loan Authorizations

Consent Decree Task	Estimated Costs	Loan Authorizations	
		July 2014 (Pending 10/18)	October 2014 (Pending Amendment)
WWTW Weather Improvements			
Solids Dewatering Upgrades (centrifuges)	\$2,530,000	\$2,530,000	
Miscellaneous equipment replacements			
Flow Monitoring Program			
Temporary and Permanent CSO Gauges	\$25,076	\$96,000	\$60,076
I/I Investigations in Sewer Areas 14 and 23			
CSO System Improvements			
CSO Regulator/Control Modifications	\$1,200,000		\$1,200,000
Bradford CSO Connection Pipe			
Emerson CSO improvements			
Integrated 100-Year CSO Control Plan			
Updated modeling (using 2014 data)	\$1,050,000		\$1,050,000
Updated Alternatives Analysis			
Additional I/I Investigations			
Capital Improvements Planning			
NMC/Floatables Control Plan			
Green Infrastructure Plan			
WWTF Capital Improvements Assessment			
High Flow Management Plan			
Financial Analysis and Affordability Discussion			
Environmental Impact Report			
Consent Decree Negotiations			
SRF Reimbursement Requests			
Recommended Plan			
NPDES Stormwater Compliance Program			
Dry Weather Screening of MS4 Outfalls	\$176		
IDDE Program Development			
IDDE Enforcement Manual			
Stormwater Ordinances			
Construction Site Inspection Program and Training			
MaintStar Configuration/Programming for Recordkeeping			
CSO Compliance Program			
SSO Emergency Response Plan and Training Program			
CMOM Program Self-Assessment and Corrective Action Plan			
Preliminary Infrastructure Assessment			
MaintStar Configuration/Programming for Recordkeeping			
TOTAL	\$12,076,252	\$6,892,076	\$5,184,176

**Haverhill, Massachusetts
Phase II CSO Program
Project Schedule**



Haverhill Revised Phase II CSO Long-Term Control Plan, Haverhill, Massachusetts

Project Narrative

Section A - Project Summary

Background

Phase II CSO Abatement Program

In July 2011, a Phase II Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) was submitted to the U.S. Environmental Protection Agency (USEPA) and Massachusetts Department of Environmental Protection (MADEP), which addressed requirements from two Administrative Orders delivered on September 15, 2008 and February 9, 2009 (**Appendix A** - Docket No. 08-012 and Docket No. 09-014 respectively). The city's proposed plan included the implementation of system maximization improvements (i.e., eliminate some CSO outfalls and modify some of the remaining CSO regulators) to increase the percent capture within the combined sewer system and to reduce the frequency and volume of overflow events. See **Appendix B** for a map of the CSO regulators and **Appendix C** for the report cover, table of contents and executive summary.

On February 14, 2013, MADEP sent the city a letter that provided comments to the Phase II CSO Long Term Control Plan and raised the potential to consider an integrated CSO control approach (See **Appendix D**). As a follow up to the letter, a meeting was held on April 25, 2013 between USEPA, MADEP, city of Haverhill and CDM Smith to discuss the comments and expectations. On May 8, 2013, USEPA sent the city a letter summarizing the April 25th meeting and listing out their expectations (See **Appendix E**).

On June 17, 2013, the city responded to USEPA's May 8, 2013 letter (and the February 2013 MADEP letter) with a plan to revise the Phase II CSO LTCP (with additional flow monitoring and a report update) and, in the interim, to proceed with some capital improvements to the collection and wastewater treatment systems (See **Appendix F**).

The revised LTCP will include additional investigation, analysis and mitigation alternatives for three newly discovered CSOs not previously identified before the completion of the July 2011 Phase II LTCP. The revised Phase II LTCP will also include an assessment of green infrastructure to reduce CSO discharges and an integrated watershed LTCP approach, a floatables control plan for remaining CSO outfalls, permanent CSO overflow monitoring, infiltration/inflow study and updates to the model and alternatives analysis. This Revised Phase II LTCP will be submitted on July 2015 and is the subject of this Project Evaluation Form (PEF).



Specific capital improvements include the following:

- Close and eliminate 9 existing CSO regulator/outfalls. This will consolidate discharges to the fourteen (14) remaining CSO outfalls.
- Raise the regulator/diversion weir elevations at five of the fourteen remaining CSO regulator/outfalls to minimize CSO discharges.
- Design and construct improvements to increase the size of the interceptor connector pipe capacity at the Bradford CSO regulators and reconfigure the Middle Siphon CSO to direct more flow into the interceptors and to reduce the frequency and magnitude of CSO discharges from these outfalls.
- Replace the existing centrifuges with new centrifuges for improved biosolids handling at the Haverhill WWTF. Through discussions with the regulatory agencies, deficiencies with the current solids handling capacity were identified as a significant restriction to maximizing the wet weather capacity of the WWTF during storm events. The ability to process the biosolids, created during maximum flow periods, was impaired by unreliable equipment that is prone to failures during peak use periods. Replacement of the existing centrifuges will ensure that the city can maintain the maximum design flow rate through the plant to minimize untreated CSO discharges.

This construction work will be submitted under a separate FY 2014 PEF.

Phase II CSO Program

Project Description:

Wastewater Treatment Plant Improvements

This project consists of the replacement of the two (2) existing Westfalia centrifuges and other wastewater treatment plant (WWTP) improvements. These improvements will correct process and wastewater sludge handling deficiencies that impair the ability of the treatment plant to maximize its treatment capacity during wet weather events. The existing centrifuges cannot process the wastewater sludge adequately to allow the plant to process flows to its full capacity. Replacement of the old centrifuges will allow the city to reduce untreated CSO discharges.

The scope of work includes the evaluation of process equipment, preliminary design, final design, contract specifications, bidding, construction services and construction for the following:

- Centrifuges, centrifuge conveyors, sludge feed pumps, chemical feed pumps and system and centrifuge drainage pumps.
- Odor control systems, evaluate existing systems (carbon tower and biofilter) and recommend upgrades if necessary.
- Grit Classifiers, evaluate the possible cause of the grit screw failures and recommend a replacement system.
- Gravity Sludge Thickeners replace all the internal mechanisms and evaluate the covering of the gravity thickeners for odor control.
- Evaluate the existing centrifuge heating and ventilation system and provide recommendations for upgrades if needed.
- Parking lot and sidewalk improvements evaluate and provide a cost estimate to design, bid and construction.

Phase II CSO Long Term Control Plan Tasks

This project includes the following tasks in the Phase II CSO Long Term Control Plan.

- Updating the city's SWMM model to include 3 additional CSO outfalls for annual reporting purposes.
- Assisting the city with CSO regulator modifications and inline storage system modifications.
- Implement a one year flow monitoring program on all active CSO outfalls.
- Infiltration and inflow (I/I) work including flow monitoring, flow isolation and TV inspection of sewer lines.

CSO System Improvements

The 2011 Draft Phase 2 Combined Sewer Overflow (CSO) Long-Term Control Plan (LTCP) report included recommendations for modifications to four of the city's existing CSO regulators

to improve the capture and treatment of wet weather flow using the city's existing interceptor system to reduce the discharge of untreated CSOs. This project includes the preliminary design, final design, contract documents, bidding, construction services and construction of the following improvements:

- Flow control gates at the Upper Siphon CSO regulator;
- Flow control gates and larger gate openings at the Lower Siphon CSO regulator;
- New piping and larger gate openings at the Middle Siphon CSO regulator; and
- New connection piping at the Bradford CSO regulator.

These improvements when completed will allow the city more flexibility to store flow within the interceptor system and avoid CSO discharges.

Integrated Long-Term CSO Control Plan

This project consists of the development of various planning and analysis documents to address MADEP and USEPA comments to update the 2011 Draft Phase 2 CSO LTCP report. The regulatory agencies requested that the city update the LTCP to:

- incorporate a year of new flow monitoring data at each of the 17 remaining CSO outfalls (which started on April 2014) and update the report analyses and recommendations;
- complete additional I/I investigations to assess collection system areas with high extraneous flow (to reduce flow to the treatment facility);
- prepare a Floatable Control Study to evaluate potential floatables control measures that could be undertaken at each of the CSO outfalls;
- evaluate the potential to implement green infrastructure into the CSO plan to address CSO reduction (versus spending on new pipes and facilities);
- perform an assessment of the capital improvements needs at the WWTF due to its aging infrastructure;
- incorporate the conclusions of the MS4 Compliance Program and SSO/CMOM Program projects (discussed further below); and
- develop a High Flow Management operations plan for the WWTF and collection system to maximize the treatment and capture of wet weather flow.

This project will result in the development of a comprehensive wastewater/stormwater capital improvement plan for Haverhill that incorporates the projects that the city must implement to meet regulatory compliance requirements (including CSO, CMOM, NPDES, and Stormwater regulations) and to address ongoing MADEP/USEPA compliance negotiations.

MS4 (NPDES Stormwater) Compliance Program

This project consists of the development of various documents to address the city's ongoing compliance requirements for the city's Municipal Separated Storm Sewer System (MS4) Permit. The MS4 permit is administered through the USEPA's NPDES permit program, similar to the permit at the wastewater treatment facility. This permit requires the city to complete several documents and field investigations including:

- Comprehensive field inspection of all of the city's 700 stormwater outfalls and to complete sampling of any outfalls with dry weather flow – the samples could indicate whether the stormwater is tainted by illicit sewer connections;
- Develop an Illicit Detection and Discharge Elimination (IDDE) Manual and Enforcement Manual as a formal program for the city to investigate the piping system upstream of each outfall to identify and eliminate any potential illicit sewer connections;
- Develop and incorporate new city ordinances and procedures for stormwater system management; and
- Develop and implement a new Construction Site Inspection program aimed at controlling site runoff.

This stormwater program will develop and adopt the programs and procedures to bring the city into compliance with the NPDES stormwater permit requirements. The city's MaintStar computerized maintenance management program will be updated to incorporate these programs for future recordkeeping and compliance reporting requirements.

SSO/CMOM Compliance Program

This project consists of the development of various documents to address the city's ongoing compliance requirements for the capacity, maintenance, operations, and management (CMOM) program requirements of the WWTF NPDES permit. The CMOM program focuses on the operations and maintenance of the city's collection system including its pumping stations. The regulatory agencies continue to increase their focus on CMOM objectives and have increased regulatory requirements to eliminate Sanitary Sewer Overflows (SSOs) from sewer collection systems. Based on ongoing negotiations with the USEPA and MADEP, the CMOM compliance program will include the development of the following plans and assessments:

- An SSO Emergency Response Plan to ensure that SSOs have a minimal health and water quality impact on residents and water bodies;
- A CMOM Program Corrective Action plan that will be based on addressing the deficiencies identified in an assessment of city's current operations and maintenance procedures compared to industry norms and standards;

- A Preliminary Infrastructure Assessment program that intends to rate the collection system infrastructure life span and identify the cost of rehabilitation or renewal of these assets over time;
- A summary program of the capital needs of the collection system for asset recovery, operations and maintenance.

The city's MaintStar computerized maintenance management program will be updated to incorporate these programs for future recordkeeping and compliance reporting requirements. The projects described above are only part of the Phase II CSO program.



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

11.1

November 3, 2014

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
October as filed in the Assessors Office.

Very truly yours,

Stephen C. Gullo, MAA
Assessor

CITY COUNCIL

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ROBERT H. SCATAMACCHIA

VICE PRESIDENT

MELINDA E. BARRETT

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WILLIAM H. RYAN

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MARY ELLEN DALY O'BRIEN

MICHAEL S. MCGONAGLE

COLIN F. LEPAGE



11.2.1

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CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

November 7, 2014

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

Councillor Michael McGonagle requests the removal of a handicap parking space at 18 Jackson Avenue as it is no longer needed.


City Councillor Michael McGonagle

Name of Street Location	Regulation	Hours/Days
Entire length, east side	No parking	24 hours
Industrial Avenue [Added 1-2-1996 by Doc. 24-M]	No parking	—
Inland Street		
Entire length, north side	No parking	—
Jackson Street		
From Reed Street for 150 feet, east side	No parking	—
In front of 16 Jackson Street, except for 1 24-hour handicapped parking space at 16 Jackson Street [Added 2-28-2012 by Doc. 21-E]	No parking	24 hours
In front of 18 Jackson Street, except for 1 24-hour handicapped parking space at No. 18 [Added 2-23-2010 by Doc. 16-E]	No parking	24 hours
43 Jackson Street [Added 5-10-2005 by Doc. 32-D; repealed 6-26-2007 by Doc. 14-N]		
John Street [Added 1-30-2007 by Doc. 14]		
In front of 32 John Street, except for 1 24-hour handicapped parking space at No. 32	No parking	24 hours
Jonathan Duston Lane [Added 7-28-1998 by Doc. 40-J]		
No parking in front of Hannah Duston Park, 1 Jonathan Duston Lane	No parking	24 hours
Katsaros Drive [Added 12-4-2007 by Doc. 29-N]		
From Groveland Street to Brown Street, both sides	No parking	24 hours
Kenoza Avenue		
From Warren Street west for 50 feet, north side	Time limited: 15 minutes	7:00 a.m. to 7:00 p.m.
From No. 78 to No. 80 (a distance of 50 feet), south side	Time limited: 15 minutes	7:00 a.m. to 7:00 p.m.
In front of 89 Kenoza Avenue, south side	Time limited: 1 hour	—
From its intersection with Main Street easterly for 140 feet, both sides [Added 4-22-1997 by Doc. 52-E]	No parking	—
From 140 feet east of its intersection with Main Street easterly for 210 feet, south side [Amended 4-22-1997 by Doc. 52-J]	Time limited: 30 minutes	7:00 a.m. to 7:00 p.m.



CITY COUNCIL

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VICE PRESIDENT
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November 13, 2014

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

Councillor William H. Ryan requests a discussion about the proposed tree cutting at Winnekenni Park.

William H. Ryan
City Councillor William H. Ryan

CITY COUNCIL

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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 Street area	Public Safety	6/17/14
47DD	City declare several parcels on Crescent Rd. & Boxford Rd Surplus & available for sale	NRPP	8/19/14
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 Junior Park Ranger Summer 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 Locations: "Food Trucks of any size may be allowed at all permitted fixed locations with approval from City Council"	A & F	9/2/14