



City of Haverhill
City Council Minutes

Tuesday, December 29, 2015 at 7:00 PM
City Council Chambers, Room 202

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

Councillor LePage participated remotely due to geographic distance.

City Clerk – Linda L. Koutoulas

1. Approval of Records of the Previous Meeting

The minutes were approved.

2. Assignment of the minutes review for the next Meeting

Councillor Barrett was assigned the minutes.

3. Communications from the Mayor

4. Communications and Reports from City Officers and Employees

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

Hearing was held on Document 140, a petition from National Grid for Hearing to construct underground electric conduits throughout the Farrwood residential development where Farrwood Drive intersects with Boston Road; Plan #18198976. With Joe Antelli from National Grid appearing in favor and no one in opposition the hearing was closed. 140

ORDERED: Order granting permission to National Grid install underground electric conduits where Farrwood dr intersects with Boston Road; Plan #18198976 (see document for complete text)

GRANTED Yeas 9, Nays 0 140B

6. Appointments

Confirming Appointments

Matt Chase to the Central Business Downtown Parking Commission; Commission to expire 12/29/16

CONFIRMED Yeas 9, Nays 0 100N

Chuck Stearns to the Central Business Downtown Parking Commission; Commission to expire 12/29/16

CONFIRMED Yeas 9, Nays 0 100O

Non-confirming Appointments

Kenneth Quimby to the Recycling Advisory Committee

PLACED ON FILE Yeas 9, Nays 0 100P

AUXILIARY POLICE:

Alejandro Zayas Ryan Barbera Mohmed Ahmed

Kelsey Grenham Joel Nicolas Katelyn Tully

Carlos Lima Eric Goodwin Jesse Berube

PLACED ON FILE Yeas 9, Nays 0 143

7. Petitions:

No Schedule

8. Applications/Handicap Parking Signs

No Schedule

9. One Day Liquor Licenses

No Schedule

10. Applications for Permit

No Schedule

11. Tag Days

No Schedule

12. Annual License Renewals:

THEATER

Chunky’s Cinema Pub, 371 Lowell Av, 3 Screens

GRANTED Yeas 9, Nays 0 103L

13. Hawker/Peddler:

No Schedule

14. Drainlayer 2016 License: All have City Engineer approval

The following licenses were all GRANTED Yeas 9, Nays 0

Paul Busby 141H Brett Berube 141J

Michael McGovern 141K Charles Beshara 141J

David Clark 141L Frank Gibbs 141Q

Glenn Daigle 141M Patrick Kelly 141T

David Deloury 141N Henry Torromeo 141Z

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Richard Early Jr	141O	Kenneth Pierce Jr	141X
Richard Early Sr	141P	Douglas Robbins	141Y
John Grasso	141R	William Hutton	141S
James Lynch	141U	David Maynard	141V
Michael McCarthy	141W		

15. Hearings & Related Orders:

Document 139, Petition was received from Attorney Mark B. Johnson representing Continental Wingate Development Corp to modify proposal pursuant to Remand Order of Land Court - requesting 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; The modified proposal would house a total of 64 units including, 32 one-bedroom Assisted Living Units, 28 studio Memory Care Units and 4 companion Memory Care Units. Related communication from Attorney Robert Harb for applicant regarding Cost Breakdown of Proposed Mitigation in regards to project. Reports from various City Departments were included.

HEARING OPENED, ATTORNEY ROBERT HARB REPRESENTED THE APPLICANT WITH DAVID FELDMAN AND ERIC KARLSTAD SPEAKING INFAVOR.* ATTORNEY ADAM COSTA OF BLATMAN, BOBROWSKI, MEAD & TALERMAN, LLC (SPECIAL COUNSEL TO THE CITY COUNCIL) GAVE A BACKGROUND SUMMARY AS TO THE STATUS OF THE LITIGATION AND EXPLAINED THE REMAND ORDER OF LAND COURT. CITY SOLICITOR COX ANSWERED QUESTIONS. JOHN PETTIS, CITY ENGINEER ALSO ANSWERED QUESTIONS. RON MACLEOD, PATRICIA BARSON AND ADAM DIGIOVANNI WERE OPPOSED. HEARING CLOSED.

ON MOTION OF COUNCILLOR MACEK THAT THE MODIFIED SPECIAL PERMIT BE CONDITIONED THAT THE \$400,000 THAT WINGATE IS OFFERING FOR NORTH AVE FOR TRAFFIC & SAFETY IMPROVEMENTS BE EARMARKED AT \$200,000, THE INITIAL PERMIT FOR BUILDING; ADDITIONAL \$200,000 AT THE OCCUPANCY PERMIT UNDER THE TERMS OF THE MEMORANDUM AND THERE ALSO BE NO REDUCTION TO WINGATE IN THAT AMOUNT FOR FUTURE REQUIREMENTS FOR ANY CITY DEPARTMENT OR BOARDS

PASSED Yeas 9, Nays 0

ON MOTION OF COUNCILLOR MACEK THAT THERE WILL NOT BE ANY SIGNAGE ON NORTH AVE EXCEPT FOR STANDARD SIGN FOR THEIR ACCESS TO PROPERTY

On the question of passage, the yeas and nays were as follows:

Yeas,-Councillors Scatamacchia, Barrett, Macek, Ryan, LePage and President Michitson - 6

Nays,-Councillors Sullivan, Daly O'Brien and McGonagle -3

PASSED

ON MOTION OC COUNCILLOR MACEK TO MOVE FOR PASSAGE OF MODIFIED PERMIT AS AMENDED Yeas 9, Nays 0

16. NEW BUSINESS/ORDERS

ORDERED: That in accordance with General Laws, Chapter 44, Section 64, authorize payment of bill(s) of the previous years and to further authorize the payment from current year departmental appropriations as listed below:

Vendor	Amount	Account	
Career Resources Corporation	\$196.00	Mail Delivery	
Maquire Pest Control	\$220.00	Public Property	
Nutter, McClennen & Fish, LLP	\$20,102.64	Law Office	
PASSED		Yeas 9, Nays 0	144

17. Ordinances (File 10 days)

No Schedule

18. Unfinished Business of preceding Meetings:

Document 52-O

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Parking

(4 Westford Street, ADD Handicap Parking) (see document for complete text

PASSED Yeas 9, Nays 0 520

18.2 Document 73-X; Drainlayer application: Bruce Hoehn

POSTPONED TO JAN 12, 2016

Yeas 9, Nays 0

73X

19. Monthly Reports

No Schedule

20. Communications from Councillors

No Schedule

21. Resolutions and Proclamations

No Schedule

22. Council Committee Reports and Announcements

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Mayor Fiorentini and Councillors bid farewell to retiring Councillors Ryan and Scatamacchia.

President Michitson announced that Councillor LePage indicated that he would like to change his vote on the Wingate Special Permit and is requesting a reconsideration.

ON MOTION OF COUNCILLOR RYAN AND SECONDED BY COUNCILLOR DALY O'BRIEN FOR A RECONSIDERATION OF THE WINGATE SPECIAL PERMIT VOTE.

MOTION TO BE RECONSIDERED

Yeas 9, Nays 0

ON MOTION OF COUNCILLOR MACEK TO VOTE ON THE WINGATE SPECIAL PERMIT AS AMENDED

PASSED AS AMENDED

Yeas 8, Nays 1 (LePage)

Meeting adjourned at 9:41 o'clock P.M.

Yeas 9, Nays 0

*Doc. 139 Handout from Attorney Harb – Louise Bevilacqua letter of support

Attest: Linda Koutoulas
City Clerk