



City of Haverhill  
City Council Minutes

Tuesday, February 23, 2016 at 7:00 PM  
City Council Chambers, Room 202

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

Communication was received from Mayor Fiorentini requesting to address Council with regards to the proposed Solid Waste and Host agreement.

MAYOR FIORENTINI STATED THESE ARE 2 AGREEMENTS. THE CONTRACT WILL BE FOR 5 YEARS. COVANTA IS LICENSED & PERMITTED BY THE STATE. CURRENTLY TIPPING FEE IS \$59 PER TON AND THAT WILL BE REDUCED TO \$55. HAVERHILL HAS THE LOWEST TIPPING FEE. MR STANKOVICH ANSWERED QUESTIONS. COUNCILLORS EXPRESSED CONCERNED ABOUT THEIR HOURS OF OPERATION AND TRAVEL ROUTES.

PLACED ON FILE 26

Communication from Mayor Fiorentini submitting Memorandum of Agreement and related Salary Ordinance for City Hall Clerks Group.

PLACED ON FILE 27

MUNICIPAL ORDINANCE CHAPTER  
AN ORDINANCE RELATING TO SALARIES CITY HALL CLERKS  
(see document for complete text)

PLACED ON FILE for at least ten days Yeas 8, Abstain 1 (Bevilacqua) 28

4. Communications and Reports from City Officers and Employees

No Schedule

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

Hearing was held on Document 1-J, a petition from Verizon New England and Mass Electric Co requesting permission for joint pole relocation on Madison st; Plan P201-1AOS6SE. With Everett Bryan from Verizon appearing in favor and John Fein in favor. Katherine Penard requested to have the street light turned off because it shines directly into her home. Hearing was closed. 1J

ORDERED: Order granting Verizon New England & Mass Electric Co joint pole relocation on Madison st; plan P2015-1AOS6SE (see document for complete text)

PASSED Yeas 9, Nays 0 1JJ

ON MOTION OF COUNCILLOR MACEK TO SEND LETTER TO MR. STANKOVICH ABOUT MS PENARD’S REQUEST Yeas 9, Nays 0

6. Appointments

Confirming Appointments

Rocks Village Historic Commission: Ray Arsenault, Chair

Michael Forehand, Assistant Chair

Jasmine Menna

Lydia Harris

Cindy Dauksewicz

Jonathan Wagman

Christine Kwitchoff

Bill King, alternate

Tom Beers, alternate

Heather McMann, alternate

CONFIRMED Yeas 9, Nays 0 9G

Non-confirming Appointments

Neighborhood Advisory Board: Cynthia Martinez and Daniel Collins

PLACED ON FILE Yeas 8, Nays 0, Abstain 1 (Vargas) 1P

Community Affairs Advisory Board: All appointments to expire August 31 2016

Angelica Acevedo

Blossom Alvaranga

Sheila Callahan

William Lapierre

Lourdes Lopez

J Jesse Medley

Sharon Sullivan

Anne Vlack

PLACED ON FILE Yeas 8, Nays 0, Abstain 1 (Vargas) 1Q

CONSTABLES: Reappointments:

Ronald Bertheim

Steven Ring

Gerald Sewell

David Hall

Christian Sewell

**New Appointments:**

Daryl Hines

Mike Lixandroiu

Felicita Roman

Walter Sorenson Jr

PLACED ON FILE

Yeas 9, Nays 0

29

7. Petitions:

Petition from Attorney Michael Migliori, on behalf of Hales's Landing LLC, requesting a Waiver to the Affordable Housing Component for Hales Landing Definitive Plan Cluster Development located off of Groveland Road, Haverhill – originally approved by Council in 2005 for 26 single family homes, two of which were designated to be affordable with a related communication from the Mayor.

ATTORNEY MIGLIORI STATED THAT THIS HAS BEEN AN 11 YEAR PROCESS TO SELL THE HOMES WITH 2 REMAINING. THERE HAS BEEN PRECEDENT TO APPROVE A WAIVER TO THE AFFORDABLE HOUSING COMPONENT. HE HAS WORKED OUT AN AGREEMENT WITH THE MAYOR TO PROVIDE \$57,000 TO THE CITY TO UPGRADE AND ENHANCE TRAILS LOCATED ON THE CONTIGUOUS PARCEL DEEDED TO CITY.

ON MOTION OF COUNCILLOR SULLIVAN TO APROVE THE WAIVER AND CONDITIONS OF THE MAYOR'S LETTER

PASSED

Yeas 9, Nays 0

ON MOTION OF COUNCILLOR SULLIVIAN TO AMEND THE MOTION THAT THE MONEY BE DEPOSITED INTO A NEW AFFORDABLE HOUSING FUND

PASSED AS AMENDED

Yeas 9, Nays 0

30

8. Applications/Handicap Parking Signs

No Schedule

9. One Day Liquor Licenses

No Schedule

10. Applications for Permit

Tag Days

Consentino School, March 3 & 4

GRANTED

Yeas 9, Nays 0

31

11. Annual License Renewals:

No Schedule

12. Hawker/Peddler:

No Schedule

13. Drainlayer 2016 License:

No Schedule

14. Hearings & Related Orders

No Schedule

15. NEW BUSINESS/ORDERS

ORDERED: Precinct Officers for City of Haverhill in the year 2016 (see document for complete text)

PASSED

Yeas 9, Nays 0

12C

ORDERED: That the sum of \$26,410.00 be transferred from the General Fund, Reserve for Capital Projects to the following Capital Account per the Capital Plan – Health Dept Vehicle \$26,410.00

PASSED

Yeas 9, Nays 0

11E

ORDERED: That \$93,000 be appropriated from Free Cash and transferred to Street Light Maintenance Expenses for repairs

PASSED

Yeas 9, Nays 0

11F

16. Ordinances (File 10 days)

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Parking

(2 Irving Ave ADD Handicap Parking) (see document for complete text)

PLACED ON FILE for at least 10 days

Yeas 9, Nays 0

20B

17. Unfinished Business of Preceding Meetings:

Document 8-B

MUNICIPAL ORDINANCE

CHAPTER 100

An Ordinance Relating to Alcoholic Beverages

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 100, as amended, is hereby further amended as follows:

February 23, 2016

By adding the following paragraph at the end of the existing text of this section:

“Article IV Carry-In Alcoholic Beverages

§100-7 Carry-In Alcoholic Beverages.

The possession and/or consumption of Carry-In Alcoholic Beverages, as defined below, by a person of lawful age at those commercial food establishments which have a common victualler license under M.G.L. Chapter 140 shall be permitted provided a valid license is issued under the provisions of this section.

Carry-In Alcoholic Beverages shall be defined as wine and malt beverages only in previously unopened containers. No other alcoholic beverages shall be allowed to be possessed or consumed on the premises of commercial food establishments with a valid Carry-in Alcoholic Beverages license from the Commission.

The Haverhill License Commission is authorized to establish reasonable rules and regulations to implement this policy and to address any and all public health and safety concerns. Any license issued under this section shall be at the sole discretion of the Commission. Any establishment so issued such a license shall at all times be in strict conformity with the rules and regulations of the Haverhill License Commission.

A Carry-In Alcoholic Beverages License shall be issued for no more than one year and must be reapplied for annually at the time of renewal of the common victualler’s license. The hours during which the consumption of Carry-In Alcoholic Beverages is allowed shall be at the discretion of the Commission and shall be specified on the license. A Carry-In Alcoholic Beverages License shall be issued in the name of the manager at the Establishment and shall not be transferred to a new manager of the Establishment without the prior approval of the Commission.

Only those applicants operating with thirty (30) or fewer seats within the Central Business District, as defined in this Code, or operating a bona fide non-profit arts and cultural organization, are eligible for a Carry-In Alcoholic Beverage License. The Commission may consider the character of a neighborhood and/compliance with the city’s zoning code in determining whether or not to issue a Carry-In Alcoholic Beverage License.”  
ON MOTION OF COUNCILLOR MACEK TO INSERT THE FOLLOWING AMENDMENT AT THE END OF THE FIRST SENTENCE OF THE LAST PARAGRAPH:

Applicant may seek a license for a food establishment with more than 30 seats by requesting authorization from the City Council at the same time that the application is filed with the Commission.

AMENDMENT PASSED Yeas 8, Nays 1(Bevilacqua)

Councillor Barrett stated that she should not have voted due to a conflict.

ON MOTION OF COUNCILLOR MACEK FOR RECONSIDERATION

RECONSIDERATION PASSED Yeas 9, Nays 0

ON MOTION OF COUNCILLOR MACEK TO VOTE ON THE AMENDMENT

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

Yeas,-Councillors Vargas, McGonagle, LePage, Daly O’Brien, Macek, Sullivan and President Michitson 7

Nays,-Councillor Bevilacqua

Abstain,-Councillor Barrett

PASSED AS AMENDED Yeas 8, Abstain 1 (Barrett) 8B

Document 11-D

ORDERED: That as part of the Fiscal Year 2016 budget the sum of \$200,000 be appropriated to operate the Parking Services Fund and further that said appropriation be funded in the following manner:

Parking Services Receipts \$200,000  
PASSED Yeas 9, Nays 0 11D

Document 21

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 by adding the following to § 240-85 Schedule B: Parking Restrictions and Prohibitions:

Irving Ave, No Parking, 24 hrs, Both sides from its intersection with Mountain Ave south for 175’

PASSED Yeas 9, Nays 0 21

Document 22

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 by adding the following to § 240-95 Schedule L: Stop Streets:

Old Amesbury Line Road, East/West at the Intersection of Merrimac Road

PASSED Yeas 9, Nays 0 22

18. Monthly Reports  
No Schedule

**19. Communications from Councillors**

Communication was received from Councillor LePage requesting to have Dr. John Maddox, School Physician, announce the upcoming parent presentation for “Substance Abuse and the Adolescent Brain”. DR.MADDOX GAVE A POWER POINT PRESENTATION. THE NEXT INSTALLMENT OF THE SERIES WILL BE ON MARCH 8, FROM 6-7PM AT CONSENTINO SCHOOL CAFETERIA  
PLACED ON FILE

6R

Communication was received from Councillor Sullivan requesting to introduce Andrew Fonseca and Jenny Arndt to discuss creating a disc golf course at the Clement Farm forest.  
MR. FONSECA & MS. ARNDT SPOKE PASSIONATELY ABOUT THE GROWING SPORT OF DISC GOLF. THEY HAVE BEEN WORKING ON THIS FOR ALMOST 2 YEARS. THEY STATED VOLUNTEERS WILL MAINTAIN THE COURSE. THEY WOULD LIKE TO HAVE COURSE DESIGNED AND BUILT THIS SPRING. COSTS WILL BE UNDERTAKEN BYGROUP.\*  
LETTER TO MAYOR WITH COUNCIL SUPPORT

Yeas 9, Nays 0

6S

Communication was received from Councillor Bevilacqua requesting to discuss a proposed amendment to the application form for an exterior vending machine license.  
REFERRED TO ADMINISTRATION & FINANCE COMMITTEE

Yeas 9, Nays 0

6T

Communication was received from Councillor LePage requesting to have a representative of Team Haverhill speak about the Possible Dreams event on March 14th .  
JEFF GRASSIE STATED THIS EVENT IS AN ANNUAL COMMUNITY CONVERSATION. THIS YEAR’S THEME IS “BUILDING COMMUNITY THRU NEIGHBORHOODS”. EVENT WILL BE HELD AT NECC TECHNOLOGY CENTER, MARCH 14, 7-9PM. REGISTRATION IS ENCOURAGED IN ADVANCE\*  
PLACED ON FILE

6U

Communication was received from Councillor Bevilacqua requesting to discuss parking issues at the Haverhill Public Library.  
COUNCILLOR BEVILACQUA SUGGESTED REMOVING THE ISLAND ON GINTY BOULEVARD TO CREATE ADDITIONAL PARKING & ADD ADDITIONAL STRIPING  
REFERRED TO TRAFFIC & SAFETY COMMITTEE

Yeas 9, Nays 0

6V

Communication was received from Councillor Bevilacqua requesting to discuss the Wood School Playground.  
COUNCILLOR BEVILACQUA GAVE AN UPDATE AS TO THE EFFORTS THE CITY IS TAKING TO IMPROVE THE PLAYGROUND AND THE REMOVAL OF THE FENCE .  
REFERRED TO NATURAL RESOURCES & PUBLIC PROPERTY COMMITTEE

Yeas 9, Nays 0

6W

ON MOTION OF COUNCILLOR BARRETT TO SUSPEND THE RULES TO DISCUSS TRAIN ISSUES NEAR THE WOOD SCHOOL IN THE BRADFORD LAYOVER STATION AREA.

RULES SUSPENDED

Yeas 9, Nays 0

Councillor Barrett stated there was an incident with smoke emission from the idling trains on Feb. 14<sup>th</sup> and introduced Bert Lacerte to explain the situation. Most disturbing was there was no personnel on site to address the issue.

ON MOTION OF COUNCILLOR BARRETT TO SEND LETTERS TO THE MBTA, STATE LEGISLATIVE DELEGATION AND MASS. EPA

Yeas 9, Nays 0

Communication was received from Councillor Bevilacqua requesting to discuss an Economic Development Marketing Opportunity for industrial/commercial buildings and sites.  
COUNCILLOR BEVILACQUA STATED THAT HE HAD SPOKEN TO MR. PILLSBURY ABOUT THIS MASS E-COM MARKETING PROGRAM  
PLACED ON FILE

6X

**20. Resolutions and Proclamations**

No Schedule

**21. Council Committee Reports and Announcements**

Councillor LePage submits Minutes of Administration & Finance Committee meeting held on February 17th including the City Council Rules & Regulations  
COUNCILLOR LEPAGE STATED THAT THE MEETING WAS NOT POSTED ON THE CITY WEBSITE AND ASKED FOR POSTPONEMENT TO MARCH 8. THE MEETING WILL BE RESCHEDULED.

19C

Meeting adjourned at 9:58 o'clock P.M.

Yeas 9, Nays 0

\*Doc. 6-U – Handout from Jeff Grassie, Team Haverhill informational flyer

\*Doc. 6-S – Handout from Andrew Fonseca Disc Golf informational flyer

Attest: Linda Koutoulas  
City Clerk