



City of Haverhill  
City Council Minutes

Tuesday, December 1, 2015 at 7:00 PM  
City Council Chambers, Room 202

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

Absent – Councillors Ryan and McGonagle

City Clerk – Linda L. Koutoulas

1. Approval of Records of the Previous Meeting

The minutes for Nov. 17 and Special City Council meeting on Nov. 23 were approved.

2. Assignment of the minutes review for the next Meeting

Councillor Daly O’Brien was assigned the minutes.

3. Communications from the Mayor

No Schedule

4. Communications and Reports from City Officers and Employees

Communication from City Solicitor William Cox requesting to provide update on litigation between City and Continental Wingate Development Co for Congregate Care Housing, North Avenue.

Solicitor Cox stated that Continental Wingate had filed a suit against the City in Land Court on March 23, 2015 which was assigned to the Permit Section. On a Remand Order, the two sides have been advised to try to work out a resolution prior to trial. Solicitor Cox suggested a hearing date of Dec. 29, 2015. Councillor LePage stated he will be out of town and will call in remotely.

ON MOTION OF COUNCILLOR DALY O’BRIEN TO SCHEDULE A PUBLIC HEARING ON DEC. 29.

SPECIAL PERMIT PUBLIC HEARING SCHEDULED FOR DEC 29 Yeas 7, Absent 2 136

Communication from City Tree Warden announcing a Public Shade Tree Hearing scheduled for December 9 2015 at 7 PM, City Hall, 4 Summer st; Room 301, regarding an application from National Grid to remove hazard trees or prune shade trees for additional clearance to reduce tree outage problems; with list of designated trees with location, size and species of affected trees (Kenoza St., Groveland St., Golden Hill Ave, Boardman St), and reason for removal or pruning available at Department of Public Works, 500 Primrose st, during normal business hours (see document for complete text)

PLACED ON FILE Yeas 7, Absent 2 137

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

No Schedule

6. Appointments

Confirming Appointments

Mike Lyons – Bradford Common Historic District Commission, effective immediately; commission to expire Dec. 1, 2018

CONFIRMED Yeas 7, Absent 2 122J

Joyce Marzioli – Bradford Common Historic District Commission as an Alternate, effective immediately; commission to expire Dec. 1, 2018

CONFIRMED Yeas 7, Absent 2 122K

Non-confirming Appointment

No Schedule

Resignations:

No Schedule

7. Petitions:

No Schedule

8. Applications/Handicap Parking Signs

Application from Richard Hatch of 4 Westford St for Handicap parking sign; has Police approval  
REFERRED TO PLANNING Yeas 7, Absent 2 45P

9. One Day Liquor Licenses

One Day Beer and Wine license

Brenda De La Cruz, All Alcoholic for birthday party, at Winnekenni Castle, Thursday, December 31, 8:00PM – 12:30AM; has Police and License Commission approval

GRANTED Yeas 7, Absent 2 50L

10. Applications for Permit

Application for road race

LOCO Sports, Inc – December 12, 2015; 9:30 AM – 12 Noon; Start/Finish in Atkinson NH; in Haverhill for approx. 2.5 miles; Has Police approval

GRANTED Yeas 7, Absent 2 28Q

December 1, 2015

11. Tag Days  
No Schedule

12. Annual License Renewals:

LIMOUSINES/TAXIS

Haverhill Taxi LLC, Wisvel Joseph, 5 Vehicles at 195 Washington st.,; has Police approval  
PASSED Yeas 7, Absent 2 103K

AUCTIONEER

No Schedule

Coin-ops

Market Basket, 2 Water st, 2 machines  
GRANTED Yeas 7, Absent 2 4G

Sunday License

Market Basket, 2 Water st, 2 Sunday machines  
GRANTED Yeas 7, Absent 2 5H

13. Hawker/Peddler:  
No Schedule

14. Drainlayer 2015 New License:

John L Enos  
GRANTED Yeas 7, Absent 2 73N

15. Hearings and Related Orders:

Hearing was held on Document 127, application from Melissa Millman, project manager, for applicant Boston Andes Capital LLC; requesting Modification of a Special Permit originally granted in 1987; for Viewpoint at Bixby Crossing; at 170 Washington St. Mr. Pillsbury gave a preface stating that this is a minor modification not requiring a public hearing before the Planning Board and that notice had been given to the abutters. Jim Hughes, partner, and Melissa Millman gave an overview of the modifications to include enclosing the ground floor parking structure to provide habitable space, adding 3 residential units to the ground floor with a leasing office, fitness center, and resident lounge. Parking requirement of 1.2 spaces per unit will be met. No one was opposed.

HEARING CLOSED

ON MOTION OF COUNCILLOR MACEK TO MOVE APPLICATION FOR PASSAGE OF  
MODIFICATION TO SPECIAL PERMIT

PASSED Yeas 7, Absent 2 127

Petitions from City Engineer, John Pettis for City of Haverhill requesting Hearings for Acceptance of the following streets as Public Ways: postponed from November 10, 2015  
Mr. Pettis gave an overview stating that the bonds had been zeroed out with the Planning Board but that the city never accepted the roads officially. Favorable recommendation was received from the Planning Board and Director for all.

Hearing was held on Document 113, a petition from City of Haverhill requesting Acceptance of Mayflower Lane. Mr. Pettis stated that the road was built in 1995. Steve Davis stated he was not actually opposed but that he urged caution when accepting roads because it creates an opportunity to bring in unwanted development.

HEARING CLOSED 113

Document 113-B

ORDERED: That the following street herein described be accepted as a Public Way – Mayflower Lane  
(see document for complete text)

PASSED Yeas 7, Absent 2 113B

Hearing was held on Document 114, a petition from City of Haverhill requesting Acceptance of Hammond Farm Road. Mr. Pettis stated that the road was built in 1996. Steve Davis stated he was not actually opposed but that he urged caution when accepting roads because it creates an opportunity to bring in unwanted development.

HEARING CLOSED 114

Document 114-B

ORDERED: That the following street herein described be accepted as a Public Way – Hammond Farm Rd  
(see document for complete text)

PASSED Yeas 7, Absent 2 114B

December 1, 2015

Hearing was held on Document 115, a petition from City of Haverhill requesting Acceptance of Ruth Circle. Mr. Pettis stated that the road was built in 2002.  
HEARING CLOSED 115

Document 115-B

ORDERED: That the following street herein described be accepted as a Public Way – Ruth Circle  
(see document for complete text)  
PASSED Yeas 7, Absent 2 115B

Hearing was held on Document 116, a petition from City of Haverhill requesting Acceptance of Old Yankee Road. Mr. Pettis stated that the road was built in 2002.  
HEARING CLOSED 116

Document 116-B

ORDERED: That the following street herein described be accepted as a Public Way – Old Yankee Road  
(see document for complete text)  
PASSED Yeas 7, Absent 2 116B

Hearing was held on Document 117, a petition from City of Haverhill requesting Acceptance of Crystal Court. Mr. Pettis stated that a portion of the road was previously accepted in 1997.  
HEARING CLOSED 117

Document 117-B

ORDERED: That the following street herein described be accepted as a Public Way – Crystal Court  
(see document for complete text)  
PASSED Yeas 7, Absent 2 117B  
16 New Business

ORDERED: That the City Council of the City of Haverhill authorizes the Purchasing Department to proceed with the final disposition of surplus equipment, plus all system appurtenances, from the Wastewater and CDBG departments (see document for complete text)  
PASSED Yeas 7, Absent 2 64B

ORDERED: That the Mayor be and is hereby authorized to purchase on behalf of the City of Haverhill the premises located by the Merrimack River, containing 42,500 square feet (0.98 acres), more or less, from Boston and Maine Corporation for a sum not to exceed \$125,000.00, pursuant to the attached “Purchase and Sale Agreement” which is incorporated herein. Further, the Mayor be and is authorized to execute any and all other documents as required to complete said purchase and comply with all of the terms of said Purchase and Sale Agreement. (see document for complete text); Related communication from Mayor Fiorentini  
PASSED Yeas 7, Absent 2 102D

17. Ordinances (File 10 days)  
No Schedule

**18 Unfinished Business of preceding Meetings:**

Document 77-D

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Vehicles and Traffic

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by adding the following to §240-92 Schedule I: Mandatory Turns: Location of South Main st to Salem st Intersection (see document for complete text) Related communication from City Engineer John Pettis

PASSED Yeas 7, Absent 2 77D

Document 52-N

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

(26 Portland Street, Delete Handicap Parking) (see document for complete text)

PASSED Yeas 7, Absent 2 52N

**19 Communications from Councillors**

Communication was received from Councillor Macek requesting discussion relative to public safety and traffic concerns along Mill St from Arlington St down to intersection of Mill st and Boardman St and along Boardman St up to Golden Hill Ave.

REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 7, Absent 2 119Y

December 1, 2015

Communication was received from Councillor Macek requesting discussion regarding potential changes for 2016 disposal of trash, recycling and bulk items.

POSTPONED TO DEC 15 2015

Yeas 7, Absent 2

119Z

Communication was received from Councillor Sullivan requesting discussion about homelessness in Haverhill. \*

COUNCILLOR SULLIVAN SPOKE ABOUT THE FINE WORK THAT EMMAUS INC HAS DONE FOR 30 YEARS IN THE CITY. HE INTRODUCED LESLIE LAWRENCE AND GRETCHEN ARNTZ OF EMMAUS WHO GAVE AN OVERVIEW OF THEIR PROGRAMS. MS ARNTZ INVITED THE PUBLIC TO ATTEND THE TREE OF LOVE LIGHTING CEREMONY ON DEC 2 AT 6:00PM IN FRONT OF 150 HOW ST. COUNCILLOR SULLIVAN URGED THE COUNCIL TO JOIN HIM IN ADVOCATING THAT THE CDBG FUNDING FOR EMMAUS BE INCREASED. THIS PAST YEAR THE AMOUNT HAD BEEN REDUCED TO \$7,000.

LETTER TO MAYOR

Yeas 7, Absent 2

138

Communication was received from Councillor Barrett requesting discussion about traffic lights on Broadway near former Regan Ford, now known as AutoFair Ford of Haverhill.

COUNCILLOR BARRETT STATED THAT THE PROBLEM HAD BEEN FIXED  
PLACED ON FILE

Yeas 7, Absent 2

138B

**20 Resolutions and Proclamations**

No Schedule

**21 Council Committee Reports and Announcements**

**22 Documents referred to Committee Study**

Meeting adjourned at 8:24 o'clock P.M.

Yeas 7, Absent 2

\*Doc. 138 Handout from Gretchen Artanz – Invitation to Tree of Love lighting ceremony

Attest: Linda Koutoulas  
City Clerk