City of Haverhill



City Council Minutes

Tuesday, February 11, 2014 at 7:00 PM

City Council Chambers, Room 202

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

City Clerk – Linda L. Koutoulas

1. Approval of Records of the Previous Meeting

The minutes were approved.

1. Assignment of the minutes review for the next Meeting

Councillor Barrett was assigned the minutes.

1. Communications from the Mayor

No Schedule

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

No Schedule

1. Appointments

Confirming Appointments:

No Schedule

Non-Confirming Appointments:

No Schedule

Resignations:

No Schedule

1. Petitions

Petitions:

No Schedule

Applications:

Applications for Tag Days 2014:

AMVETS Veterans -Aug 15th & 16th

GRANTED Yeas 9, Nays 0 23

Annual License Renewals:

Hawker Peddlers License Renewals 2014:

No Schedule

Coin-Op License Renewals 2014:

No Schedule

Sunday Coin-Op License Renewals 2014:

No Schedule

Drainlayer Renewals 2014:

No Schedule

1. Hearings and Related Orders:

Document 2, Petition from Dave Traggorth, Manager for 37 Washington st LLC for a *special permit* for redevelopment and restoration of exterior and interior of 34-47 Washington st, known as “Surplus Office Building”, Plat 301, Block 53, Lot 9; to create up to 19 residential units and approximately 4,000 SF of ground floor retail space. A favorable recommendation was received from the Planning Board to incorporate the comments of the Planning Director and Favorable recommendation from Planning Director with conditions/stipulations – based on an assumption that all items in 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

February 11, 2014

DAVE TRAGGORTH MADE HIS POWERPOINT PRESENTATION. WILLIAM PILLSBURY, JR. SPOKE IN FAVOR OF THE PETITION. LOUIS FOSSARELLI STATED HE WAS IN FAVOR BUT HE WAS AGAINST THE LIVE/WORK SPACE ON THE FIRST FLOOR AND SIZE OF SOME UNITS

HEARING CLOSED

ON MOTION OF COUNCILLOR MACEK TO HAVE 18 RESIDENTIAL UNITS ON THE SECOND, THIRD AND FOURTH FLOORS.

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

Yeas,- Councillors Scatamacchia, Macek, Daly O’Brien and President Michitson 4

Nays, - Councillors Barrett, Ryan, Sullivan, McGonagle and LePage 5

MOTION FAILED

ON MOTION OF COUNCILLOR MACEK THAT AS A CONDITION OF THE SPECIAL PERMIT AND DEFINITIVE PLAN TO REQUIRE 19 TWENTY YEAR PARKING LEASES WITH A TEN YEAR EXTENTION AND THAT IT BE PART OF THE SPECIAL PERMIT AND DEFINITIVE PLAN THAT IT BE FILED WITH THE REGISTRY OF DEEDS

PASSED Yeas 9, Nays 0

ON MOTION OF COUNCILLOR DALY O’BRIEN TO INCLUDE ALL THE PROPOSED CONDITIONS, STIPULATIONS AND RECOMMENDATIONS OF THE PLANNING DIRECTOR

IN A LETTER DATED FEB. 7, 2014 TO INCLUDE DEPARTMENT HEAD LETTERS

PASSED Yeas 9, Nays 0

ON MOTION OF COUNCILLOR RYAN TO MOVE AMENDED DOCUMENT

PASSED Yeas 9, Nays 0

PASSED AS AMENDED Yeas 9, Nays 0 2

Document 84-A/2013, Petition from City of Haverhill requesting Hearing re: Zoning, Amend City Code Chapter 255, Table of Use and Parking Regulations to allow Medical Marijuana Dispensaries/Treatment Centers to be located in our business parks only

Document 84/2013, Ordinance re: Zoning, Amend City Code Chapter 255, Table of Use and Parking Regulations, Page 8 to allow Medical Marijuana Dispensaries/Treatment centers to be located only in our business parks

MAYOR FIORENTINI OPENED WITH A STATEMENT ABOUT THE HEALTHY PHARMS, INC

APPLICATION AND SUGGESTED THAT THE COUNCIL CONSIDER EXTENDING MEDICAL

MARIJUANA MORATORIUM TO JUNE 2014.

ON MOTION OF COUNCILLOR MACEK TO CONTINUE HEARING TO NOVEMBER 18, 2014 &

EXTEND MEDICAL MARIJUANA MORATORIUM TO NOVEMBER 18, 2014

Yeas 9, Nays 0 84

ON MOTION OF COUNCILLOR RYAN TO TRANSFER ITEM ON COMMITTEE STUDY LIST

FROM PLANNING & DEVELOPMENT COMMITTEE TO ADMINISTRATION & FINANCE

COMMITTEE & PUBLIC HEARING BE TELEVISED. Yeas 9, Nays 0 84

1. 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 the current year departmental appropriations as listed below:

Cascade School Supplies $ 110.34 School Department

J Bresnahan Company $12,766.00 School Department

Ram Mailing Service $ 516.03 School Department

Ram Printing $ 3,325.00 School Department

Ricoh America’s Corporation $21,719.85

$38,437.22

PASSED Yeas 9, Nays 0 24

ORDERED: That an emergency be declared involving the health and safety of the public in accordance with

Section 31 D, of Chapter 44, General Laws as amended, providing for payment in excess of appropriation for

Snow & Ice removal

PASSED Yeas 9, Nays 0 25

ORDERED: That the sum of $170,000 be transferred from the Salary Reserve account in the amount stated to

the following General Fund Accounts: Police Salaries $170,000

PASSED Yeas 9, Nays 0 26

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ORDERED: That the Council Order 104-E be amended as follows: To transfer $30,322 from Sidewalk

Repairs to 16th Street apparatus bay floor

PASSED Yeas 9, Nays 0 27

Ordinances (File 10 Days)

No Schedule

1. Unfinished Business of preceding Meetings

Document 9-E, Communication from Councillor Michitson requesting to have Robert Ward, Deputy DPW Director, give an update on the Haverhill Landfill Closure and Combined Sewer Outflow (CSO)projects

POSTPONED TO FEB 25, 2014 9-E

Document 12-C

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

Delete Handicap Parking Ordinance – 50 Franklin St. (see document for complete text)

PASSED Yeas 9, Nays 0 12C

1. Communications and Reports from City Officers and Employees

Monthly Reports:

Abatement report was received from Board of Assessor for month of January 2014

PLACED ON FILE 14B

Communications from Councillors:

Communication was received from Councillor Michitson requesting to discuss extension of

moratorium on Medical Marijuana Dispensaries in Haverhill.

DISCUSSED WITH ITEM 7, DOCUMENT 84-A/2013 9-F

Communication from Councillor Daly O’Brien requesting a discussion about snow removal

COUNCILLOR DALY O’BRIEN WANTED TO INFORM THE PUBLIC THAT IF THERE IS A PROBLEM WITH SNOW REMOVAL THEY CAN REPORT IT TO CITY HALL AND/OR DEPARTMENT OF PUBLIC WORKS. COUNCILLOR SULLIVAN STATED THAT THE ALLEYWAYS ON WASHINGTON STREET WERE NOT CLEARED AND DANGEROUS

PLACED ON FILE 9-G

Communications from City Employees:

Communication was received from Mary Carrington, Human Resources Director submitting

Memorandum of Agreement and Salary Ordinance for the AFSCME Group (Wastewater Treatment Plant)

PLACED ON FILE 10B

MUNICIPAL ORDINANCE CHAPTER

An Ordinance Relating to Salaries AFSCME Group –Wastewater

Treatment Plant)

Memorandum of Agreement Between the City of Haverhill and AFSCME, Council 93, Local 949/AFL-CIO (See document for complete text)

PLACED ON FILE for at least 10 days 11B

1. Resolutions and Proclamations

No Schedule

1. Council Committee Reports and Announcements

Councillor LePage announced the Administration & Finance Committee scheduled for Feb. 12th has been rescheduled to Feb. 20th at 7:00PM. Also, MASS DOT will hold a public hearing on Feb. 12th at 7:00PM

at City Hall, room 301, to discuss the Bradford Rail Trail.

Council Committee Reports:

No Schedule

Meeting adjourned at 10:15 o’clock P.M. Yeas 9, Nays 0

Attest: *Linda Koutoulas*

City Clerk