



# City of Haverhill City Council Minutes

Tuesday, June 4, 2013 at 7:00 PM  
City Council Chambers, Room 202

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Present – President Scatamacchia, Councillors Hart, Michitson, Ryan, McGonagle, Macek, LePage, Daly O'Brien and Sullivan.

City Clerk – Margaret A. Toomey.

1. Approval of Records of the Previous Meeting

The minutes were approved.

2. Assignment of the minutes review for the next Meeting

Councillor Macek was appointed to read the minutes.

3. Communications from the Mayor

Communication was received from Mayor Fiorentini requesting to present the fiscal year 2014 City of Haverhill budget and also to present his annual budget message.

MAYOR FIORENTINI THANKED REPRESENTATIVE DEMPSEY FOR HIS EFFORTS TO SECURE \$2.4 MILLION FROM THE STATE FOR HAVERHILL. HE GAVE POWERPOINT PRESENTATION. BUDGET INCLUDES FUNDING FOR RESERVE FUND

PLACED ON FILE

66

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

No Schedule

5. Appointments

Confirming Appointments:

Patrick Driscoll was appointed to the Bradford Common Historic District Commission, effective immediately with appointment to expire Jun 4, 2016.

MR. DRISCOLL INTRODUCED HIMSELF.

CONFIRMED

Yeas 9, Nays 0

20R

Leota Sarrette was re-appointed to the Haverhill Cultural Council, effective immediately with appointment to expire June 4, 2016.

CONFIRMED

Yeas 9, Nays 0

20S

Non-Confirming Appointments:

No Schedule

Resignations:

No Schedule

6. Petitions

Petitions:

Request was received from Cathy Hennessy and Kathy Fitts on behalf of Saint Vincent de Paul Society (All Saints and Saint John Parishes) for a 5K "Friends of the Poor" fundraiser walk to be held on Saturday, September 28th at 9:00AM; beginning and ending at Saint James Church.

ON MOTION OF COUNCILLOR MACEK TO APPROVE SUBJECT TO POLICE APPROVAL

GRANTED

Yeas 0, Nays 0

37H

Applications:

Annual License Renewals

No Schedule

7. Hearings and Related Orders

Document 50

Petition was received from Ryan Guthrie for Stateside Realty Group LLC requesting Special Permit to construct 9 rental residential apartment units consisting of (3) 2 bedroom units and (6) 1 bedroom units as well as 2 commercial spaces in an existing 4 story building located at 2 Washington st; being Assessor's Map 308, Block 1, Lot 2; with location being in the Sub Zone D of the Downtown Smart Growth Overlay District (DSGOD). A favorable recommendation with conditions /stipulations was received from Planning Board & Planning Director; based on assumption that all proposed conditions/stipulations be adopted and all items in

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the letters from the City Departments along with all requirements for special permits would be made part of the special permit for the project.

HEARING OPENED

ATTORNEY MIGLIORI REPRESENTED THE PETITIONER AND RYAN GUTHRIE WAS PRESENT. THEY ANSWERED QUESTIONS FROM COUNCILLORS.

HEARING CLOSED

ON MOTION OF COUNCILLOR HART TO GRANT THE SPECIAL PERMIT AND ALSO APPROVE THE REQUEST FOR THE WAIVER OF AFFORDABILITY REQUIREMENT IN OUR CURRENT ORDINANCE FOR THE PROJECT WITH THE FOLLOWING CONDITIONS/STIPULATIONS THAT THE PROJECT COMPLY WITH ALL THE REQUIRMENTS OF ZONING CODE 255-94; COMPLY WITH CONDITIONS/STIPULATIONS AS STATED IN THE LETTER OF RECOMMENDATIONS DATED MAY 31 2013 FROM WILLIAM PILLSBURY, ECONOMIC DEVELOPMENT & PLANNING DIRECTOR; THAT ALL ITEMS IN THE LETTERS FROM CITY DEPARTMENTS ALONG WITH ALL REQUIREMENTS FOR SPECIAL PERMITS WOULD BE MADE PART OF THE SPECIAL PERMIT PROJECT AND THAT THE PROJECT IS GRANTED WITH ALL THE PROPOSED CONDITIONS/STIPULATIONS. (see letter for complete text)

AMENDMENT PASSED Yeas 9, Nays 0 and  
PASSED AS AMENDED Yeas 9, Nays 0 50

Motions and Orders

ORDERED: That the City appropriate \$10,500 from Free Cash to Tree Planting Capital Account  
PASSED Yeas 9, Nays 0 21L

ORDERED: That the sum of \$527,543.10 be appropriated from Federal Medicaid Reimburse to the School Department FY13 Operating Budget  
PASSED Yeas 9, Nays 0 21M

MUNICIPAL ORDINANCE CHAPTER 240  
An Ordinance Relating to Parking & Existing Ordinance  
(Apple Street – No Parking & delete existing Parking Ordinance) (see document for complete text)  
PLACED ON FILE for at least 10 days 67

#### 8. Unfinished Business of preceding Meetings

Document 44, Communication was received from David Van Dam, Mayor's Chief of Staff, requesting to give an update to the Council on the progress of the alley way lighting request by Councillor Daly O'Brien.

MR. VAN DAM STATED THAT EASEMENTS HAVE BEEN DRAFTED FOR PROPERTY OWNERS AND THAT THE CITY WOULD FUND PURCHASE OF WALL PACKS AND INSTALL THEM AT SPECIFIED LOCATIONS. OWNERS WOULD PAY FOR ELECTRICITY. GOAL TO HAVE LIGHTS OPERATIONAL IN 4-8 WEEKS.

PLACED ON FILE\* 44

Document 63  
MUNICIPAL ORDINANCE CHAPTER 122  
An Ordinance Relating to Building Maintenance of Vacant and Foreclosing Residential Properties  
(see document for complete text)

MAYOR FIORENTINI SPOKE ABOUT THE SUCCESS OF OTHER COMMUNITIES THAT HAVE A SIMILAR ORDINANCE.

ON MOTION OF COUNCILLOR LEPAGE TO AMEND AS STATED BY LETTER FROM SOLICITOR COX BY ADDING THE FOLLOWING:

§122-6. Enforcement and Penalties.

“D. In the event the above fines are imposed and remain unpaid in excess of ninety (90) days, the City may place a lien upon the property to recover the unpaid fines, plus any other amounts which may be due and owing.”

§122-3. Registration and Duty to Provide Written Notice.

“The duly appointed Personal Representative of any Estate having control and/or ownership of any property subject to the terms of this Chapter Shall not be required to comply with the Chapter for a period of one hundred and twenty (12) days after the issuance of Letters of Authority by the Probate Court, and, shall not be subject to the payment of the registration fees in any event. Inspectional Services may waive the registration fee when a property owner is able to demonstrate that the paying of said registration fee would be a financial hardship.”

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§122-12. Revolving Fund Established.

“There is hereby established a revolving fund, and the proceeds of which are to be used for the securing, repairing or maintaining of vacant and/or distressed properties, and, the hiring of personnel to administer and enforce this Chapter. All revenue collected under the provisions of this chapter shall be placed in said revolving fund. This revolving fund shall be kept separate from all other moneys by the City Treasurer and shall be expended by the Director of Inspectional Services as needed with approval of the Mayor. Any moneys expended shall be recoverable by placing a lien upon the property. Any expenditures from this fund for reasons other than those sated above shall be by appropriation recommended by the Mayor and approved by the City Council.”

AMENDMENT PASSED Yeas 9, Nays 0 and  
PASSED AS AMENDED Yeas 9, Nays 0 63

9. Communications and Reports from City Officers and Employees

Monthly Reports:

No Schedule

Communications from Councillors:

Communication from Councillor Daly O’Brien requesting a discussion regarding parking on Lewis Street. LYNN RICKETT OF 28 LEWIS ST. STATED THERE WAS VERY LIMITED PARKING ON LEWIS ST. ON MOTION OF COUNCILLOR DALY O’BRIEN TO REFER TO TRAFFIC & SAFETY COMMITTEE AND POSTPONE TO JULY 9. Yeas 9, Nays 0 57C

Communication from Councillor Macek requesting a discussion regarding permits for Second Hand Clothing REEFERRED TO ADMINISTRATION & FINANCE COMMITTEE Yeas 9, Nays 0 57D

Communications from City Employees:

No Schedule

10. Resolutions and Proclamations

No Schedule

11. Council Committee Reports and Announcements

Council Committee Reports:

Councillor LePage presented the Minutes of Administration & Finance Committee meeting held on May 30, 2013 regarding proposed ordinance relating to Building Maintenance of Vacant and Foreclosing Residential Properties and offered the amendments recommended by the Committee. PLACED ON FILE 11F

Meeting adjourned at 8:47 o’clock P.M. Yeas 9, Nays 0

\*Doc. 44 – Handout from David Van Dam –Map of Washington/Wingate Area

Attest: Margaret A Toomey  
City Clerk