

June 2, 2015

14. Hearings and Related Orders

Hearing was held on Document 43, a petition from the City of Haverhill requesting Acceptance of Bonin Dr as a Public Way, Book 206, Plan 73 with City Engineer John Pettis appearing in favor and no one in opposition, the hearing was closed. A communication was received from John Pettis and a favorable recommendation from the Planning Board and Planning Director. Mr. Pettis stated the road was built in the mid to late 1980's and the street was never accepted. This brought to his attention as a citizen request.
HEARING CLOSED 43

Document 43-B

ORDERED: That the following street herein described be accepted as a public way Bonin Drive (see document for complete text)

PASSED Yeas 9, Nays 0 43B

Repetitive Petition was received from Devon Tucker for a special permit to sell two (2) used cars at 7-9 East Broadway. Specific and material change has been determined to be present by the Planning Board with a related communication from Economic Development and Planning Director, William Pillsbury HEARING WAS HELD WITH WILLIAM EARLY REPRESENTING THE PETITIONER AND DEVON TUCKER, JOSEPH TUCKER, PHIL RICE AND ROBERT CORTHELL SPEAKING IN FAVOR. OPPOSED WERE ATTORNEY MICHAEL HART, LAURIE DIFRUSCIO, PRISCILLA DULLEA AND CHRIS GOUDREAULT. HEARING CLOSED.

ON MOTION OF COUNCILLOR DALY O'BRIEN THAT THE BUSINESS HOURS OF OPERATION WILL BE MONDAY THRU FRIDAY 8-5, SATURDAY UNTIL 2:00 O'CLOCK. CLOSED ON SUNDAY.
PASSED Yeas 9, Nays 0

ON MOTION OF COUNCILLOR DALY O'BRIEN THAT THERE IS NO TOWING TO THE PROPERTY OUTSIDE OF STATED BUSINESS HOURS.
PASSED Yeas 9, Nays 0

ON MOTION OF COUNCILLOR BARRETT TO RESTRICT LIGHTING SO IT'S DIRECTED TOWARDS PETITIONER'S BUILDING AS OPPOSED TOWARD ANY NEIGHBORS, AND ANY SPOTS ARE NOT SHINING ON NEIGHBOR'S PRPOERTY
PASSED Yeas 9, Nays 0

ON MOTION OF COUNCILLOR RYAN THAT THE APPLICANT CONSTRUCT A FENCE BETWEEN MR. GOUDREAULT'S PROPERTY AND THE AUTO CENTER TO PROTECT THE VIEW OF THE PROCEEDINGS THAT ARE GOING ON NEXT DOOR WHATEVER THE LAW ALLOWS AND THAT THE APPLICANT TAKE ALL NECESSARY MEASURES TO CREATE PRIVACY FENCING INCLUDING GOING TO THE APPEALS BOARD FOR ADDITIONAL HEIGHT IF NECESSARY
PASSED Yeas 9, Nays 0

MOTION ON SPECIAL PERMIT WITH AMENDMENTS

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

Yeas,-Councillors Scatamacchia, Ryan, McGonagle and President Michitson – 4

Nays,-Councillors Barrett, Macek, Sullivan, Daly O'Brien, LePage – 5

NOT PASSED Yeas 4, Nays 5 49

15. Motions and Orders

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>
WB Mason	\$469.90	School Dept
WB Mason	\$382.05	School Dept

PASSED Yeas 9, Nays 0 75

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>
Weston & Sampson Engineers Inc	\$5,859.00	Highway
David F Grunebaum, Esquire	\$ 85.00	School Dept
David F Grunebaum, Esquire	\$ 212.50	School Dept

PASSED Yeas 9, Nays 0 76

16. Ordinances (File 10 Days) Bond Order

ORDERED: That \$1,225,000.00 is appropriated for the purpose of construction of a New Police Fleet Maintenance Facility, and the payment of all costs incidental and related thereto; to meet this appropriation \$325,000 shall be transferred from the D'Alessandro Trust Account and the Treasurer with approval of the Mayor is authorized to borrow \$900,000 under Chapter 44 of the General Laws or any other enabling legislation; and that the Mayor and any other City Official is authorized to take any other action necessary or

June 2, 2015

convenient to carry out this order (see document for complete text)
PLACED ON FILE for at least 10 days

77

17 Unfinished Business of preceding Meetings

Document 70

ORDERED: That the Mayor is authorized to enter into a "General Terms and Conditions of Solar Power & Services Agreement" for real property located on Groveland Road, Haverhill, commonly known as the Landfill as shown on the Assessors Map 776, Block 788, Lots 21 and 24, containing approximately 22.27 acres +/-, with SunEdison Origination, LLC, to construct solar array on capped portion of city landfill and to purchase Net Metering Credits (see document for complete text)

ORLANDO PACHECO, THE CITY'S PURCHASING DIRECTOR/ENERGY MANAGER AND BARETT LACHANCE ANSWERED QUESTIONS ABOUT THE AGREEMENT

PASSED Yeas 8, Nays 1 (Ryan) 70

ON MOTION OF COUNCILLOR LEPAGE TO REQUEST MAYOR TO SEND LETTER TO STATE DELEGATION SEEKING THEIR SUPPORT TO RAISE THE NET METERING CREDITS

Document 52-D

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

30 Lancaster St., Establish Handicap Parking (see document for complete text)

PASSED Yeas 9, Nays 0 52D

Document 52-E

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

49 Bellevue Ave, ADD Handicap Parking (see document for complete text)

PASSED Yeas 9, Nays 0 52E

Document 71

MUNICIPAL ORDINANCE CHAPTER 191

An Ordinance Relating to Peddling and Soliciting

§191-6. Licensing of Vendors:

By deleting subsection "J." and inserting the following in place thereof: "Any individual engaged in the sale of ice cream and related products from a vending truck must be listed on the application and comply with the provisions of Article V11 of §191." and,

§191-7. Licensing of Vendors at Haverhill Municipal Stadium:

By deleting subsection "H." and inserting the following in place thereof: "Any individual engaged in the sale of ice cream and related products from a vending truck must be listed on the application and comply with the provisions of Article V11 of §191." and,

By adding the following:

"Article VII: Requiring Fingerprint-Based Background Check on Certain License Applicants
(see document for complete text)

PASSED Yeas 9, Nays 0 71

18 Monthly Reports
No Schedule

19 Communications from Councillors

Communication from received from President Michitson to introduce Dan McGraw to speak about changes to the City Charter with respect to the election of City Councillors and Ward representation.

PLACED ON FILE 74G

Communication was received from Councillors Barrett and McGonagle requesting a discussion about traffic, speeding, volume and illegal dumping on Peabody st

REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 9, Nays 0 74H

Communication was received from Councillor Sullivan requesting a discussion about the flag at Hilldale cemetery and the ongoing maintenance issues.

COUNCILLOR SULLIVAN ASKED FOR THIS ITEM TO BE POSTPONED TO JUNE 16 AND

REQUESTED A LETTER BE SENT TO THE BOARD OF TRUSTEES TO INVITE THEM TO ATTEND.

POSTPONED TO JUNE 16, 2015 Yeas 9, Nays 0 74J

20 Resolutions and Proclamations
No Schedule

Meeting adjourned at 10:03 o'clock P.M. Yeas 9, Nays 0

*Doc. 49-C – Handouts from Attorney William Early, Attorney Michael Hart, Chris Goudreault
Attest: Linda Koutoulas, City Clerk