



**CITY OF HAVERHILL
CITY COUNCIL AGENDA**

Tuesday, March 19, 2019 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St, Room 202

1. **OPENING PRAYER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES OF PRIOR MEETING**
4. **ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING**
5. **COMMUNICATIONS FROM THE MAYOR:**

6. **COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:**

7. **UTILITY HEARING(S) AND RELATED ORDER(S)**

8. **HEARINGS AND RELATED ORDERS**
 - 8.1. Document 5; petition from Attorney Bob Harb for applicant/owner Arrowpoint Burlington LLC; for *Special Permit – Modification of Pre-Existing Permit/Project*: Mixed Use Project in *Waterfront District* to convert commercial area on first floor into three residential units and increase residential units from 164 to 167 and reduce commercial units from 6 to 5 at *1 Water st*; Assessors Map 200, Block 4, Lot 2
Comments from City Departments are included
Hearing continued from March 12 2019

 - 8.2. Document 14; Petition from Robert and Ann Hackett of 1007 Boston rd and Stephen Franciosa of 10 Merrimac st Seabrook; to *discontinue* the Portion of *I Street* located between Boston rd and Oxford av
 - 8.2.1. Document 14-B; Order to *discontinue* a portion of I Street
Hearing continued from March 12 2019
Favorable recommendation from Planning Board & Planning Director

 - 8.3. Document 13; Petition from John Thomas, Project Manager on behalf of *Wildflower Solar, LLC* care of Hexagon Energy LLC, requesting a Hearing to grant a *Special Permit* for a *Solar Energy Facility* to be installed at 1037 Broadway; Parcel ID: 574-1-16 to generate approximately 0.25 MW alternating current (AC) of solar energy
Comments from City Departments are included

9. **PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28**
10. **APPOINTMENTS:**
 - 10.1. Confirming Appointments:
 - 10.2. Non-Confirming Appointments:
 - 10.2.1. Haverhill Hunting Committee:

 - 10.2.2. Master Plan Committee:



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10.2.3. Vietnam Veteran's Memorial Ad Hoc Commission:

10.3. Resignations

11. PETITIONS:

11.1. Applications/Handicap Parking Sign – new

11.2. Tag Days:

11.3. One Day Liquor License:

11.4. Annual License Renewals

11.4.1. **Hawker Peddlers License Renewals 2019**

11.4.2. **Coin-Op License Renewals 2019:**

11.4.3. **Sunday Coin-Op License Renewals 2019**

11.4.4. **Drainlayer License for 2019:**

11.4.5. **Taxi Driver Licenses for 2019:**

11.4.5.1. **Steve Pefine, 12 Cherry st - *renewal***

11.4.6. **Taxi License**

11.4.6.1. ***Haverhill Taxi – 127 White st – 10 Cabs, Wisvel Joseph - renewal***

11.4.7. **Junk Dealer License:**

11.4.8. **Pool Tables**

11.4.9. **Sunday Pool:**

11.4.10. **Bowling:**

11.4.11. **Sunday Bowling:**

11.4.12. **Buy & Sell Second Hand Articles**

11.4.13. **Buy & Sell Second Hand Clothing**

11.4.14. **Pawnbroker license:**

11.4.15. **Buy & Sell Old Gold**

11.4.16. **Hawker/Peddler:**

11.4.17. **Roller Skating Rink:**

11.4.18. **Sunday Skating:**

11.4.19. **Theater**

11.4.20. **Exterior Vending Machines**

11.4.21. **Limousine/Livery License/Chair Cars – *new***

11.4.22. **Hawker/Peddler Seasonal License**

12. MOTIONS AND ORDERS:

13. ORDINANCES (FILE 10 DAYS)



**CITY OF HAVERHILL
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Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St, Room 202

14. MONTHLY REPORT

15. COMMUNICATIONS FROM COUNCILLORS:

- 15.1. Communication from Councillor Macek requesting a discussion about reserved parking spaces at City Hall designated for the Registry of Motor Vehicles
- 15.2. Communication from Councillor Macek requesting to discuss solar panels on proposed commercial buildings

16. UNFINISHED BUSINESS OF PRECEDING MEETINGS :

17. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

- 17.1. Councillor Thomas Sullivan submits the Minutes and recommendations of the *Natural Resources & Public Property Committee* meeting held February 28th for acceptance and discussion of items Document 93-L/2018-regarding street plantings, Document 93-W/2018-regarding rehab and lease of *Clement Farm* and Document 121-H/2018-regarding *Haverhill Youth Soccer*
- 17.2. Councillor Colin Lepage submits the attached Minutes and recommendations of the *Administration and Finance Committee* meeting held on March 6th; for acceptance and discussion of items Document 38-F/2016-Mayor's recommendations, Capital Improvement Program 2016-2020- Document 13-N-Council Rules and Regulations

18. DOCUMENTS REFERRED TO COMMITTEE STUDY

19. ADJOURN

5. ①

Council Hearing March 12 2019
"Waterfront District"

ROBERT D. HARB
ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 873-5611
FAX: (978) 873-7441
E-MAIL: bobharb@aol.com

OF COUNSEL
ALFRED J. CIROME

December 17, 2018

81

City Council
City of Haverhill
4 Summer Street
Haverhill, MA 01830

Re: Application for Modification of Pre-existing Special Permit/Project
Applicant/Owner: Arrowpoint Burlington LLC
Property Location: 1 Water Street
Assessor's Map 200 Block 4 Lot 2
Contains 8,532.60 square feet or 0.196 acres

To: The Haverhill City Clerk on Behalf of the Haverhill City Council, Permitting Plan Approval Authority

This Application for Modification of a Mixed Use Project built in 1970 is filed with the City Council (Plan Approval Authority) pursuant to Chapter 255 Article XVI Waterfront District. The project presently contains 164 residential units and 6 commercial units. The Commercial Units are all located on the first floor.

This application is accompanied by 30 sets of site plans, 30 sets of existing and proposed floor plans, 30 copies of this application, property description, and the required filing fee. The property is located in Sub-zone D. The proposed Modification is to convert 2,723 square feet of the existing 5,262 square feet of commercial area located on the first floor into three residential units and increasing the residential units for 164 to 167 and reducing the commercial units from 6 to 5.

This would leave 2,539 square feet of existing commercial area on the first floor. These commercial units would be accessed from Water Street as they now are.

The requested modification would occur in the existing building in the existing space on the first floor.

Current zoning required 1 parking space for each residential unit. Applicant presently has 23 pre-existing designated parking spaces. After the conversion, it believes it can free up 15 additional spaces for the residential tenants. This would reduce the existing non-conformity and would still leave 8 spaces for the commercial tenants. Applicant has been discussing with the

5. (2)
Mayor the possibility of leasing additional spaces for its tenants in the Merrimac Street Parking Deck.

The project is a pre-existing nonconforming project for numerous reasons, including but not limited to height, density and parking. Under the current Waterfront Zoning District -D, there are no dimensional requirements except for a maximum height of 74 feet. The proposed modified use of the property is allowed by Special Permit from the City Council. Thus the request to modify this pre-existing non-conforming project.

The submitted copies of plans and documents demonstrate consistency with the standards as set forth in the Waterfront District as can best be done with this pre-existing building and parking. The site plan was prepared by a Registered Land Surveyor, and the Building and Floor Plans were prepared by a Registered Architect.

A Special Notice of Filing of this application was duly given to the City Clerk at the time of filing of this application.

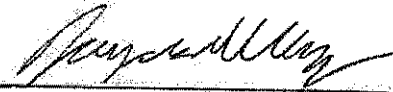
If applicable at the time of filing, the Applicant would respectfully request that the City Council waive the requirement of moderate income housing for this modification.

Respectfully submitted,



Robert D. Harb, Attorney for
Applicant Arrowpoint Burlington LLC

Arrowpoint Burlington LLC

By: 

Jay Goldberg, Its Duly Authorized Manager

RDH/js
Enc.

IN CITY COUNCIL: January 8 2019
VOTED: that COUNCIL HEARING BE HELD MARCH 12 2019
Attest;

City Clerk

IN CITY COUNCIL: March 12 2019
CONTINUE HEARING TO MARCH 19 2019
Attest;

City Clerk

Water 3+

ROBERT D. HARB

ATTORNEY AT LAW

17 WEST STREET

HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611

FAX: (978) 373-7441

E-MAIL: bobharb@aol.com

OF COUNSEL

ALFRED J. CIROME

December 19, 2018

City Clerk
City of Haverhill
4 Summer Street
Haverhill, MA 01830

Re: Application for Modification of Pre-Existing Special Permit/Project
Applicant/Owner: Arrowpoint Burlington LLC
Property Location: 1 Water Street, Haverhill, MA
Assessor's Map 200 Block 4 Lot 2
Contains 8,532.60 square feet or 0.196 Acres ±

To: The Haverhill City Clerk

WAIVER OF TIME FOR HEARING

To: The Haverhill City Clerk on Behalf of the Haverhill City Council, Permitting Plan Approval Authority

The Applicant hereby waives the hearing date requirement for this Application.

Respectfully submitted,



Robert D. Harb, Attorney for
Arrowpoint Burlington LLC
Owner/Applicant

RDH

l-city clerk-Arrowpoint-special notice

ROBERT D. HARB
ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

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OF COUNSEL

ALFRED J. CIROME

December 19, 2018

City Clerk
City of Haverhill
4 Summer Street
Haverhill, MA 01830

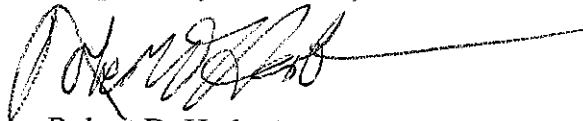
Re: Application for Modification of Pre-Existing Special Permit/Project
Applicant/Owner: Arrowpoint Burlington LLC
Property Location: 1 Water Street, Haverhill, MA
Assessor's Map 200 Block 4 Lot 2
Contains 8,532.60 square feet or 0.196 Acres ±

To: The Haverhill City Clerk

SPECIAL NOTICE OF FILING OF APPLIATION FOR MODIFICATION

**The Application for Modification of the above referenced Mixed-Use Project was
duly filed with the City Clerk on December 19, 2018.**

Respectfully submitted,



Robert D. Harb, Attorney for
Arrowpoint Burlington LLC
Owner/Applicant

RDH

l-city clerk-Arrowpoint-special notice

ROBERT D. HARB
ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611
FAX: (978) 373-7441
E-MAIL: bobharb@aol.com

OF COUNSEL

ALFRED J. CIROME

February 25, 2019

City Council
City of Haverhill
4 Summer Street
Haverhill, MA 01830

Attn: John A. Michitson, President

Re: Application for Modification of Pre-existing Special Permit/Project
Applicant/Owner: Arrowpoint Burlington LLC
Property Location: 1 Water Street

Original Scheduled Hearing Date: March 12, 2019

REQUEST FOR CONTINUANCE TO MARCH 19, 2019

Dear President Michitson:

The hearing on the above Special Permit Modification is scheduled for March 12, 2019.

As Town Moderator for Plaistow NH, I am responsible for the Town elections to be held on March 12, 2019 at Pollard School.

Therefore, I would respectfully request a one week continuance on this hearing until March 19, 2019.

Thank you for your consideration of this request.

Respectfully submitted,



Robert D. Harb, Attorney for
Applicant Arrowpoint Burlington LLC

L-city council-Arrowpoint-continuance
Sent By Email and First Class Mail
Cc: City Council Clerk and City Clerk



Haverhill

Linda L. Koutoulas, City Clerk
City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
March 8 cityclerk@cityofhaverhill.com

To: City Councillors
From: City Clerk's Office
Re: *Application* -from Attorney Bob Harb for applicant
Owner Arrowpoint Burlington LLC

Project Reference - Special Permit - Modification
of Pre-Existing Permit/Project in the *Waterfront
District* to convert commercial area on the first
floor into 3 residential units & increase
residential units from 164 to 167 and reduce
commercial units from 6 to 5

Street Location - 1 Water st

***Public Hearing-Tuesday, March 12 2019**

Enclosed please find reports as received
from the various Departments with respect
to this Special Permit



Haverhill

Economic Development & Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@cityofhaverhill.com

20190315091026199 City

March 15, 2019

TO: City Council President John J. Michitson and members of the Haverhill City Council

FROM: William Pillsbury, Jr. Economic Development and Planning Director

SUBJECT: 1 Water Street Special permit modification-

The City Council has previously approved a special permit for this important development project in downtown Haverhill. A change of ownership has occurred and the new owner seeks approval to convert 1 commercial space to 3 residential units which do not have street frontage on water street.

I have reviewed the proposal and continue to believe strongly that project represents an excellent development consistent with all of the goals of the city to revitalize the downtown.


The city departments have reviewed the project and there were no objections to the proposal.

Recommendation: Approve the special permit modification as proposed with all comments/letters from the city departments being included as conditions to the special permit action of the city council.

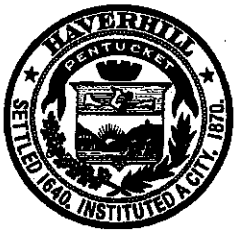


Haverhill

Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoore@cityofhaverhill.com
conservation@cityofhaverhill.com

MEMO TO: Linda L. Koutoulas, City Clerk
FROM: Robert E. Moore, Jr., Environmental Health Technician 
DATE: January 28, 2019
RE: Arrowpoint Burlington, LLC for 1 Water Street – Parcel ID: 200-4-2
Special Permit – Waterfront District Zone D – mixed use modification

The Conservation Commission reviewed the forwarded information at its January 24th meeting. The project site contains floodplain, riverfront area, and buffer zone. However, no exterior site work is proposed. Therefore, the Commission offered no objection to the special permit.



Haverhill

Carrie Prescott, Collection System Supervisor
Wastewater Division
Phone: 978-374-2382 Fax: 978-521-4083
cprescott@haverhillwater.com

January 22, 2019

To: Linda L. Koutoulas
City Clerk

Subject: 1 Water Street Special Permit
Map 200, Block 4, Lot 2

The Wastewater Division has reviewed the Special Permit for 1 Water Street and offer the following comments:

Wastewater Division

If this lot is approved, the Wastewater Department will require the owner of the property, at their own expense:

1. Submit existing and proposed MA Title V flows

The Wastewater Division reserves the right to provide additional comments once a site plan is submitted.

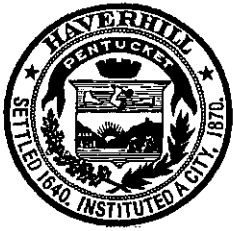
If you have any questions please do not hesitate to call me at (978) 374-2382.

Sincerely,

Carrie Prescott
Collection System Supervisor

cc:

Robert Ward, Deputy DPW Director
John Pettis, III City Engineer
Glenn F. Smith, Water Maintenance Supervisor
John D'Aoust, Water Treatment Manager



Haverhill

Board of Health
Inspection Services
Building/Zoning
Phone: 978-374-2325
978-374-2338
Fax: 978-374-2337

January 22, 2019

To whom it may concern:

At this time I have no objection to the modification of the preexisting special permit at 1 Water Street.

Any questions please contact me at
tbridgewater@cityofhaverhill.com or 978-374-2338

Sincerely,

Thomas Bridgewater
Building Commissioner



Haverhill

Linda L. Koutoulas, City Clerk
City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

REQUEST FOR COMMENT

TO: BOARD OF HEALTH CHAIRMAN & MEMBERS – Dr. Romie Mundy
BUILDING INSPECTOR – Thomas Bridgewater
CITY ENGINEER – John Pettis
CONSERVATION COMMISSION CHAIRMAN & MEMBERS
HIGHWAY SUPERINTENDENT – Michael Stankovich
PLANNING DIRECTOR – William Pillsbury
WASTEWATER/WATER ENGINEER – Robert Ward
FIRE DEPARTMENT – Chief William Laliberty
POLICE DEPARTMENT – Chief Alan DeNaro
SCHOOL SUPERINTENDENT – Margaret Marotta

FROM: *CITY CLERK:* Linda L Koutoulas

DATE: January 3 2019

RE: *APPLICATION* – Special Permit – Modification of Pre-existing Permit/Project; Mixed Use Project in *Waterfront District* to convert commercial area on first floor into three residential units & increase residential units from 164 to 167 & reduce commercial units from 6 to 5

PROJECT REFERENCE – Atty Robert Harb for applicant/owner Arrowpoint Burlington LLC

STREET LOCATION - 1 Water st; Assessors Map 200, Block 4, Lot 2

**Please send reports to the City Clerk, Room 118 by February 25 2019*

The public hearing of the City Council is scheduled for
TUESDAY, MARCH 12, 2019

Linda Koutoulas

From: bobharb@aol.com
Sent: Monday, February 25, 2019 4:41 PM
To: City Council; Linda Koutoulas; J Michitson
Subject: 1 Water St. Continuance
Attachments: 1 water st continuanfe.pdf

Dear Linda and Barbara:

Attached is request to continue the Water Street Hearing until March 19, 2019.

Thank you for your help.

Bob Harb

cc: John Michitson, President

Robert D. Harb, Attorney At Law
17 West Street, Haverhill, MA 01830
tel-978-373-5611-fax-978-3737441
email- bobharb@aol.com

IMPORTANT NOTICE: The information in this transmission is privileged and confidential, and is intended only for the recipient(s) listed above.

14

Hearing March 5 2019

ROBERT D. HARB
ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

82

Of Counsel
Alfred J. Cirome

TEL: (978) 373-5611
FAX: (978) 373-7441
EMAIL: bobharb@aol.com

December 26, 2018

Haverhill City Council
4 Summer Street
Haverhill, MA 01830

Re: Petition of Discontinue a Portion of I Street, Haverhill, MA

To the Members of the Haverhill City Council:

Robert E. Hackett and Ann P. Hackett of 1007 Boston Road, Haverhill, MA and Stephen Franciosa of 10 Merrimac St., Seabrook, NH hereby petition the Haverhill City Council to discontinue a portion of I Street located between Boston Road and Oxford Avenue, as set forth in the Plan filed herewith entitled "Discontinuance & Easement Plan of a Portion of "I" ST. Located in Haverhill, Mass, Date: 12/6//2018, Scale: 1" = 40'" and which portion is more particularly described in the legal descriptions enclosed herewith. Said portion of I Street to be discontinued contains a total of 9,600 square feet ± all as shown on said Plan.

The Council will note that the land on Boston Road abutting said portion of I Street requested to be discontinued is owned by the Petitioners, Robert E. Hackett and Ann P. Hackett.

The City Engineer has reviewed this Plan and at the request of the City Engineer, the entire portion of I Street located between Boston Road and Oxford Avenue is requested to be discontinued. Also, at the request of the City Engineer a 10' Utility Easement is to be reserved in the Northeast portion of I Street as shown on said Plan and a 10' Utility Easement is to be given to the City by the Owner of Lots 59-60, all as shown on said Plan. I am advised the Plan filed herewith meets the criteria of the City Engineer.

Enclosed are 30 sets of the Plan and the filing fee of \$150, payable to the City of Haverhill

Respectfully submitted,

Robert E. Hackett
Robert E. Hackett

Ann P. Hackett
Ann P. Hackett

Stephen Franciosa
Stephen Franciosa

Robert D. Harb
Attorney For Stephen Franciosa

IN CITY COUNCIL: January 15 2019
REFER TO PLANNING BOARD AND
VOTED: that COUNCIL HEARING BE HELD MARCH 5 2019
Attest:

IN CITY COUNCIL: March 12 2019
CONTINUE HEARING TO MARCH 19 2019
Attest:

City Clerk

City Clerk

20180707-1211444-0000

ROBERT D. HARB

ATTORNEY AT LAW

17 WEST STREET

HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611
FAX: (978) 373-7441
E-MAIL: bobharb@aol.com

OF COUNSEL

ALFRED J. CIROME

February 25, 2019

City Council
City of Haverhill
4 Summer Street
Haverhill, MA 01830

Attn: John A. Michitson, President

Re: Petition to Discontinue a Portion of I Street Between Boston Road + Oxford Road
Applicant/Owner: Stephen Franciosa / Robert & Ann Hackett
Property Location: I Street

Original Scheduled Hearing Date: March 5, 2019

REQUEST FOR CONTINUANCE TO MARCH 19, 2019

Dear President Michitson:

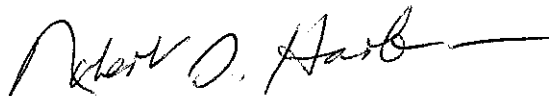
It is my understanding that the hearings scheduled for March 5, 2019 will be continued as a result of the Mayor's Address.

As Town Moderator for Plaistow NH, I am responsible for the Town elections to be held on March 12, 2019 at Pollard School, thus I am not available on that date.

Therefore, I would respectfully request this hearing be continued until March 19, 2019.

Thank you for your consideration of this request.

Respectfully submitted,



Robert D. Harb, Attorney for Applicant

L-city council-I St. Discontinuance-Continuance
Sent By Email and First Class Mail
Cc: City Council Clerk and City Clerk

Robert D. Harb
ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611
FAX: (978) 373-7441
EMAIL: robharb@aol.com

Of Counsel
Alfred J. Cirome

January 9, 2019

Haverhill City Council
4 Summer Street
Haverhill, MA 01830

Re: Petition of Discontinue a Portion of I Street, Haverhill, MA

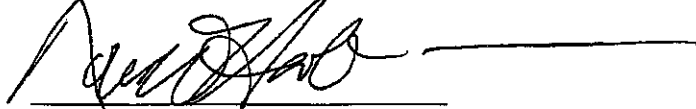
Waiver of Hearing Date Requirement

To the Members of the Haverhill City Council:

As requested, Applicant waives the 65 day hearing requirement.

Respectfully submitted,

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rob Harb', is written over a horizontal line. The signature is cursive and stylized.

Attorney Robert D. Harb

FOR Street Order

2019JUN07 PM 12:11 HAVR CITY

PARCEL A

A certain tract of land being the southwesterly portion of "I" Street at it's intersection with Boston Road. Shown as Parcel A on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018," prepared by Christiansen and Sergi.

More particularly bounded:

Bounded on the southeast by Boston Road twenty (20) feet;

Bounded on the northeast by Parcel B one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Parcel C twenty (20) feet;

Bounded on the southwest by land n/f Hackett one hundred and twenty (120) feet plus or minus;

Parcel A contains 2,400+/- square feet.

PARCEL B

A certain tract of land being the southeasterly portion of "I" Street at it's intersection with Boston Road. Shown as Parcel B on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018," prepared by Christiansen and Sergi.

More particularly bounded:

Bounded on the southeast by Boston Road twenty (20) feet;

Bounded on the northeast by land n/f Hackett one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Parcel D twenty (20) feet;

Bounded on the southwest by Parcel A one hundred and twenty (120) feet plus or minus;

Parcel B contains 2,400+/- square feet.

PARCEL C

A certain tract of land being the northwesterly portion of "I" Street at it's intersection with Oxford Ave. Shown as Parcel C on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018," prepared by Christiansen and Sergi.

More particularly bounded:

Bounded on the southeast by Parcel A twenty (20) feet;

Bounded on the northeast by Parcel D one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Oxford Ave twenty (20) feet;

Bounded on the southwest by land n/f Clifford one hundred and twenty (120) feet plus or minus;

Parcel C contains 2,400+/- square feet.

PARCEL D

A certain tract of land being the northeasterly portion of "I" Street at it's intersection with Oxford Ave. Shown as Parcel D on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018," prepared by Christiansen and Sergi.

More particularly bounded:

Bounded on the southeast by Parcel B twenty (20) feet;

Bounded on the northeast by land n/f Davidowicz one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Oxford Ave twenty (20) feet;

Bounded on the southwest by Parcel C one hundred and twenty (120) feet plus or minus;

Parcel D contains 2,400+/- square feet.

Utility Easement

A 20' wide "Utility Easement" as shown on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018," prepared by Christiansen and Sergi. Being partially on Parcel D and partly on land n/f of Davidowicz.

More particularly bounded:

Bounded on the southeast by Parcel B ten (10) feet and land n/f Hackett ten (10) feet;

Bounded on the northeast by land n/f Davidowicz one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Oxford Ave twenty (20) feet;

Bounded on the southwest by Parcel C one hundred and twenty (120) feet plus or minus;

Containing 2,400+/- square feet



Haverhill

Economic Development & Planning
Phone: 978-374-2330 Fax:978-374-2315
wpillsbury@cityofhaverhill.com

March 1, 2019

TO: City Council President John J. Michitson and members of the Haverhill City Council

FROM: William Pillsbury, Jr. Economic Development and Planning Director

SUBJECT: Street Discontinuance (a portion of) – I Street

On February 13, 2019, the Haverhill Planning board voted to send a favorable recommendation to the city council on the discontinuance of a portion of the above referenced street as a public way. Under the city code, the city council has been requested to approve the discontinuance.

The request was made by the abutters and no objections were received by the Planning Board. The plan reflects the utility easement requested by the city engineer.

As Planning director, I concur with the planning boards action and recommend that the city council formally discontinue the above referenced street as proposed.

Recommendation: Discontinue this portion of I street as a public way.



Haverhill

Planning Board
Phone: 978-374-2330 Fax:978-374-2315

February 14, 2019

City Council President John Michitson
& City Councilors
City of Haverhill

RE: Street Discontinuance for a portion of I Street located between Boston Road and Oxford Avenue.

Members Present: Chairman Paul Howard
Member Robert Driscoll
Member Bill Evans
Member Alison Colby-Campbell
Member Kenneth Cram

Members Absent: Member Karen Buckley
Member Karen Peugh
Member April DerBoghosian

Also Present: William Pillsbury, Jr., Director of Economic Development and Planning

Dear City Council President and Councilors:

Please note at the February 13, 2019 Planning Board meeting the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable conditional recommendation for a street discontinuance for a portion of I Street located between Boston Road and Oxford Avenue.

The Planning Director read the rules of public hearing into the record.

Attorney Robert Harb of 17 West Street addressed the board on behalf of the applicant. We are asking for a favorable recommendation from the Planning Board so I can then go to City Council to ask for this portion of the paper street to be discontinued. All of the abutters to this section have filed a consent with the City Clerk. This paper street has been a paper street since 1892. There appears to be no reason to keep it a street. It's unlikely that it will be developed and none of the abutters want it developed. We went through a number of different plan configurations with the City Engineer. The latest plan that you have is the one that he approved. You will note on this plan that it calls for the Davidowicz property (top right had side) to give an easement. I have already prepared that easement

and sent it to the City Engineer for his approval. Mr. Davidowicz has already given his consent to that easement. This was also filed with the City Clerk. We would ask for a favorable recommendation. There have been no objections from the City Departments. We would ask for a favorable recommendation and if you wish to add subject to the easement approval by the City Engineer we are okay with that.

Chairman Howard asked if anyone from the public wished to speak.

Amy and Matthew Lotti of 30 Oxford Avenue stated they were in favor of the petition.

Chairman Howard: Anyone else wish to speak? Hearing none, we will close the public portion of the hearing and turn it over for comments from the Planning Director.

Mr. Pillsbury stated this is a request for a discontinuance of a portion of the above referenced street has been filed by the abutters and under the city code any street discontinuance requires a hearing and recommendation from the planning board prior to the City Council hearing. The review of the plan by the City Departments indicates no objection to the plan as presented as long as the appropriate utility easement shown is preserved in the former right of way. I recommend a favorable recommendation with the condition that the utility easement be properly shown and identified.

After board consideration, Member Robert Driscoll motioned to forward a favorable conditional recommendation to the City Council as recommended by the Planning Director William Pillsbury, Jr. Member Bill Evans seconded the motion. Members that voted in favor were: Bill Evans, Kenneth Cram, Alison Colby-Campbell, Bob Driscoll and Paul Howard. Members Absent: Karen Peugh, April DerBoghossian, Esq. and Karen Buckley. Motion Passed.

Signed:



Paul Howard
Chairman

Attachments: City Department Letters

Cc: I street – street discontinuance
City Engineer-John Pettis-email
City Departments



James J. Fiorentini
Mayor

William F. Laliberty
Fire Chief

Haverhill Fire Department

Fire Prevention / Investigation Unit

D/C Eric M. Tarpy
Lt. Michael Picard
Insp. Jonathan W. Pramas
Insp. Richard Wentworth
Insp. Barry Ferguson



4 Summer St, Room 113
Tel: (978) 373-8460
Fax: (978) 521-4441

February 8, 2019

William Pillsbury, Planning Director
4 Summer Street, room 201
Haverhill, MA 01830

#2
Emailed
AHY.
2.11.19

Re: Discontinuance of a portion of I Street

The Fire Department has no comment on the discontinuance of the portion of I Street referenced in the submitted plan.

Respectfully,

Michael Picard


Michael Picard
Lieutenant
Haverhill Fire Prevention Division



Haverhill

Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoore@cityofhaverhill.com
conservation@cityofhaverhill.com

*Emailed
AKM
1.30.19*

MEMO TO: William Pillsbury, Economic Development & Planning Director
FROM: Robert E. Moore, Jr., Environmental Health Technician 
DATE: January 29, 2019
RE: Street Discontinuance
Robert and Ann Hackett for a Portion of I Street

The Conservation Commission reviewed the forwarded information at its January 24th meeting. The Commission offered no objection to the proposed discontinuance. The Commission notes, however, that a small depression was found within the right-of-way with a connection to the area drainage system. The depression shows as a wetland pocket on the City's GIS system. About 450' downstream, this drainage system discharges into the stream that flows through the Cedardale complex. Any land disturbances within 100' of the depression will require Commission approval.



Haverhill

Board of Health
Inspection Services
Building/Zoning
Phone: 978-374-2325
978-374-2338
Fax: 978-374-2337

*Emailed Amy.
1-22-19*

January 22, 2019

To whom it may concern:

At this time I have no opinion of the street discontinuance on a portion of I street.

Any questions please contact me at
tbridgewater@cityofhaverhill.com or 978-374-2338

Sincerely,

Thomas Bridgewater
Building Commissioner



Haverhill Fire Department

Fire Prevention / Investigation Unit



James J.
Fiorentini
Mayor

D/C Eric M. Tarp
Lt. Michael Picard
Insp. Johnathan W. Pramas
Insp. Richard Wentworth

4 Summer St,
Room 113

*Emailed
Harb
1-14-19*

January 11, 2019

William Pillsbury, Planning Director
4 Summer Street, room 201
Haverhill, MA 01830

Re: Discontinuance of a portion of I Street

The Fire Department has no comment on the discontinuance of the portion of I Street referenced in the submitted plan.

Respectfully,

Lt. Michael Picard

Michael Picard
Lieutenant
Haverhill Fire Prevention Division

NO OBJECTIONS
TO APPLICATION
9/10/8

Tombridge dated
2.13.19

LIVE

VIDOWICZ
PAGE 308
BLOCK 756
LOT 2

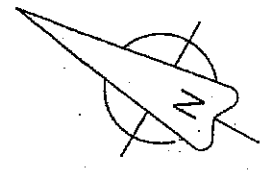
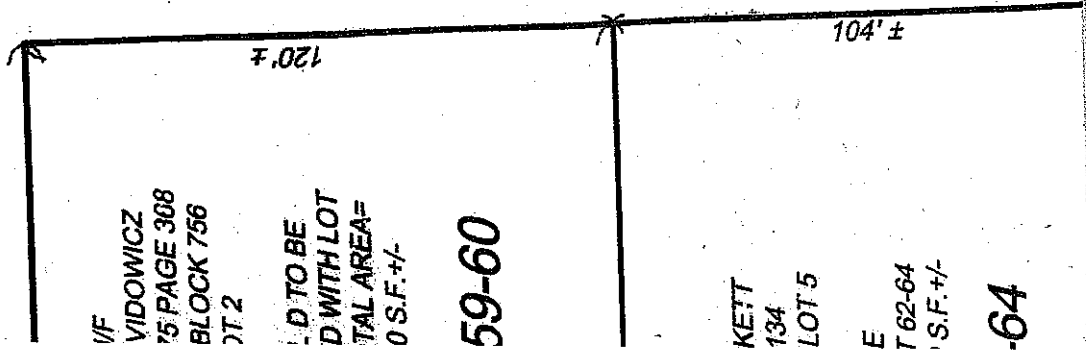
TO BE
D WITH LOT
TOTAL AREA=
0 S.F. +/-

59-60

KETT
134
LOT 5

E
T 62-64
S.F. +/-

-64



I CERTIFY THAT THIS PLAN CONFORMS TO
THE RULES AND REGULATIONS OF THE
REGISTER OF DEEDS.

1/30/19
DATE

REFERENCE PLANS

1. PLAN OF LAND OF WILLIAM A. KNIPE AND WILLIAM SMILEY 1980
AT WARD HILL BRADFORD, MA. PLAN BOOK 7 PLAN 11
2. PLAN OF LAND IN HAVERHILL, MASS OWNED BY ANTHONY J
AMARI AUG 1965 BY CHARLES MARTIN PLAN BOOK YEAR 1965

ROBERT D. HARB

ATTORNEY AT LAW

17 WEST STREET

HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611

FAX: (978) 373-7441

E-MAIL: bobharb@aol.com

OF COUNSEL

ALFRED J. CIROME

February 11, 2019

City Clerk's Office
Attention: Maria
4 Summer Street
Haverhill, MA 01830

Re: Discontinuance I Street

Dear Maria:

Enclosed herewith please find two letters in favor of the Discontinuance of I Street from the abutters.

If you have any questions, please contact my office.

Very truly yours,



Robert D. Harb

RDH/js
Enc.

I-city clerk-I street

January 23, 2019

Haverhill City Council
4 Summer Street
Haverhill, MA 01830

Re: Petition to Discontinue Part of I Street Between Boston Road and Oxford Ave.

20190123 10:04:00 AM

Dear City Council Members:

This letter will confirm that as an abutter to the above referenced proposed portion of I Street to be discontinued, I have no objection to this Petition; and that I am in favor of this discontinuance.

This letter will also confirm that I agree to grant the City the Utility Easement on my property as shown on the Discontinuance & Easement Plan filed with the Petition.

Sincerely,



John W. Davidowicz, Trustee of Oxford Realty Trust
Owner

Cc: Planning Board

2019 JAN 27 10 10 AM

To Whom It May Concern:

I understand that Robert and Ann Hackett have requested a discontinuance of a portion of "P" street, Bradford Ma. To the City Of Haverhill . I am a neighbor and own an abutting lot to Robert and Ann Hackett and do not oppose this request to the City of Haverhill.

Sincerely;

Name: Amy Teodecki Date: 27 Jan 2019

Name: Matt Lotti Date: 27 Jan 19

Address: 30 Oxford Ave

14-B

street order

8.2.1



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

IT APPEARING that the common convenience and necessity require it,

It is hereby

That a portion of the following street herein described be discontinued:

I Street

Land as shown on a plan entitled "Discontinuance & Easement Plan of a portion of "I" Street, Haverhill, MA. Dated December 6, 2018, revised 1/30/2019, prepared by Christiansen & Sergi, a division of the Morin Cameron Group, Inc., 160 Summer Street, Haverhill, MA. Said property is defined as follows;

PARCEL A

A certain tract of land being the southwesterly portion of "I" Street at it's intersection with Boston Road. Shown as Parcel A on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018, revised 1/30/2019" prepared by Christiansen and Sergi.

More particularly bounded:

Bounded on the southeast by Boston Road twenty (20) feet;

Bounded on the northeast by Parcel B one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Parcel C twenty (20) feet;

Bounded on the southwest by land n/f Hackett one hundred and twenty (120) feet plus or minus;

Parcel A contains 2,400+/- square feet.

61025 4000L
FOR HEARING MARCH 5 2019

PARCEL B

A certain tract of land being the southeasterly portion of "I" Street at it's intersection with Boston Road. Shown as Parcel B on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018, revised 1/30/2019" prepared by Christiansen and Sergi.

More particularly bounded:

Bounded on the southeast by Boston Road twenty (20) feet;

Bounded on the northeast by land n/f Hackett one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Parcel D twenty (20) feet;

Bounded on the southwest by Parcel A one hundred and twenty (120) feet plus or minus;

Parcel B contains 2,400+/- square feet.

PARCEL C

A certain tract of land being the northwesterly portion of "I" Street at it's intersection with Oxford Ave. Shown as Parcel C on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018, revised 1/30/2019" prepared by Christiansen and Sergi.

More particularly bounded:

Bounded on the southeast by Parcel A twenty (20) feet;

Bounded on the northeast by Parcel D one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Oxford Ave twenty (20) feet;

Bounded on the southwest by land n/f Clifford one hundred and twenty (120) feet plus or minus;

Parcel C contains 2,400+/- square feet.

PARCEL D

A certain tract of land being the northeasterly portion of "I" Street at it's intersection with Oxford Ave. Shown as Parcel D on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018, revised 1/30/2019" prepared by Christiansen and Sergi.

More particularly bounded:

Bounded on the southeast by Parcel B twenty (20) feet;

Bounded on the northeast by land n/f Davidowicz one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Oxford Ave twenty (20) feet;

Bounded on the southwest by Parcel C one hundred and twenty (120) feet plus or minus;

Parcel D contains 2,400+/- square feet.

Utility Easement

A 20' wide "Utility Easement" as shown on a plan entitled, "Discontinuance & Easement Plan of A Portion of "I" Street, located in Haverhill, Mass., Scale: 1" = 40' and dated 12/6/2018, revised 1/30/2019" prepared by Christiansen and Sergi. Being partially on Parcel D and partly on land n/f of Davidowicz.

More particularly bounded:

Bounded on the southeast by Parcel B ten (10) feet and land n/f Hackett ten (10) feet;

Bounded on the northeast by land n/f Davidowicz one hundred and twenty (120) feet plus or minus;

Bounded on the northwest by Oxford Ave twenty (20) feet;

Bounded on the southwest by Parcel C one hundred and twenty (120) feet plus or minus;

Containing 2,400+/- square feet

Meaning and intending to describe that portion of I Street as shown on the aforementioned plan, on file at the Haverhill Engineering office as Plan 4B 3343, file #16266.

Hearing February 26 2019

8.3



Amherst Office
15 Research Drive
Amherst, Massachusetts 01002
Tel 413.256.0202 Fax 413.256.1002

JAN 08 2019

January 8, 2019

Attn: Maria Bevilacqua
Haverhill City Clerk
City Hall
4 Summer Street
Haverhill, MA 01830

Re: **Wildflower Solar, LLC.**
Special Permit Application
1037 Broadway, Haverhill, MA

Dear Members of the City Council:

On behalf of Wildflower Solar, LLC. (Applicant), care of Hexagon Energy, LLC, SWCA Environmental Consultants ("SWCA") has prepared this Special Permit application for a solar energy facility to be installed at 1037 Broadway (Parcel ID: 574-1-16) in the City of Haverhill, Massachusetts. The proposed solar array is to be constructed on approximately 1.85 acres of a 14.5-acre parcel owned by Louise Boylan & Susan Boylan et al. The proposed array will be designed to generate approximately 0.25 MW alternating current (AC) of solar energy.

The Applicant is willing to waive the 65-day public hearing requirement as part of City Council process. SWCA is submitting twenty-five hard copies, and an electronic copy of this Special Permit application. We look forward to presenting this project to the City Council at the next available meeting. If you have any questions regarding this application, please do not hesitate to contact us at our office.

Sincerely,

John E. Thomas
Project Manager/Sr. Wetland Scientist

cc: Eric Tarp, Haverhill Fire Deputy
Richard MacDonald, Haverhill Director of Inspectional Services
Christine M. Webb, Haverhill Assessor
Rob Moore, Haverhill Conservation Officer
William Pillsbury, Haverhill Planning Board

IN CITY COUNCIL: January 15 2019
VOTED: that HEARING BE HELD
FEBRUARY 26 2019

Attest: Acting City Clerk

IN CITY COUNCIL: February 26 2019
POSTPONED TO MARCH 19 2019
Attest:

City Clerk



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

February 22 2019

TO: City Council

FROM: City Clerk's office

RE: **Application-** Petition for Special Permit – for a Solar Energy Facility from John Thomas, Project Manager on behalf of *Wildflower Solar LLC* care of *Hexagon Energy LLC*

Project Reference- A Solar Energy Facility to generate approximately 0.25 MW alternating Current (AC) of solar energy

Street Location- 1037 Broadway – Parcel ID: 574-1-16

Public Hearing – Tuesday – February 26 2019

Enclosed, please find reports as received from the various Departments with respect to this Special Permit.



Haverhill

Linda L. Koutoulas, City Clerk
City Clerk's Office, Room 118

Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

REQUEST FOR COMMENT

TO: BOARD OF HEALTH CHAIRMAN & MEMBERS – Dr. Romie Mundy

~~BUILDING INSPECTOR – Thomas Bridgewater~~

CITY ENGINEER – John Pettis

CONSERVATION COMMISSION CHAIRMAN & MEMBERS

HIGHWAY SUPERINTENDENT – Michael Stankovich

PLANNING DIRECTOR – William Pillsbury

WASTEWATER/WATER ENGINEER – Robert Ward

FIRE DEPARTMENT – Chief William Laliberty

POLICE DEPARTMENT – Chief Alan DeNaro

SCHOOL SUPERINTENDENT – Margaret Marotta

FROM: *CITY CLERK*: Linda L Koutoulas

DATE: January 25 2019

RE: *APPLICATION* – Special Permit –for a Solar Energy facility to generate approximately 0.25 MW alternating current (AC) of solar energy

PROJECT REFERENCE – Wildflower Solar LLC care of Hexagon Energy LLC

STREET LOCATION - 1037 Broadway (Parcel ID: 574-1-16)

**Please send reports to the City Clerk, Room 118 by February 19, 2019*

The public hearing of the City Council is scheduled for
TUESDAY, FEBRUARY 26, 2019



Haverhill

Economic Development and Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@cityofhaverhill.com

DATE: February 22, 2019

MEMO TO: City Council President John J. Michitson and members of the Haverhill City Council

FROM: William Pillsbury, Economic Development and Planning Director

RE: **Special Permit- 1037 Broadway Solar Special Permit
Wildflowers Solar LLC.**

A special permit is required to be granted according to the city's solar zoning ordinance for a large-scale ground mounted solar installation.

A review of the proposed plan documents for the special permit is complete and I believe complies with the ordinance.

I recommend approval of the special permit.

Thank you for your attention to this matter.

RECOMMENDATION: Approve the special permit as presented.



Haverhill

Board of Health
Inspection Services
Building/Zoning
Phone: 978-374-2325
978-374-2338
Fax: 978-374-2337

February 8, 2019


To City Council Members:

Re: 1037 Broadway

Please put the following conditions on the property located at 1037 Broadway for the Wildflower Solar Project:

- The Property is filled with trash, debris, vehicles/trailers etc. Please have the site cleaned up before any permits are issued.
- Periodic inspections made to keep in compliance.

Sincerely,


Thomas Bridgewater
Building Commissioner

TB/ag



Haverhill

Carrie A. Prescott, Compliance Coordinator
Wastewater Division

Phone: 978-374-2382 Fax: 978-521-4083
cprescott@haverhillwater.com

February 5, 2019

To: William Pillsbury
Planning Director/Grants Coordinator

From: Carrie Prescott *CP*
Collection System Supervisor

Subject: 1037 Broadway Street – Special Permit
Solar Energy Facility
Map 574, Block 1, Lot 16

The plans show no connection to the City's sewer system, therefore the Wastewater Division has not comment at this time.

If you need additional information please call me at (978) 374-2383.

WWTP File #: 190025

Cc: Glenn Smith, Water Maintenance Supervisor, gsmith@haverhillwater.com
Carrie Prescott, WWTP Collection System Supervisor, cprescott@haverhillwater.com
John D'Aoust, Water Treatment Plant Facility Manger, jdaoust@haverhillwater.com



Haverhill

Glenn F. Smith, Water Maintenance Supervisor
Water/Wastewater Division
Phone: 978-374-2368 Fax: 978-374-2441
gsmith@haverhillwater.com

February 1, 2019

To: William Pillsbury, Planning Director
City Hall, Room 201
4 Summer Street
Haverhill MA 01830

Phone: (978) 374-2330
Fax : (978) 374-2315

Re: 1037 Broadway Street, Special Permit -- Solar Energy Facility
Map 574, Block 1, Lot 16

FILE # : 190025

Dear Mr. Pillsbury;

The Water Maintenance Department has no comments at this time. We reserve the right to further comment should City Water Connection be proposed in future planning.

If there are any questions please call the Water Maintenance Office.

Sincerely

Glenn F. Smith
Water Maintenance Supervisor



James J. Fiorentini
Mayor

William F. Laliberty
Fire Chief

Haverhill Fire Department

Fire Prevention / Investigation Unit

D/C Eric M. Tarcy
Lt. Michael Picard
Insp. Johnathan W. Pramas
Insp. Richard Wentworth



4 Summer St, Room 113
Tel: (978) 373-8460
Fax: (978) 521-4441

January 25, 2019

Linda L Koutoulas
4 Summer Street, room 118
Haverhill, MA 01830

Re: Special Permit for Wildflower Solar LLC c/o Hexagon Energy LLC
1037 Broadway, Haverhill MA 01830
Parcel: 574-1-16

I have reviewed the submitted plans for the project listed above and in the name of public safety have the following comments:

The following items will be required by the Fire Department:

- Remote power shutoffs
- 24 hour contact information
- Roadway needs to be constructed to support a fire pump truck
- Roadway grade and turn around to be addressed
- Fire Department access to be maintained
- Locking key box (Knoxbox) at gate

Respectfully,

Michael Picard
Lieutenant
Haverhill Fire Prevention Division

2019 JAN 25 10:07 AM

Linda Koutoulas


From: Lieutenant Michael Picard <MPicard@haverhillfire.com>
Sent: Friday, January 25, 2019 8:29 AM
To: Linda Koutoulas
Subject: 1037 Broadway solar field letter
Attachments: DOC012519.pdf

Good Morning,
Enclosed please find in attachments the special permit letter for the solar field at 1037 Broadway
Thanks,
Lt. Picard



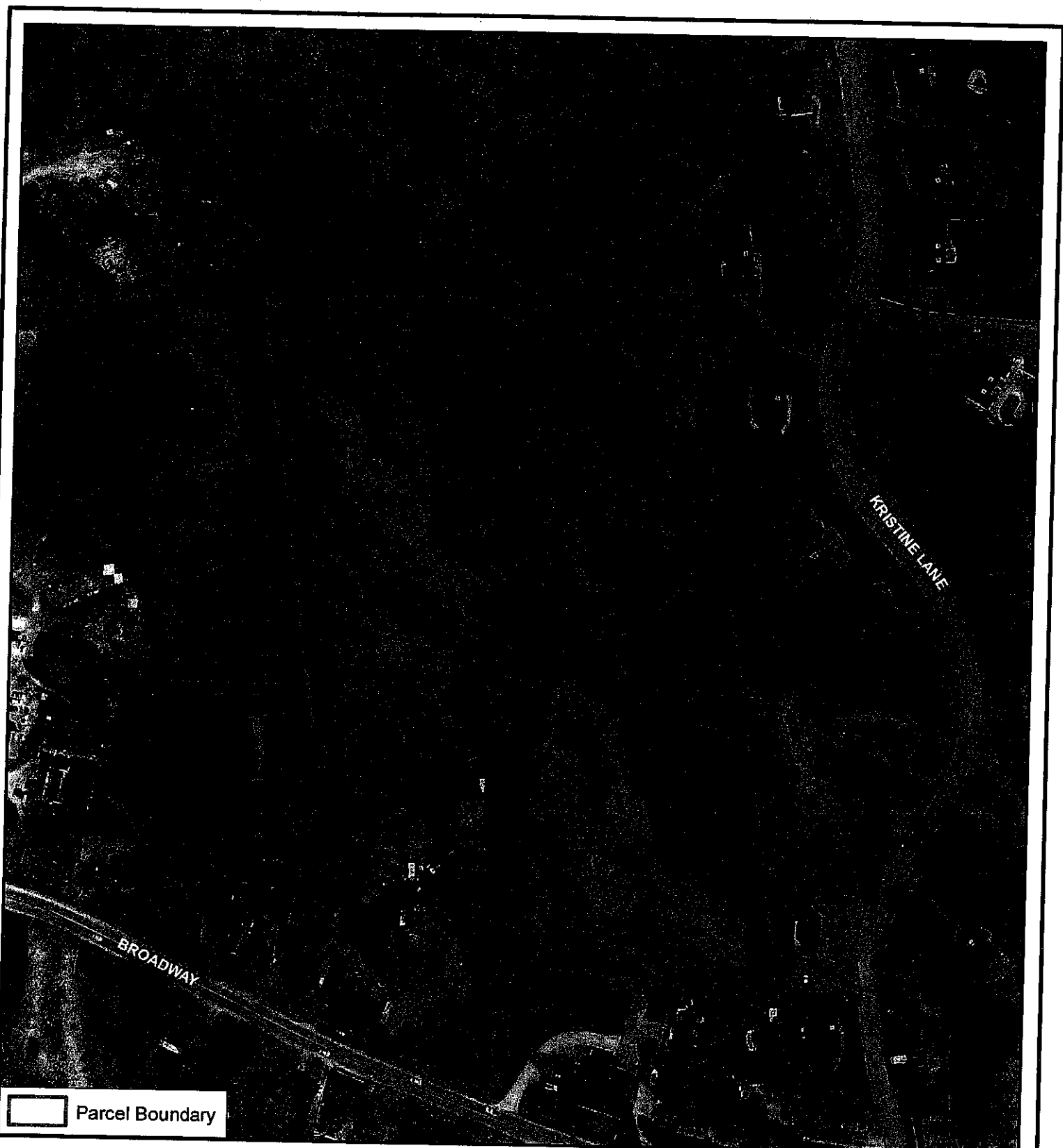
Haverhill

Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoore@cityofhaverhill.com
conservation@cityofhaverhill.com

MEMO TO: Linda L. Koutoulas, City Clerk
FROM: Robert E. Moore, Jr., Environmental Health Technician 
DATE: February 15, 2019
RE: Wildflower Solar, LLC for 1037 Broadway – Parcel ID: 574-1-16
Special Permit – Ground-mounted Solar Energy Facility

The Conservation Commission reviewed the forwarded information at its February 14th meeting. Work will occur in the buffer zones of two bordering vegetated wetlands. The Commission received a Notice of Intent application for this project in October and conducted a public hearing. The Commission issued an Order of Conditions approving the project on December 5th. The Commission offers no objection to the special permit.

C: eFile #33-1452



SWCA
ENVIRONMENTAL CONSULTANTS

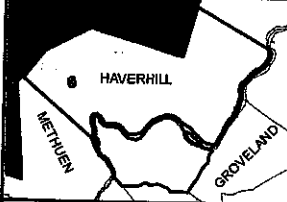
Figure 2. Orthophotograph

**Wildflower Solar
1037 Broadway
Haverhill, MA**

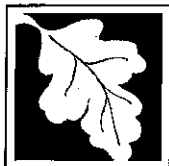
10 Oct 2018
SWCA Project No.: 50172

Data Source: Office of Geographic Information (MassGIS)
USGS Color Ortho Imagery (2013/2014)

0 100 200 Feet



Latitude 42.79170° N
Longitude 71.14677° W



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
33-1452
MassDEP File #
eDEP Transaction #
Haverhill
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Southern Essex District
- | | |
|-----------|--|
| a. County | b. Certificate Number (if registered land) |
| 7319 | 213 |
| c. Book | d. Page |
7. Dates: October 12, 2018 October 29, 2018 December 5, 2018
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
See Attachment "A", "Special Conditions", incorporated herein and made part of this Order of Conditions.
- | | |
|--------------------------------------|--------------------------|
| b. Prepared By | c. Signed and Stamped by |
| d. Final Revision Date | e. Scale |
| f. Additional Plan or Document Title | g. Date |

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- | | | |
|---|--|---|
| a. <input checked="" type="checkbox"/> Public Water Supply | b. <input checked="" type="checkbox"/> Land Containing Shellfish | c. <input checked="" type="checkbox"/> Prevention of Pollution |
| d. <input checked="" type="checkbox"/> Private Water Supply | e. <input checked="" type="checkbox"/> Fisheries | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| g. <input checked="" type="checkbox"/> Groundwater Supply | h. <input checked="" type="checkbox"/> Storm Damage Prevention | i. <input checked="" type="checkbox"/> Flood Control |

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

33-1452

MassDEP File #

eDEP Transaction #

Haverhill

City/Town

B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 25
a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

| Resource Area | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|--|---------------------|----------------------|----------------------|-----------------------|
| 4. <input type="checkbox"/> Bank | a. linear feet | b. linear feet | c. linear feet | d. linear feet |
| 5. <input type="checkbox"/> Bordering Vegetated Wetland | a. square feet | b. square feet | c. square feet | d. square feet |
| 6. <input type="checkbox"/> Land Under Waterbodies and Waterways | a. square feet | b. square feet | c. square feet | d. square feet |
| | e. c/y dredged | f. c/y dredged | | |
| 7. <input type="checkbox"/> Bordering Land Subject to Flooding | a. square feet | b. square feet | c. square feet | d. square feet |
| Cubic Feet Flood Storage | e. cubic feet | f. cubic feet | g. cubic feet | h. cubic feet |
| 8. <input type="checkbox"/> Isolated Land Subject to Flooding | a. square feet | b. square feet | | |
| Cubic Feet Flood Storage | c. cubic feet | d. cubic feet | e. cubic feet | f. cubic feet |
| 9. <input type="checkbox"/> Riverfront Area | a. total sq. feet | b. total sq. feet | | |
| Sq ft within 100 ft | c. square feet | d. square feet | e. square feet | f. square feet |
| Sq ft between 100-200 ft | g. square feet | h. square feet | i. square feet | j. square feet |



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 33-1452
 MassDEP File #
 eDEP Transaction #
 Haverhill
 City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

| | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|--|---|----------------------|----------------------|-----------------------|
| 10. <input type="checkbox"/> Designated Port Areas | Indicate size under Land Under the Ocean, below | | | |
| 11. <input type="checkbox"/> Land Under the Ocean | _____ | _____ | | |
| | a. square feet | b. square feet | | |
| | _____ | _____ | | |
| | c. c/y dredged | d. c/y dredged | | |
| 12. <input type="checkbox"/> Barrier Beaches | Indicate size under Coastal Beaches and/or Coastal Dunes below | | | |
| 13. <input type="checkbox"/> Coastal Beaches | _____ | _____ | _____ cu yd | _____ cu yd |
| | a. square feet | b. square feet | c. nourishment | d. nourishment |
| 14. <input type="checkbox"/> Coastal Dunes | _____ | _____ | _____ cu yd | _____ cu yd |
| | a. square feet | b. square feet | c. nourishment | d. nourishment |
| 15. <input type="checkbox"/> Coastal Banks | _____ | _____ | | |
| | a. linear feet | b. linear feet | | |
| 16. <input type="checkbox"/> Rocky Intertidal Shores | _____ | _____ | | |
| | a. square feet | b. square feet | | |
| 17. <input type="checkbox"/> Salt Marshes | _____ | _____ | _____ | _____ |
| | a. square feet | b. square feet | c. square feet | d. square feet |
| 18. <input type="checkbox"/> Land Under Salt Ponds | _____ | _____ | | |
| | a. square feet | b. square feet | | |
| | _____ | _____ | | |
| | c. c/y dredged | d. c/y dredged | | |
| 19. <input type="checkbox"/> Land Containing Shellfish | _____ | _____ | _____ | _____ |
| | a. square feet | b. square feet | c. square feet | d. square feet |
| 20. <input type="checkbox"/> Fish Runs | Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above | | | |
| | _____ | _____ | | |
| | a. c/y dredged | b. c/y dredged | | |
| 21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | _____ | _____ | | |
| | a. square feet | b. square feet | | |
| 22. <input type="checkbox"/> Riverfront Area | _____ | _____ | | |
| | a. total sq. feet | b. total sq. feet | | |
| Sq ft within 100 ft | _____ | _____ | _____ | _____ |
| | c. square feet | d. square feet | e. square feet | f. square feet |
| Sq ft between 100-200 ft | _____ | _____ | _____ | _____ |
| | g. square feet | h. square feet | i. square feet | j. square feet |



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B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on December 5, 2021, unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 33-1452 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1) is subject to the Massachusetts Stormwater Standards
- (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See Attachment "A", "Special Conditions", Incorporated herein and made part of this Order of Conditions.

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The Haverhill Conservation Commission hereby finds (check one that applies):
 - a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw 2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- a. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

An Ordinance to Protect the Wetlands, Related Water Resources and Chapter 253
Adjoining Land Areas 2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):
 See Attachment "A", "Special Conditions", incorporated herein and made part of this Order of Conditions.



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E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

December 5, 2018
 1. Date of Issuance

Please indicate the number of members who will sign this form.

five
 2. Number of Signers

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

by hand delivery on

by certified mail, return receipt requested, on

Date

December 5, 2018
 Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Haverhill

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Haverhill

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

1037 Broadway - Parcel ID: 574-1-16

Project Location

33-1452

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Southern Essex District

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

Conservation



Haverhill

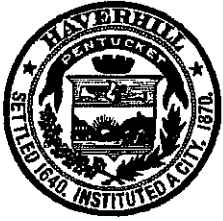
Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366

rmoore@cityofhaverhill.com
conservation@cityofhaverhill.com

MEMO TO: Linda L. Koutoulas, City Clerk
FROM: Robert E. Moore, Jr., Environmental Health Technician
DATE: February 15, 2019
RE: Wildflower Solar, LLC for 1037 Broadway – Parcel ID: 574-1-16
Special Permit – Ground-mounted Solar Energy Facility

The Conservation Commission reviewed the forwarded information at its February 14th meeting. Work will occur in the buffer zones of two bordering vegetated wetlands. The Commission received a Notice of Intent application for this project in October and conducted a public hearing. The Commission issued an Order of Conditions approving the project on December 5th. The Commission offers no objection to the special permit.

C: eFile #33-1452



Haverhill

Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoores@cityofhaverhill.com
conservation@cityofhaverhill.com

ATTACHMENT A: SPECIAL CONDITIONS

MassDEP FILE #33-1452

ISSUING AUTHORITY: Haverhill Conservation Commission (“HCC”)

APPLICANT: Hexagon Energy, LLC

PROJECT LOCATION: 1037 Broadway – Parcel ID: 574-1-16

PROJECT DESCRIPTION

The Applicant proposes to construct a 250-kW ground-mounted solar energy facility consisting of photovoltaic solar panel arrays, an access drive, and other appurtenant features. The facility will be constructed on 1.85 acres of this 17.5-acre site. Work will occur in the buffer zones of two bordering vegetated wetlands. To compensate for shade-related tree cutting proposed within the 100’ buffer zone, the applicant proposes to plant additional trees and shrubs, and seed disturbed areas with a wildflower seed mix.

RESOURCE AREA FINDINGS

The Haverhill Conservation Commission finds this site to contain, at a minimum, the following resource areas: bordering vegetated wetlands and intermittent stream bank.

EXPIRATION DATE

Unless extended, this Order of Conditions (“OOC”) will expire December 5, 2021.

PLANS AND DOCUMENTS

Work on this project site shall be performed according to the following listed plans and documents on file with the HCC. Should any conflicts be found to exist between these plans and documents and the conditions of this OOC, the HCC shall be contacted for a clarification.

- a) “Wildflower Solar, LLC Permitting Plan Set” (8 Sheets), site plan prepared by SWCA Environmental Consultants (15 Research Drive, Amherst, MA 01002), dated October 11, 2018;
- b) “Boundary & Topographic Survey” (1 Sheet), site plan prepared by Langan Engineering and Environmental Services, Inc. (555 Long Wharf Drive, New Haven, CT 06511), dated October 3, 2018; and
- c) “Stormwater Management Report” (Appendix E of the Notice of Intent), document prepared by SWCA, dated October 2018.

Pursuant to the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40), its Regulations (310 CMR 10.00), and Haverhill City Code Chapter 253 (“An Ordinance to Protect the Wetlands, Related Water Resources and Adjoining Land Areas”), the Commission orders that all work shall be performed in accordance with the following additional, special conditions:

GENERAL CONSTRUCTION

21. The HCC may designate one or more Conservation Department Officials as its agent (“HCC Official”), with full powers to act on its behalf in administering and enforcing this OOC.
22. Work on this project shall be performed in accordance with Haverhill Municipal Ordinances Chapter 253 – “An Ordinance to Protect the Wetlands, Related Water Resources, and Adjoining Land Areas”.
23. In accordance with Haverhill Municipal Ordinance Chapter 253, there shall be no activities allowed within 25’ of the delineated wetland resource areas and no building construction within 50’ of these same areas, except as shown on the approved plans referenced above.
24. All wetland resource areas shall be visibly flagged and/or staked every 25 feet along the resource area boundaries in order to assure that no intrusion into these areas occur. Flagging and staking used to identify wetland resource areas shall be of a color different from any others used on the site and shall be maintained until the work is complete.
25. The rows of erosion control devices, as shown on the site plan, shall also act as a limit of site activity.
26. The MassDEP File Number sign shall not be attached to a live tree.
27. Any changes proposed under this OOC might require the Applicant to file a “Request for a Modification to the Order of Conditions” with the HCC.
28. While all activities regulated by this Order are being performed and during the construction phase of this project, an on-site foreman, directing engineer, or designated construction manager, shall have a copy of this permit and its associated plans and documents at the site, familiarize him or herself with the conditions of this permit, and adhere to such conditions. This OOC shall be made part of all construction-related documents for this project. All contractors working at the site shall be made aware of the provisions contained within this OOC and adhere to them.
29. The Applicant shall secure an Environmental Monitor (“EM”) for this project. The EM shall be, at a minimum, a professional with experiences in Resource Area Protection; Erosion, Sedimentation, and Pollution Prevention; and Stormwater Management. The EM shall have, at a minimum, a working knowledge of botany, hydrology, and general construction practices. The Applicant may designate the EM as responsible for fulfilling the requirements of the Pollution Prevention and Erosion and Sedimentation Control (“PPESC”) Monitor under this OOC. Otherwise, the EM shall establish an appropriate working relationship with the PPESC Monitor to ensure the project’s complete compliance with this OOC. The Applicant shall give the EM authority to stop construction for PPESC purposes.
 - a) On the Monday of every week throughout the life of this project, the EM shall provide the HCC with a status report of the project. This report shall indicate the functions of the PPESC devices and any need for maintenance, replacement, augmentation, emergency placement, and any other corrective action of

PPESC devices; the activities completed the previous week; and the activities planned for the current week. The report shall also mention any deviations from the previous week's report and any environmental mitigation measures that have been undertaken. The report shall include representative photographs of deviations, needed repairs, and on-going work. The frequency of this reporting may be altered as site conditions warrant, upon concurrence between the HCC and the EM.

- b) In addition to this reporting, the EM shall be responsible for all inspections and reporting as outlined in this OOC and the referenced plans and documents pertaining to Resource Area Activities; Erosion, Sedimentation, and Pollution Prevention; and Stormwater Management. The EM shall be on site as necessary to ensure proper implementation of the conditions of this OOC and the work outlined in the referenced plans and documents.

CONSTRUCTION SEQUENCING

30. A minimum of two (2) business days in advance, the Applicant shall provide the HCC with written notification of the commencement of work on site. At this time the Applicant shall also supply the HCC with a list of names, addresses, and emergency phone numbers (including evenings and weekends) for those parties responsible for compliance with this OOC on the site, including the Environmental Monitor and the Pollution Prevention and Erosion and Sedimentation Control Monitor.
31. Prior to the commencement of work on this site, the Applicant shall provide an alternative access easement, benefitting the City of Haverhill. The easement relocation shall be subject to the approval of the City Solicitor and the Haverhill Water Department.
32. Prior to the commencement of work on this site, the Applicant shall provide the HCC with a final, proposed Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan. This Plan shall be prepared in accordance with the Stormwater Management Standards and shall, at a minimum, include the following information:
 - a) Narrative;
 - b) Construction Period Operation and Maintenance Plan;
 - c) Names of Persons or Entity Responsible for Plan Compliance;
 - d) Construction Period Pollution Prevention Measures;
 - e) Erosion and Sedimentation Control Plan Drawings;
 - f) Detail drawings and specifications for erosion control BMPs, including sizing calculations;
 - g) Vegetation Planning;
 - h) Site Development Plan;
 - i) Construction Sequencing Plan;
 - j) Specific sequencing for the construction of the stream crossing;
 - k) Sequencing of Erosion and Sedimentation Controls;
 - l) Operation and Maintenance of Erosion and Sedimentation Controls;
 - m) Inspection Schedule;
 - n) Maintenance Schedule; and
 - o) Inspection and Maintenance Log Form.

This Plan shall be subject to the review and comment of an HCC Official prior to implementation. Should any conflicts arise between this Plan and the conditions of this OOC, the HCC shall be requested to provide clarification.

33. Prior to the commencement of work on this site, the Applicant shall provide the HCC with proof of filing and EPA activation of a "Notice of Intent (NOI) for Storm Water Discharges Associated with CONSTRUCTION ACTIVITY Under a NPDES General Permit" with the United States Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System ("NPDES") Program. Provided with this proof shall be a copy of the Storm Water Pollution Prevention Plan ("SWPPP") prepared for this project. These submittals shall be made in an electronic form found acceptable to an HCC Official. The SWPPP shall be subject to the review and comment of an HCC Official prior to implementation.
34. Prior to the commencement of work on this site, the Applicant shall schedule a pre-construction meeting with the site contractor, the Applicant's engineers/consultants, the EM, the PPESC Monitor, and the HCC. The purpose of the meeting is to review this OOC and resolve any outstanding issues at that time.
35. The Applicant shall ensure that no invasive plant species, as defined and listed by the Massachusetts Invasive Plant Advisory Group, are introduced to or moved around the site by construction activities, including importation of infected materials such as borrow, compost, nursery stock, seed, or hay bales. Corrective measures, if necessary, shall be made by the Applicant as directed by the EM. Corrective measures shall be implemented for as long as necessary to eliminate the introduced invasive plant species and prevent re-establishment of same. The Applicant shall satisfactorily dispose of all cleared, invasive plant material (seeds, roots, woody vegetation, associated soils, etc.). The Applicant shall take measures to prevent viable, invasive plant materials from leading to further infestations while stockpiled, in transit, or at final disposal locations. All precautions shall be taken to avoid contamination of natural landscapes with invasive plants or invasive plant material.

Prior to the commencement of work on site, the EM shall survey this site for the presence of invasive plant species within the approved limits of work. If found, the EM shall provide the HCC with a written Invasive Plant Management Strategy ("IPMS") proposal and schedule of control. The IPMS is critical for identifying pre-construction conditions, as well as strategies for minimizing import or spread of invasive plants. All materials and methods proposed shall be consistent with the conditions of this OOC. The IPMS shall include, but not be limited to, the following:

- a) Description of treatment areas, including identification of targeted invasive plant species, locations, approximate size of areas, and digital photos with time/date stamp.
- b) Delineation of treatment areas with polygons outlining their perimeter or locations of individual plants. A free-hand sketch drawn on construction plans or an aerial photo can be used to show locations.
- c) Proposed methods of treatment for each species or area, such as manual removal, cutting, or herbicides.
 - i. If herbicides are proposed, the IPMS shall include the product label, including application methods and rates for each. MSDS information shall also be provided for each herbicide.
- d) Proposed time of treatment based on target plant species and construction schedule.
- e) Method for disposing of invasive plant materials.
- f) General monitoring schedule.
- g) Preliminary re-treatment schedule. Re-treatment shall be based on assessment of initial results and time of year.
- h) Proposed performance metrics, or measure of treatment success, which shall be agree upon with HCC.

Control of invasive plant species shall begin immediately with the initiation of construction and continue until such time that a Complete Certificate of Compliance is issued for this project, unless included as an Ongoing Condition to the Certification. The Applicant shall control invasive plant species within the

proposed work area for a minimum of three (3) years. The EM shall report on the success of the IPMS or, if species are not present during the pre-construction survey, the presence or lack thereof of species in the work area in the weekly, seasonal, and final EM reports required under this OOC. If necessary, the corrective measures shall be outlined in the reporting in a manner consistent with the IPMS requirements.

36. Prior to the activation of this solar energy facility, the Applicant shall provide the HCC with an as-built grading plan showing, at a minimum, the following information as it pertains to the subject property. This plan shall be stamped by a MA-registered Professional Engineer. This plan shall be subject to the review and approval of the HCC.
- Wetland resource areas subject to protection under this OOC and their approved delineations;
 - Limits of all Buffer Zones, including No-Disturbance and No-Build Zones;
 - Structures;
 - Topography at 2' intervals and on North American Vertical Datum 1988;
 - Existing limits of lawn/landscaped, forest, and meadow areas;
 - Buffer Zone mitigation plantings and limits of mitigation area;
 - Utilities;
 - Date(s) of survey fieldwork; and
 - A statement by the Professional Engineer certifying compliance with the approved plans and conditions of this OOC and setting forth deviations from same, if any exist.
37. Prior to the activation of this solar energy facility, the Applicant shall provide the HCC with an affidavit, signed by the Facility Operator (if not the Applicant or Property Owner identified by this OOC) and notarized by a MA Notary Public, whereby the Facility Operator acknowledges:
- Receipt of a copy of the recorded OOC from the Applicant and/or Property Owner;
 - Receipt of a plot plan identifying the locations of wetland resource areas and existing structures on this land from the Applicant/owner; and
 - Understanding of his/her terms of and legal responsibility for the operation and maintenance of the project site stormwater management system Best Management Practices, as outlined in the Operation and Maintenance Plan.
38. Prior to the activation of this solar energy facility, the Applicant shall effectively stabilize the site to the approval of the HCC.

CONSTRUCTION PERIOD EROSION, SEDIMENTATION, AND POLLUTION PREVENTION

39. The Applicant, site contractor, and their assigns shall implement the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan from the commencement of work until the site is fully and permanently stabilized and the temporary erosion and sedimentation controls are removed, upon HCC approval.
40. The Best Management Practices used during construction must be different from the Best Management Practices that will be used to handle stormwater after construction is completed and the site is stabilized. Many stormwater technologies (particularly infiltration technologies) are not designed to handle the high concentrations of sediments typically found in construction runoff, and thus must be protected from construction-related sediment loadings.

41. All vegetation cutting associated with the construction of this project shall be subject to the prior review and approval of the HCC. Prior to the commencement of work, the Applicant's surveyor shall stake out, flag, or mark by other appropriate means, the locations of the approved limits of cutting and the locations of the proposed PPESC devices for inspection by the site contractor, EM, PPESC Monitor, and the HCC. The commencement of vegetation cutting work shall be contingent upon the approval of the HCC at that time.
42. Immediately following tree cutting, but prior to stumping, stripping, or any other site activity, the Applicant shall install the initial PPESC devices. The Applicant shall schedule an inspection of the installed devices by the site contractor, EM, PPESC Monitor, and the HCC. Should any of these devices be considered insufficient following tree cutting, the PPESC Monitor shall immediately propose augmentation or other corrective measures to address areas of concern. The continuation of on-site work shall be contingent upon HCC approval of the devices at that time.
43. Appropriate "wildlife breaks" shall be installed along the proposed erosion control lines to accommodate continued migrations to and from Certified Vernal Pool #3420 during construction.
44. The Applicant shall designate a PPESC Monitor for the site. This Monitor shall be a professional with experiences in PPESC practices. This Monitor shall inspect PPESC devices on a daily basis for proper function and maintenance, including the proper disposal of waste products. This Monitor shall immediately arrange for the maintenance, replacement, augmentation, emergency placement, and any other corrective action of PPESC devices on site. Areas of construction shall remain in a stable condition at the close of each day. The Applicant shall give this Monitor authority to stop construction for PPESC purposes.
45. An adequate stockpile of PPESC materials shall be on site at all times for emergency or routine replacement and shall include materials to repair silt fences, straw bales, stone-riprap, filter dikes or any other devices planned for use during construction.
46. PPESC devices may be modified based on experience at the site. Approval of the HCC must be obtained prior to any non-emergency modification of the approved PPESC measures.
47. The HCC reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion or any noticeable degradation of surface water quality discharging from the site.
48. The locations of long term (greater than 30 days) stockpiles and the locations and construction methods of temporary construction entrances, if not addressed in the Construction Period PPESC Plan, shall receive the prior approval of the PPESC monitor and the HCC.
49. During all phases of construction, all disturbed or exposed soil surfaces shall be brought to final finished grade and either a) covered with loam and seeded in accordance with the Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas (or equivalent document) for permanent stabilization or b) stabilized in another way approved by the HCC. Bare ground that cannot be permanently stabilized within 30 days shall be stabilized with mulch or any other protective covering and/or method approved by the USDA Soil Conservation Service.
50. Graded slopes shall not exceed a slope ratio of 2:1, unless approved by the City Engineer and HCC.

51. Upon completion of the project all disturbed areas shall be permanently stabilized with rapidly growing vegetative cover with sufficient topsoil to assure long term stabilization of disturbed areas. Subsequent to seeding, disturbed areas shall be covered with straw mulch, netting, or other protective covering in order to provide a suitable surface cover until seed germination.
52. All dewatering activities shall be controlled by implementing Best Management Practices. Dewatered fluids shall be prevented from flowing directly into resource areas. Discharge structures, such as temporary sediment basins or other Best Management Practices shall be configured to maximize sediment removal. If discharge towards resource areas cannot be avoided, it shall be via a maximized distance of overland upland sheet flow unless the HCC approves an alternative in advance. The PPESC Monitor shall review and approve all dewatering methods prior to implementation.
53. Topsoil, other soils, stumps, slash, timber, construction materials, debris, or other waste products shall not be deposited, stored, or otherwise accumulated within 100' of a wetland resource area or within land subject to flooding, unless approved in advance by the HCC.
54. Covered dumpsters shall be maintained on site for appropriate materials. The Applicant shall conduct routine litter pick-ups throughout construction to prevent trash and loose, man-made debris from entering the resource areas and buffer zones.
55. All pumps, drilling machines, and their surrounding areas, whether used for dewatering or other purposes, shall be properly contained to limit the potential for environmental impacts due to fuel leakage, pump leakage, or other failures.
56. Refueling of equipment shall not be done within 100' of a wetland resource area. Fuel, oil, or other potential pollutants shall not be stored within 100' of a wetland resource area.
57. Equipment shall not be staged overnight within 100' of a wetland resource area.
58. Any spills of hazardous materials, including but not limited to diesel fuel and hydraulic oil, shall be appropriately and promptly cleaned up. The Applicant shall notify Federal, Commonwealth, and/or Local agencies of such spills as may be applicable by law. The Applicant or PPESC Monitor shall notify the HCC, within one hour, of any spills within wetland resource areas or buffer zones. Onsite emergency spill kits shall be available at all times.
59. The Applicant shall ensure a hazardous materials spill containment kit is maintained on site at all times throughout construction. The kit shall be appropriately sized for the cumulative volumetric capacity of hazardous fluids contained by equipment on site at any one time.

STORMWATER

60. As proposed by the Applicant, there shall be no significant grading permitted in the area of the area to minimize changes to stormwater runoff. The Applicant shall ensure the civil design engineer is on site sufficiently throughout construction to inspect construction for compliance with this condition.

61. The access driveway shall be graded in a manner that allows runoff to flow off the west side of the driveway and into the site to encourage treatment through vegetation and subsequent infiltration, rather than allowing runoff to flow directly into the road.

RESOURCE AREA ACTIVITIES

62. All work proposed within the 100'-Buffer Zone mitigation area shall be performed according to the plans and documents submitted as part of the Notice of Intent filing, unless specified otherwise in this Order. The mitigation area shall meet or exceed the General Performance Standards outlined in 310 CMR 10.00 and Haverhill Municipal Ordinances Chapter 253. Should these areas fail to meet any of these standards, the HCC reserves the right to require those measures necessary to achieve compliance.
63. The EM shall be on site during the removal of shade trees from the mitigation area to supervise this work.
64. The site contractor shall not disturb any area of protected or regulated Federal, State, and/or Local wetland resource area or buffer zone except for that which has been permitted by this Order.
65. The site contractor shall restore all temporarily disturbed resource areas and buffer zones to the satisfaction of the HCC and the EM. The EM shall ensure that 75 percent of the surface area of all temporarily disturbed and restoration areas is reestablished with indigenous plant species within two growing seasons of their planting or replanting. If at the end of one growing season it is evident, in the opinion of the EM or the HCC, that a disturbed area is not likely to be successfully reestablished within this time frame, the EM shall submit to the HCC a corrective plan of action detailing supplements to the planting, soils, and/or grading, as necessary, to achieve the required coverage. This plan shall be implemented upon HCC approval.
66. The contractor shall follow the directions of the Environmental Monitor, whether given prior to, or during, construction of any mitigation area(s). If feasible, the contractor shall propose alternative mitigation and environmental protection techniques that provide cost or time savings, improved environmental protection, or enhanced mitigation, provided (1) they provide equivalent or greater wetland protection and mitigation than afforded by the methods contained in this Order and NOI and provided by the Environmental Monitor; (2) they receive prior approval by the HCC and the Environmental Monitor; and (3) they meet the Performance Standards of the Massachusetts Wetland Protection Regulations (310 CMR 10.00) and the requirements of Haverhill Municipal Ordinance Chapter 253.
67. The following general sequencing shall be adhered to for the mitigation area activities:
- a) Sedimentation and erosion control measures shall be in place prior to proceeding with any work proposed in the wetland resource areas. An HCC Official shall inspect their proper installation. At this time a preconstruction meeting shall be held on site with the Official, EM, Applicant, and any other individual in charge of work on the site to discuss any issues that remain at that time.
 - b) Excavation equipment brought onto the site shall be cleaned at an off-site location prior to commencement of site work to remove any soils which may contain noxious plant remains.
 - c) Upon inspection and approval of the sedimentation and erosion control devices, and the holding of the preconstruction meeting, implementation of the tree cutting and mitigation work may begin. The Environmental Monitor shall be on site at this time to monitor the activities within the resource areas.
 - d) Upon completion of the tree cutting, the mitigation area shall be permanently stabilized as per the approved plans and documents referenced above.

- e) The Applicant is to contact the HCC immediately upon completion of the mitigation work; an appointment for inspection by an HCC Official shall be arranged with the EM.
- f) Immediately following this inspection, the Applicant shall submit a status report, written by the EM describing to the HCC the status of the mitigation area.
- g) The EM, prior to and following each growing season until a Certificate of Compliance is issued, shall submit monitoring reports to the HCC. Monitoring reports shall describe, using narratives, plans, and color photographs, the physical characteristics of the mitigation area with respect to soils, hydrology, habitat value, stability, survivorship of vegetation and plant mortality, aerial extent and distribution, species diversity and vertical stratification (i.e., the herb, shrub, and tree layers), etc. A minimum of four monitoring reports for these areas shall be submitted over the first two years. These monitoring reports shall be submitted by May 31 and September 30 of the first two years. Applicable General Performance standards as outlined in 310 CMR are to be met within two years of completion. A Certificate of Compliance is to be issued ONLY AFTER the General Performance Standards have been met.
- h) Removal of noxious plant species by hand from the mitigation area and its immediate surroundings shall be required. This requirement shall be addressed in the monitoring reports required under condition g.
- i) A color photographic log of the site shall be kept with associated text by the EM. This log shall show pre-construction through post-construction views of the shade tree/mitigation area, undisturbed adjacent resource areas and No Disturbance Zones, and erosion/sedimentation control devices. A current log shall be submitted with the status and monitoring reports required above and with the Request for a Certificate of Compliance.

WILDLIFE HABITAT PROTECTION

68. Prior to the activation of this solar energy facility, the Applicant shall engage an appropriate environmental consultant to collect the necessary site data and to file said data with the Massachusetts Natural Heritage and Endangered Species Program to pursue certification of the potential vernal pool identified within Wetland "A" on this site, as discussed during the public hearing.
69. The bottom of the proposed perimeter fence shall be installed a minimum of 6" above the ground surface to allow for continued small animal movement throughout the site.
70. The Applicant shall make every effort to include the utilization of woody debris in the restoration and re-stabilization of area outside the footprint of the proposed solar panel array. Woody debris may consist of stumps, snags, and/or brush piles. Woody debris may be reused, if found existing within the approved limits of work, or produced on site during the vegetation clearing process. Aerial coverage of woody debris should be consistent with that found in the surrounding, undisturbed landscape. The utilization and positioning of woody debris shall be at the discretion of the EM.

OTHER CONDITIONS

71. If any unforeseen problem occurs during construction, which affects any of the eight statutory interests of the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, upon discovery, the Applicant shall notify the HCC and an immediate meeting shall be held between the Commission, the Applicant, the engineer, contractor, and other concerned parties to determine the corrective measures to be employed. The Applicant shall then act to correct the problems using the corrective measures agreed upon.

72. Upon completion of the project, the Applicant shall request a Certificate of Compliance from the Commission and shall submit the following information with the request:
- A written statement by a professional engineer registered in the Commonwealth of Massachusetts certifying compliance with the approved plans referenced above and this OOC and setting forth deviations, if any exist.
 - A final monitoring report and current photo log prepared by the EM.
 - Two sets of as-built site plans prepared by a registered land surveyor or registered professional engineer showing grades, utilities, drainage systems, building footprint and detailed landscaping (i.e. all wetland resource areas, limits of work, etc.). These plans shall include the date(s) of fieldwork and shall be prepared in accordance with the "Plot Plan Standards" of the HCC Policy - P2000-02 "Occupancy Permit Checklist Endorsement".

ONGOING CONDITIONS

Certain conditions are ongoing and do not expire upon the completion of the project or the issuance of a Certificate of Compliance. These conditions shall remain in effect after the issuance of a Certificate of Compliance for the project and shall be referenced in the chain of title for the property. These conditions are:

73. The Property Owner and/or Facility Operator ("O/O") shall ensure that a record of at least one copy of all the plans and documents referenced in this Order of Conditions, the subsequent Certificate of Compliance, all Modifications to the Order and their relevant revised plans and/or documents is maintained at all times. This information shall be made available for use by the O/O in its implementation of the activities discussed within and by the Haverhill Conservation Commission ("HCC") during any inspections that may be necessary.
74. The O/O shall maintain dense vegetated groundcover to ensure the permanent stability of this site. Should runoff conditions not allow for such groundcover in any part of this site, the Applicant shall apply crushed stone – or comparable materials – to maintain this stability. The City of Haverhill reserves the right to schedule an annual inspection with the O/O as part of a "Long-Term Pollution Prevention Plan" program to inspect the site for permanent stability.
75. The HCC reserves the right to enforce any and all restrictions and/or requirements established for this property within this OOC under the enforcement powers of the City's wetlands protection ordinance, Municipal Ordinance Chapter 253.
76. Pesticides, herbicides, and fungicides shall not be used within 100' of any wetland resource area for the purpose of lawn maintenance. Fertilizers utilized for landscaping care within this property shall be slow-release, low-nitrogen, organic-based types and shall not be used within 30' of any wetland resource area.
77. All exterior lighting associated with this project shall be directed away from the wetland resource areas.
78. There shall be no unprotected storage of deleterious or hazardous materials (such as auto parts, debris, oil drums, batteries, car washing fluid, etc.) allowed on site.
79. As proposed by the Applicant on the referenced site plan, the driveway access system shall be constructed of pervious gravel. Any proposal to pave any portion of the driveway in the future shall require the formal approval of the HCC.

City of Haverhill

11.4.5.1

Taxi Driver License - Ch.230 sec.20

Honorable President and Members of the Haverhill City Council

The undersigned respectfully asks that he/she may receive a license to drive a taxi in the City of Haverhill

Name: Steve Pepino

Address: 12 Cherry St Sausalito MA

Applicant phone number: 657-452-0409

Any driver of vehicle(s) must provide name, address, and Driver's license # - fill out on back.

Office use only

New/Renew (circle one)

Fee: \$50 - annual fee - Jan 1st to Dec 31st License

In Municipal Council

20

Attest:

City Clerk

Approve

Denied

Police Chief

Please complete back side of this application

11,4611

City of Haverhill

Taxi License – Ch.230 sec.1-26

FEB 15 2019 ✓

Honorable President and Members of the Haverhill City Council:

The undersigned respectfully asks that he/she may receive taxi license(s) -

Place of business being: 127 White St Haverhill MA 01830

Name of Business: Haverhill taxi LLC

Address: 127 - white st Haverhill MA 01830

Applicant: WISVEL Joseph

Applicant phone number: 978-601-3996

Any driver of vehicle(s) must provide name, address, DOB, SS# and Driver's license # - fill out on back.

Office use only

New/Renew (circle one)

License Expiration: April 30, _____

Fee: \$100 per vehicle – annual fee (May 1 to April 30)

No. of Vehicles: 10

Registration # of vehicles (photocopies of actual registrations must be provided to Clerk's office):

In Municipal Council, _____, 20__

Attest: _____ City Clerk

Approve ✓ _____

Denied _____

[Signature]

Police Chief

Haverhill City Code: Chapter 230 Sec. 1-26 - May 1st license renewal

Please complete back side of this application

15.1

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
THOMAS J. SULLIVAN
VICE PRESIDENT
JOSEPH J. BEVILACQUA
MELINDA E. BARRETT
COLIN F. LEPAGE
TIMOTHY J. JORDAN
WILLIAM J. MACEK
MARY ELLEN DALY O'BRIEN
MICHAEL S. MCGONAGLE



CITY HALL, ROOM 204
4 SUMMER STREET
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www.haverhillma.gov
citycncl@cityofhaverhill.com

CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

March 15, 2019

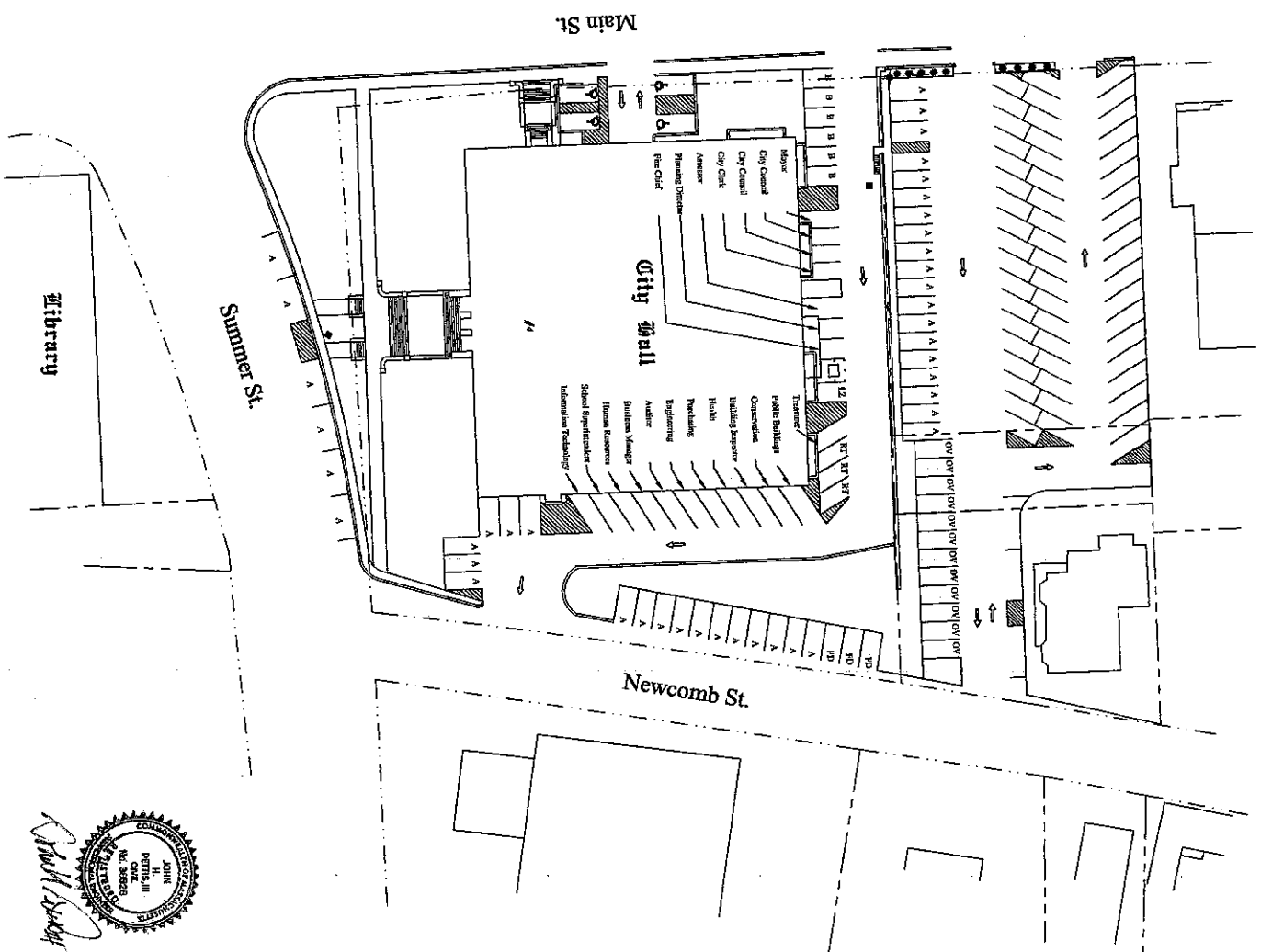
Mr. President and Members of the City Council:

Councillor William Macek requests a discussion about reserved parking spaces at City Hall designated for the Registry of Motor Vehicles.

City Councillor William J. Macek

Sec 4B PL 2800

14390



- A - 1 Hour Limit
- B - 30 Min. Limit
- LZ - Loading Zone
- RT - Registry Road Test
- FD - Fire Department
- OV - Official Vehicle
- Handicap Parking



| | | | | |
|----------|------------|---------------------------|---------------------------|-----------|
| DATE | 11/29/2004 | CITY ENGINEERING DIVISION | SCALE | 1" = 40' |
| DESIGNED | CEE | Haverhill MA | PLAN OF PARKING LOCATIONS | |
| TRACED | CEE | | AT | City Hall |
| CHECKED | JHP | TITLE | CityHallParkingMap_R2.dwg | |
| DATE | 02/17/2005 | REVISION | 1 OF 1 | |
| | 02/17/2005 | Designated Spaces | JHP | |
| | 02/15/2005 | Designated Spaces | APPROVED | SHEET |
| | | | City Council | 1 |

CITY COUNCIL

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HAVERHILL, MASSACHUSETTS 01830-5843


15.2

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www.haverhillma.gov
citycncl@cityofhaverhill.com

March 8, 2019

TO: Mr. President and Members of the City Council:

Councillor Macek requests to discuss solar panels on proposed commercial buildings.


City Councillor William J. Macek

17.1

CITY COUNCIL

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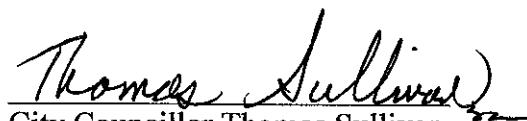
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CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

March 13, 2019

TO: Mr. President and Members of the City Council:

City Councillor Thomas Sullivan submits the attached Minutes and recommendations of the Natural Resources and Public Property Committee meeting that was held on Feb.28, 2019 for acceptance and discussion of items Doc. 93-L/18 regarding street tree plantings, Doc. 93-W/18 regarding rehab and lease of Clement Farm and Doc.121-H/18 regarding Haverhill Youth Soccer.


City Councillor Thomas Sullivan

CITY COUNCIL

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CITY OF HAVERHILL HAVERHILL, MASSACHUSETTS 01830-5843

MINUTES OF THE NATURAL RESOURCES & PUBLIC PROPERTY COMMITTEE MEETING HELD FEBRUARY 28, 2019

A Natural Resources and Public Property Committee meeting was held on Thursday, Feb. 28, 2019 at 6:00P.M. in the City Council office, Room 204.

Committee Members: Councillor Sullivan, Chairperson and Councillors LePage and Bevilacqua.

Attendees: Ed Felker, Roland Plourde, Dave LaBrode, Leandra Privitera, Neil Kelleher, Jon Jepson, Ralph Basiliere, David Lefcourt and Keith Gopsill.

1) **Doc. #93-L/18**-Communication from President Michitson requesting to introduce Dave LaBrode to discuss street tree plantings.

The Chair opened the discussion by introducing longtime Haverhill resident and community volunteer, Dave LaBrode. Dave explained that he has been involved with improving the city's parks and recreational facilities for many years and has personally cared for certain trees across the city, most notably at Winnekenni Park. Dave explained the history of planting trees inappropriately and sometimes in the wrong locations for many years throughout the city. He suggested the city adopt tree planting guidelines to be applicable to all tree plantings on public property. He noted that Southborough adopted tree planting guidelines and provided an online link to the Committee. The Chair next recognized David Lefcourt who explained that he works for the Public Property/Tree Department in the city of Cambridge. He said they too have adopted tree planting guidelines. Both Dave LaBrode and David Lefcourt said they are members of the Mayor's Tree Advisory Committee but haven't been actively meeting. Councillor Bevilacqua spoke next and suggested that any tree planting guidelines should include language specifically prohibiting planting under power lines but should be placed directly across the street from said power lines whenever possible. He also suggested the guidelines include the usage of material known as "flexi-pave" that surrounds the base of new tree plantings to better protect the soil and roots from damage. Dave LaBrode added that tree pits should never be less than 4x4 or 3x5 feet in diameter but that many of our old trees were not planted to this standard. He also suggested we need to better educate Parks Department staff on proper tree planting and tree types.

A motion was made by Councillor Bevilacqua to send a letter to the Mayor requesting he assign his Tree Advisory Committee with the task of researching and reviewing other cities and town's tree planting guidelines, including Southborough and Cambridge, in order to make a recommendation to the Mayor and Council for adopting our own tree planting guidelines. The motion also included a recommendation that Neil Kelleher, Parks Department Supervisor, be appointed to the Tree Advisory Committee. The motion was seconded by Councillor LePage and the item passed 3-0.

2) **Doc.#93-W/18**-Communication from Councillors Sullivan and Bevilacqua requesting to discuss possibility of entering into an agreement with Lorraine Post 29 VFW to rehab and lease Clement Farm house located at 1314 Main Street, Haverhill.

The Chair gave a brief overview of the history of this request made to the Council as the VFW closed its headquarters a couple of years ago and sold the property. Councilor Bevilacqua noted the important role all veterans have played in our city's and nation's history and suggested that Clement Farm could be renovated with the assistance of veterans and other interested veterans' organizations. Keith Gopsill, Commander of Lorraine Post 29 VFW, was introduced next and he explained that ideally the VFW would indeed like to join with other veterans organizations in making the renovation and restoration of the Clement Farm as a multi-purpose facility led by the Haverhill Veterans Council and extending offers to include the Disabled American Veterans, Marine Corp. League, Korean War Veterans, and American Legion organizations to work together on this project with all to be afforded an opportunity to have an administrative office and common space in the building.

As had been discussed previously, it was announced by the Chair that the next step is to go visit the property with the appropriate city department heads to determine the scope and size of a renovation project, and to discuss next steps on determining the cost to bring the property back to Code and to pristine condition again. The site visit has been scheduled for Friday, March 15, 12:00 p.m. and will include a representative from both the city's Building Inspector's office and Fire Department. Ralph Basiliere offered to contact both the City Solicitor to find out if there are any restrictions on use of the property and/or whether it is considered to be a historic building on the National Register of Historic Places and the Conservation Department to see if there are any issues with conservation.

A motion was made by Councillor Bevilacqua and seconded by Councillor LePage to further explore the possibility of restoring and leasing the Clement Farm by moving to the next step which is the site visit, and then return to the discussion with updated information when ready. The item passed 3-0.

3) **Doc.#121-H/18**-Communication from Councillor Bevilacqua requesting to introduce discussion relating to Haverhill Youth Soccer with David Lefcourt, President and Edward Felker, Chair Field Committee.

Councillor Bevilacqua introduced David Lefcourt who along with Ed Felker gave the committee a brief overview of the Haverhill Youth Soccer League as well as the condition and availability of public soccer fields throughout the city. They explained that they work with both Vin Ouellette and Tom O'Brien to schedule fields depending on whose jurisdiction the fields belong. They explained we have all purpose fields at the Hunking, Consentino, and Bradford Elementary Schools, and also use the field at Haverhill High and St. James Park. They also expressed the importance of having new soccer fields dedicated exclusively for soccer created in the city, as well as better maintaining the all-purpose fields currently used by the league and others for soccer games.

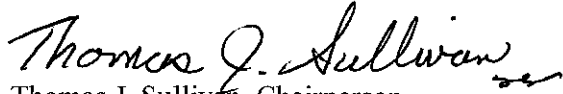
Councillors broke the item down into two parts: short term and long term improvements and goals. It was suggested by Councillor Bevilacqua that the city and school department should focus on making substantial improvements to existing fields, including but not limited to the Consentino School. David Lefcourt and Ed Felker noted that they would like to replace the old worn goal posts at Consentino with new portable goal posts. It was suggested that a meeting be set up as soon as possible with Vin Ouellette to further discuss ways to improve the existing fields and better schedule the league's games at the various fields. Also, to discuss future use of either or both Cashman and Swasey Parks as possible soccer fields. A meeting is scheduled for Tuesday, March 12, at 8:30 a.m. in Vin Ouellette's office to discuss short term improvements.

Long term improvements would be to recommend that the city include creating at least two new soccer fields somewhere in the city, with an eye on vacant land at Riverside Park. Councillor LePage suggested we look into including the creation of said soccer fields as part of the Mayor's Master Plan that is currently being reviewed by the Mayor's Master Plan Committee.

A motion was made by Councillor Bevilacqua to proceed with a meeting with Vin Ouellette to discuss short term field improvements and better scheduling of soccer games, as well as send a letter to the Mayor urging him to include a minimum of two new dedicated soccer fields as part of the forthcoming Master Plan. The motion was seconded by Councillor LePage and the item passed 3-0.

The meeting adjourned at 7:15p.m. upon motion of Councillor Bevilacqua, seconded by Councillor LePage, and passed 3-0.

Respectfully submitted,



Thomas J. Sullivan, Chairperson
Natural Resources and Public Property Committee

March 13, 2019

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
THOMAS J. SULLIVAN
VICE PRESIDENT
JOSEPH J. BEVILACQUA
MELINDA E. BARRETT
COLIN F. LEPAGE
TIMOTHY J. JORDAN
WILLIAM J. MACEK
MARY ELLEN DALY O'BRIEN
MICHAEL S. MCGONAGLE



17.2

CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978 374-2328
FACSIMILE: 978 374-2329
www.haverhillma.gov
citycncl@cityofhaverhill.com

CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

March 13, 2019

TO: Mr. President and Members of the City Council:

City Councillor Colin LePage submits the attached minutes and recommendations of the Administration and Finance Committee meeting held on March 6, 2019 for acceptance and discussion. Items discussed were Doc. 38-F/2016 – double poles; Doc. 26-E/2016 Mayor's Recommendations, Capital Improvement Program 2016-2020; Doc. 13-N – Council Rules & Regulations.


City Councillor Colin LePage

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
THOMAS J. SULLIVAN
VICE PRESIDENT
JOSEPH J. BEVILACQUA
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CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

MINUTES OF THE ADMINISTRATION AND FINANCE COMMITTEE
MEETING HELD ON MARCH 6, 2019

An Administration and Finance Committee Meeting was held on Wednesday, March 6, 2019 at 7:00 P.M. in the City Council office, Room 204.

Committee Members: Committee Chairperson Colin LePage, Councillor Melinda Barrett, Councillor William Macek and Councillor Mary Ellen Daly O'Brien.
Department Heads: Fire Chief William Laliberty, HFD Lt. Roger Moses, and HFD Electrician Mike Lavoie

The meeting began at 7:06 P.M. and the following items were discussed:

- 1.) **Doc. 38-F/2016** – Communication from Councillors Barrett and LePage requesting to discuss double poles in the City; *The Committee received and reviewed the “Double Pole Report – February 15, 2019” submitted by Verizon as had been requested by the Committee. In their correspondence, Verizon noted the progress of double pole removals by the utility companies, stating that “Since January 2018, 148 poles have been removed. At this time, there are 38 double poles remaining in Haverhill.” The Committee, as well as representatives from the Haverhill Fire Department, believes there are still some inaccuracies/omissions in the data; such as new pole placements not being added into the National Joint Utilities Notification System (NJUNS) database, identifying and informing the responsible parties for “non-participating third party” transfers, as well as clean-up and removal of extraneous communication wires. The Committee, in conjunction with the Haverhill Fire Department, will continue to work with both Verizon and National Grid to update the NJUNS database for double pole removals. A motion was made and seconded to continue this matter on the Council Committee Study list for future review. Passed unanimously.*
- 2.) **Doc. 26-E/2016** – City of Haverhill – Mayor’s Recommendations, Capital Improvement Program – 2016-2020; *The Committee received the following updates and Capital Project Requests from the Fire, Police and School departments:*
Fire: *Chief Laliberty provided the Committee with four “Capital Project Request” forms* and prioritized them in the following order:*
 - 1) *Fire Apparatus Replacement (dated 10/19/2018): High End Custom Rescue; \$750,000*
 - 2) *Mobile and Portable Radio Replacement (dated 12/4/2018): discontinued since 2015; \$197,121*
 - 3) *Fire Apparatus Replacement (dated 10/19/2018): High End Custom Engine; \$520,144*
 - 4) *Fire Station Study (dated 10/19/2018): engineering study of existing stations; \$125,000**He also provided the “Current Apparatus List” * that included year purchased and the mileage of the vehicles, as well as the “Haverhill Fire Department Apparatus Replacement Plan – updated 2/25/2019”*. The Chief also informs that replacement back-up power generators are currently being installed at all of the fire stations in the City, except for the Water St. station.*

Police: Deputy Chief Haugh informs that after further extensive review, it has been determined that the reconstruction of the dog kennel is not feasible, that a new foundation and building is required and that the estimated costs have increased over \$1,000,000 to \$1,574,000 since last years' report.

Schools: Athletic Director Tom O'Brien informs that at this time, the construction of the girls' softball field within a multi-purpose field facility is going well and on schedule. Additionally, he informed that the estimated costs to replace the running track and field surface at the High School have increased over \$1,000,000 to a range of approximately \$1,600,000 to \$1,800,000 since last years' report.

A motion was made and seconded to continue this matter on the Council Committee Study list for future review. Passed unanimously.

- 3.) **Doc. 13-N** – Communication from Councillor LePage requesting a discussion regarding the Rules and Regulations of the City Council; *The current Rules and Regulations were reviewed by the Committee. Proposed additions and deletions of such Rules were suggested and discussed by all present. Proposed changes are to: (renumber Rule 2A to 3, Rule 3 to 4, Rule 4 to 2A), Rule 10, Rule 11, Rule 13, Rule 20, Rule 30 and Rule 37.* A motion was made to send the proposed amendments to the City Solicitor for review of language and legality and then back for full Council review and approval, passed by majority.*

The meeting adjourned at 8:44 P.M.

Respectfully submitted,



Colin LePage, Chairperson
Administration and Finance Committee
Haverhill City Council

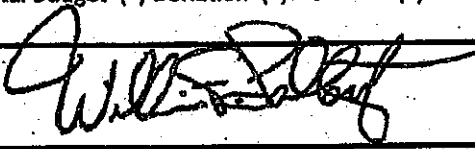
March 13, 2019

CL/bsa


- * City of Haverhill – Capital Project Request forms
- * Current Apparatus List
- * Haverhill Fire Department Apparatus Replacement Plan – updated 2/25/2019
- * Proposed City Council Rules and Regulations

c: Mayor James J. Fiorentini
City Council

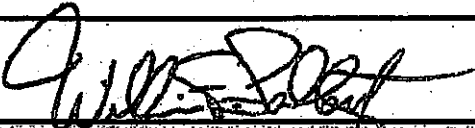
**CITY OF HAVERHILL
Capital Project Request**

| | | | | | | |
|--|---------|--|---------|---------|---------|------------|
| 1. Department Fire | | 2. Date: 10/19/2018 | | | | |
| 3. Contact Person & Title: Fire Chief William Laliberty | | 4. Phone: 978-373-8460 | | | | |
| 5. Project Title: Fire Apparatus Replacement | | 6. Reference #. (to be assigned): | | | | |
| 7. Type of Project (check): <input type="checkbox"/> New <input type="checkbox"/> Improvement <input checked="" type="checkbox"/> Replacement | | 8. Department Priority: Critical | | | | |
| | | 9. Form of Acquisition (check): <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Lease <input type="checkbox"/> Lease/Purchase | | | | |
| 10. Project Category (check one): <input type="checkbox"/> Land <input type="checkbox"/> Equipment <input type="checkbox"/> Improvements <input type="checkbox"/> Infrastructure <input type="checkbox"/> Buildings <input checked="" type="checkbox"/> Vehicles | | | | | | |
| 11. Basis for Estimate (check one): <input checked="" type="checkbox"/> Vendor Quote <input type="checkbox"/> Appraisal <input type="checkbox"/> Previous Purchase <input type="checkbox"/> Other (specify): | | | | | | |
| 12. Description/Justification (attach any additional pages or relevant background information): Fire Department purchased a used 2003 International Rescue from Georgetown in 2015. The purchase of Georgetown's rescue was temporary until a new Rescue could be purchased. The current rescue is nearing the end of service life (15 years) and needs to be replaced. Recommend the purchase date of the Rescue be in FY19, one year from original replacement plan MAPC/FCAM 5 HIGH END CUSTOM Rescue \$750,000.00 | | | | | | |
| 13. Estimated Capital Costs: | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | TOTAL |
| Planning & Design | | \$ 750,000 | | | | \$ 750,000 |
| Land Acquisition | | | | | | \$ - |
| Site Development | | | | | | \$ - |
| Construction | | | | | | \$ - |
| Other (specify): | | | | | | \$ - |
| TOTAL | \$ - | \$ 750,000 | \$ - | \$ - | \$ - | \$ 750,000 |
| 14. Funding Source (check one): <input checked="" type="checkbox"/> Bond <input type="checkbox"/> Capital Budget <input type="checkbox"/> Donation <input type="checkbox"/> Free Cash <input type="checkbox"/> Grant <input type="checkbox"/> Stabilization <input type="checkbox"/> Other (specify): | | | | | | |
| 15. Signature:  | | | | | | |
| Mayor Rating (this box for Mayor's office only) <input type="checkbox"/> Fiscal Impact <input type="checkbox"/> Legal Obligation & Compliance <input type="checkbox"/> Impact on Service to the Public <input type="checkbox"/> Urgency of Maintenance <input type="checkbox"/> Prior Phases <input type="checkbox"/> Department Priority Project Total Score: | | | | | | |

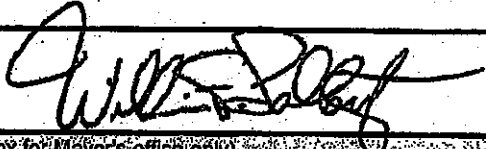
**CITY OF HAVERHILL
Capital Project Request**

| | | | | | | |
|--|---------|--|---------|---------|---------|------------|
| 1. Department Fire | | 2. Date: 10/19/2018 | | | | |
| 3. Contact Person & Title: Fire Chief William Laliberty | | 4. Phone: 978-373-8460 | | | | |
| 5. Project Title: Fire Station Study | | 6. Reference # (to be assigned): | | | | |
| 7. Type of Project (check): <input type="checkbox"/> New <input checked="" type="checkbox"/> Improvement <input type="checkbox"/> Replacement | | 8. Department Priority: Critical | | | | |
| | | 9. Form of Acquisition (check): <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Lease <input type="checkbox"/> Lease/Purchase | | | | |
| 10. Project Category (check one): <input type="checkbox"/> Land <input type="checkbox"/> Equipment <input type="checkbox"/> Improvements <input type="checkbox"/> Infrastructure <input type="checkbox"/> Buildings <input type="checkbox"/> Vehicles | | | | | | |
| 11. Basis for Estimate (check one): <input checked="" type="checkbox"/> Vendor Quote <input type="checkbox"/> Appraisal <input type="checkbox"/> Previous Purchase <input type="checkbox"/> Other (specify): | | | | | | |
| 12. Description/Justification (attach any additional pages or relevant background information): Fire Stations are in a desperate need of renovation and or repair. An engineering study on the conditions of the 6 existing stations should be done to gain an understanding on the critical needs of each station to prioritize renovation/ replacement projects of each station | | | | | | |
| 13. Estimated Capital Costs: | | | | | | |
| | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | TOTAL |
| Planning & Design | | \$ 125,000 | | | | \$ 125,000 |
| Land Acquisition | | | | | | \$ - |
| Site Development | | | | | | \$ - |
| Construction | | | | | | \$ - |
| Other (specify): | | | | | | \$ - |
| TOTAL | \$ - | \$ 125,000 | \$ - | \$ - | \$ - | \$ 125,000 |
| 14. Funding Source (check one): <input type="checkbox"/> Bond <input checked="" type="checkbox"/> Capital Budget <input type="checkbox"/> Donation <input type="checkbox"/> Free Cash <input type="checkbox"/> Grant <input type="checkbox"/> Stabilization <input type="checkbox"/> Other (specify): | | | | | | |
| 15. Signature:  | | | | | | |
| Mavor Rating (this box for Mavor's office only) <input type="checkbox"/> Fiscal Impact <input type="checkbox"/> Legal Obligation & Compliance <input type="checkbox"/> Impact on Service to the Public <input type="checkbox"/> Urgency of Maintenance <input type="checkbox"/> Prior Phases <input type="checkbox"/> Department Priority Project Total Score: | | | | | | |

**CITY OF HAVERHILL
Capital Project Request**

| | | | | | | |
|---|---------|--|---------|---------|---------|------------|
| 1. Department Fire | | 2. Date: 10/19/2018 | | | | |
| 3. Contact Person & Title: Fire Chief William Laliberty | | 4. Phone: 978-373-8460 | | | | |
| 5. Project Title: Fire Apparatus Replacement | | 6. Reference # (to be assigned): | | | | |
| 7. Type of Project (check): <input type="checkbox"/> New <input type="checkbox"/> Improvement <input checked="" type="checkbox"/> Replacement | | 8. Department Priority: Critical | | | | |
| | | 9. Form of Acquisition (check): <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Lease <input type="checkbox"/> Lease/Purchase | | | | |
| 10. Project Category (check one): <input type="checkbox"/> Land <input type="checkbox"/> Equipment <input type="checkbox"/> Improvements <input type="checkbox"/> Infrastructure <input type="checkbox"/> Buildings <input checked="" type="checkbox"/> Vehicles | | | | | | |
| 11. Basis for Estimate (check one): <input checked="" type="checkbox"/> Vendor Quote <input type="checkbox"/> Appraisal <input type="checkbox"/> Previous Purchase <input type="checkbox"/> Other (specify): | | | | | | |
| 12. Description/Justification (attach any additional pages or relevant background information): Due to the unserviceability of a 1995 HME & a 1984 Hahn, we only have one reserve Engine, a 2000 KME The 1995 & 1984 fire engines have been taken out of service and should be replaced by purchasing a new Severe Service Custom Engine and moving the oldest KME Engine into reserve bringing the complement of reserve apparatus back to two engines. MAPC/FCAM 5 HIGH END CUSTOM ENGINE \$520,144.28 | | | | | | |
| 13. Estimated Capital Costs: | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | TOTAL |
| Planning & Design | | \$ 520,144 | | | | \$ 520,144 |
| Land Acquisition | | | | | | \$ - |
| Site Development | | | | | | \$ - |
| Construction | | | | | | \$ - |
| Other (specify): | | | | | | \$ - |
| TOTAL | \$ - | \$ 520,144 | \$ - | \$ - | \$ - | \$ 520,144 |
| 14. Funding Source (check one): <input type="checkbox"/> Bond <input checked="" type="checkbox"/> Capital Budget <input type="checkbox"/> Donation <input type="checkbox"/> Free Cash <input type="checkbox"/> Grant <input type="checkbox"/> Stabilization <input type="checkbox"/> Other (specify): | | | | | | |
| 15. Signature:  | | | | | | |
| Mayor Rating (this box for Mayor's office only) <input type="checkbox"/> Fiscal Impact <input type="checkbox"/> Legal Obligation & Compliance <input type="checkbox"/> Impact on Service to the Public <input type="checkbox"/> Urgency of Maintenance <input type="checkbox"/> Prior Phases <input type="checkbox"/> Department Priority | | | | | | |
| Project Total Score: | | | | | | |

**CITY OF HAVERHILL
Capital Project Request**

| | | | | | | |
|--|---------|--|------------|---------|---------|------------|
| 1. Department Fire | | 2. Date: 12/4/2018 | | | | |
| 3. Contact Person & Title: Chief William Laliberty | | 4. Phone: (978) 373-8460 | | | | |
| 5. Project Title: NEW Mobile and Portable Radio Replacement | | 6. Reference # (to be assigned): | | | | |
| 7. Type of Project (check): <input type="checkbox"/> New <input type="checkbox"/> Improvement <input checked="" type="checkbox"/> Replacement | | 8. Department Priority: Critical | | | | |
| | | 9. Form of Acquisition (check): <input type="checkbox"/> Purchase <input type="checkbox"/> Lease <input checked="" type="checkbox"/> Lease/Purchase | | | | |
| 10. Project Category (check one): <input type="checkbox"/> Land <input checked="" type="checkbox"/> Equipment <input type="checkbox"/> Improvements <input type="checkbox"/> Infrastructure <input type="checkbox"/> Buildings <input type="checkbox"/> Vehicles | | | | | | |
| 11. Basis for Estimate (check one): <input checked="" type="checkbox"/> Vendor Quote <input type="checkbox"/> Appraisal <input type="checkbox"/> Previous Purchase <input type="checkbox"/> Other (specify): | | | | | | |
| 12. Description/Justification (attach any additional pages or relevant background information): Replacing out of date mobile and portable radios, no longer supported after 2020, are necessary as the new radio system is put in place. The older mobile and portable radios reduce the performance of the new system by not being able to operate exclusively in the digital mode (older radios cannot be used in digital mode of operation). Motorola Solutions show that the 1250 Mobile radios (model used by HFD) have been discontinued since 2015. Manufacturer recommends the radios should be replaced at or around the seven to ten year mark. | | | | | | |
| 13. Estimated Capital Costs: | | | | | | |
| | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | TOTAL |
| Planning & Design | | | | | | \$ - |
| Land Acquisition | | | | | | \$ - |
| Site Development | | | | | | \$ - |
| Construction | | | | | | \$ - |
| Other (specify): Equipment | | | \$ 197,121 | | | \$ 197,121 |
| TOTAL | \$ - | \$ - | \$ 197,121 | \$ - | \$ - | \$ 197,121 |
| 14. Funding Source (check one): <input type="checkbox"/> Bond <input checked="" type="checkbox"/> Capital Budget <input type="checkbox"/> Donation <input type="checkbox"/> Free Cash <input type="checkbox"/> Grant <input type="checkbox"/> Stabilization <input type="checkbox"/> Other (specify): | | | | | | |
| 15. Signature:  | | | | | | |
| Mayor Rating (this box for Mayor's office only) <input type="checkbox"/> Fiscal Impact <input type="checkbox"/> Legal Obligation & Compliance <input type="checkbox"/> Impact on Service to the Public <input type="checkbox"/> Urgency of Maintenance <input type="checkbox"/> Prior Phases <input type="checkbox"/> Department Priority Project Total Score: | | | | | | |

11/27/2018

Office of the Fire Chief
City Hall, Room 113
4 Summer Street
Haverhill, MA 01830

Re: Replacement of Existing Discontinued HFD Portable and Mobile Radios

Dear Chief Laliberty:

As you are aware, the extensive HFD radio system project was designed "mixed mode" in order to support our existing analog (mobile CDM 1250 and portable HT 1250) radios and the digital capability in the future.

There is an ongoing push from Homeland Security for Project 25 compliance. This is a nation wide move towards digital communications interoperability. We cannot operate our new radio system digitally with the older HT-1250 and CDM-1250 radios and will need to replace these radios in order to use the full capability of the new radio system.

By replacing the older radios and using the radio system in digital mode we will see many benefits, such as

- Improved audio quality at a greater range
- Better resistance to other signals
- Up to 40% longer battery life on portables
- The ability of encryption for transmitting sensitive information over the air.

Along with this letter, we are submitting documentation from Motorola showing that these older radios have been discontinued since 2015 and are scheduled for end of support on December 31, 2020. It is our recommendation that replacement options for these radios be researched.

Public safety portable radios should be replaced at, or around, the seven-to-ten year mark. We are recommending that a capital improvement plan be put in place to prepare for the next round of replacement radios, as well as a possible upgrade to software that will support a fire ground accountability user interface.

Respectfully,

Lieutenant Sullivan and SFA Lieutenant Moses



Date: November 30 2018
To: Haverhill Fire Department
 Attn: Lt. Eric Sullivan
 4 Sumner St.
 Haverhill, MA 01820
Re: Communications System Financing Proposal

Motorola Solutions, Inc. is pleased to submit the following proposal for the financing of your Motorola communications equipment in accordance with the terms and conditions outlined below:

Transaction Type: Municipal Lease Purchase Agreement (Tax-exempt)
Lessor: Motorola Solutions, Inc. (or its Assignee)
Lessee: Haverhill Fire Department
Total Transaction Value: \$ 197,088.00
Down Payment: \$ 0.00
Balance to Finance: \$ 197,088.00
Equipment: Subscriber Upgrade Project
 5 Year Lease Purchase (As per the Motorola Solutions equipment proposal)
Title: Title to the equipment will vest with the Lessee
Insurance: Lessee will be responsible to insure the equipment as outlined in the lease contract
Taxes: Personal property, sales, loading, use, stamp, or other taxes are for the account of the Lessee.

| | Option 1 | Option 2 | Option 3 | Option 4 |
|-----------------------------|--|---|---|---|
| Lease Term | 5 Years | 5 Years | 5 Years | 5 Years |
| Payment Type | Monthly Advance | Annually Advance | Monthly Advance | Annually Advance |
| Lease Rate | 5.22% | 5.22% | 5.22% | 5.22% |
| Lease Factor | 0.018972 | 0.233193 | 0.010690 | 0.221358 |
| Payment | \$3,739.15 | \$45,959.54 | \$3,722.99 | \$43,627.01 |
| Payment Commencement | First payment due one month after contract execution | First payment due one year after contract execution | First payment due upon contract execution | First payment due upon contract execution |

Expiration: The above lease rates and factors are valid for a lease commencing by 12/31/2018. After this date the rate will be reset to reflect current market conditions.

Program Highlights: Terms up to seven years can be structured for Municipal Lease Purchase Agreement (Tax-exempt).
 One hundred percent (100%) of a project's net cash cost can be financed.
 Payment frequency can be tailored to meet your cash flow and capital requirements.
 No pre-payment penalties.
 Future equipment upgrades can easily be accounted for in a modified lease schedule, restructuring already existing deals, etc.

Qualifications: Receipt of a properly executed documentation package.
Lessee qualifies as a political subdivision or agency of the State as defined in the Internal Revenue Code of 1986. The interest portion of the Lease Payments shall be excludable from the Lessee's gross income pursuant to Section 103 of the Internal Revenue Code.
Receipt of a copy of the last 2 year's audited financial statements and current year's budget from the Lessee.
This proposal should not be construed as a commitment to finance. It is subject to final credit approval.

Documentation: Municipal Equipment Lease Purchase Agreement
Opinion of Counsel
Schedule A/Equipment List
Schedule B/Amortization Schedule
8038G
LRC-1
Certificate of Incumbency
Statement of Essential Use/Source of Funds
Evidence of Insurance or Statement of Self Insurance
Resolution from governing body authorizing the execution of the Lease
Delivery & Acceptance Certificate

Please feel free to contact me if there are any questions, or if an alternate structure is required.

Regina,
Steve D'Esposito
Sr Account Manager
+1 (603) 431-8280



Date: November 30, 2018
To: Haverhill Fire Department
 Attn: Lt. Eric Sullivan
 4 Summer St.
 Haverhill, MA 01830
Re: Communications System Financing Proposal

Motorola Solutions, Inc. is pleased to submit the following proposal for the financing of your Motorola communications equipment in accordance with the terms and conditions outlined below:

Transaction Type: Municipal Lease Purchase Agreement (Tax-exempt)
Lessor: Motorola Solutions, Inc. (or its Assignee)
Lessee: Haverhill Fire Department
Total Transaction Value: \$ 197,088.00
Down Payment: \$ 0.00
Balance to Finance: \$ 197,088.00
Equipment: Subscriber Upgrade Project
 Various Lease Term Comparison (As per the Motorola Solutions equipment proposal)
Title: Title to the equipment will vest with the Lessee.
Insurance: Lessee will be responsible to insure the equipment as outlined in the lease contract.
Taxes: Personal property, sales, leasing, use, stamp, or other taxes are for the account of the Lessee.

| | Option 1 | Option 2 | Option 3 | Option 4 |
|-----------------------------|---|---|---|---|
| Lease Term | 2 Years | 3 Years | 4 Years | 7 Years |
| Payment Type | Annually Arrears | Annually Arrears | Annually Arrears | Annually Arrears |
| Lease Rate | 5.10% | 4.97% | 4.99% | 5.32% |
| Lease Factor | 0.539489 | 0.367792 | 0.282705 | 0.175659 |
| Payment | \$106,326.81 | \$72,487.39 | \$55,717.76 | \$34,620.28 |
| Payment Commencement | First payment due one year after contract execution | First payment due one year after contract execution | First payment due one year after contract execution | First payment due one year after contract execution |

Expiration: The above lease rates and factors are valid for all leases commenced by 12/30/2018. After this date the rate will be reset to reflect current market conditions.

Program Highlights: Terms up to seven years can be structured for Municipal Lease Purchase Agreement (Tax-exempt).
 One hundred percent (100%) of a project's acquisition cost can be financed.
 Payment frequency can be matched to meet your cash flow and budget requirements.
 No pre-payment penalties.
 Future equipment upgrades can easily be accommodated via add-on lease schedules, restructuring already existing deals, etc.

11/30/2018

<https://mclease.motorolasolutions.com/proposal.htm?id=4358&LWOP=FALSE<OP=FALSE>

Qualifications:

Receipt of a properly executed documentation package.
Lessee qualifies as a political subdivision or agency of the State as defined in the Internal Revenue Code of 1986. The interest portion of the Lease Payments shall be excludable from the Lessor's gross income pursuant to Section 103 of the Internal Revenue Code.

Receipt of a copy of the last 2 years' audited financial statements and current year's budget from the Lessee.

This proposal should not be construed as a commitment to finance. It is subject to final credit approval.

Documentation:

Municipal Equipment Lease Purchase Agreement
Opinion of Counsel
Schedule A/Equipment List
Schedule B/Amortization Schedule
8038G
UCC-1
Certificate of Incumbency
Statement of Essential Use/Source of Funds
Evidence of Insurance or Statement of Self Insurance
Resolution from governing body authorizing the execution of the Lease
Delivery & Acceptance Certificate

Please feel free to contact me if there are any questions, or if an alternate structuring is required.

Regards,
Steve DiEcco
Sr. Account Manager
+1 (603) 431-6288

| Product Name | Model Number | Description | Product Type | Cancellation Date | Replacement Model Number (if applicable) | Last Order Date | Last Ship Date | End of Support |
|--|---|-----------------|--------------|-------------------|---|-----------------|----------------|----------------|
| HT750, HT1250, CDM750, CDM1250, CDM150, PM1200 | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | Low Band | Subscriber | 12/15/2016 | For replacement products please consider the VERTEX series of mobiles. There will NOT be any replacements for the Low Band portables. | 12/15/2016 | 1/15/2016 | 2021 |
| CDM1250 | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | VHF, UHF | Subscriber | 6/30/2016 | NOT OTTB0 series of mobiles | 6/30/2016 | 7/31/2015 | 2020 |
| CDM750 / CDM1250 | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | LB | Bandstand | 9/22/2014 | | 9/22/2014 | | 2017 |
| CDM1250 | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | 15.75-17.25 GHz | Subscriber | 9/18/2012 | | 9/18/2012 | | 2015 |
| CDM1250 (Fed Models Only) | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | VHF, UHF1 | Subscriber | 12/8/2010 | | 12/8/2010 | | 2015 |
| CDM1250 (ISSA Models Only) | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | VHF | Subscriber | 12/8/2010 | | 12/8/2010 | | 2015 |
| CDM1250 - Federal Models Only | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | VHF | Subscriber | 7/31/2010 | | 7/31/2010 | | 2015 |
| CDM1250 (Fed Models Only) | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | VHF, UHF | Subscriber | 10/13/2009 | | 10/13/2009 | | 2014 |
| CDM1250 (2.5 ppm Only) Repl by 1 Signm | AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN, AAW2RCE9AA1AN, AAW2RCE9AA2AN, AAW2RCE9AA3AN, AAW2RCE9AA4AN, AAW2RCE9AA5AN, AAW2RCE9AA6AN, AAW2RCE9AA7AN, AAW2RCE9AA8AN, AAW2RCE9AA9AN, AAW2RCE9AA0AN | 2.5 ppm | Subscriber | 8/9/2006 | | 8/9/2006 | | |

As of Today: 2/25/2019

| Apparatus | Year Purchased | Mileage |
|-----------|----------------|-------------------|
| Engine 1 | 2017 | 9,960 |
| Engine 2 | 2006 | 133,521 |
| Engine 3 | 2015 | 30,105 |
| Engine 4 | 2006 | 158,085 |
| Engine 5 | 2000 | 164,765 (reserve) |
| Ladder 1 | 2009 | 41,596 |
| Ladder 4 | 2004 | 52,659 (reserve) |
| Engine 8 | 1987 | 115,281 (Ayer's) |
| Engine 9 | 1987 | 153,689 (Rock's) |
| Rescue | 2003 | 43,365 |
| Comb 2 | 1995 | 16,400 |
| Tanker | 1992 | 582,476 |

Haverhill Fire Department Apparatus Replacement Plan

Proposed by Chief Jack Parow

September 1, 2015

Rev. April 12, 2016

Human resources are the most important element of a fire department. Without the proper equipment this valuable resource cannot achieve the desired needs of the community they serve.

The City of Haverhill Fire Department (HFD) is a very busy department averaging 10,000 calls per year with a majority of these calls generating a response of multiple pieces of apparatus. Today, much of HFD's frontline and reserve apparatus is beyond its expected lifespan.

Fire Engines

Based on the number of calls, road miles and engine miles the lifespan of a fire engine is 24 years and is broken down as follows:

Initial frontline assignment would be at Engine 1 and 3, the busiest stations in the city, for 6 years or about 60,000 miles. For their second frontline assignment they will be reassigned to Engine 2 and 4, the slower stations in the city, this assignment will be for an additional 6 years and it is estimated that at that each Engine will have 115,000 miles.

After the initial 12 years as a frontline apparatus the Engines will be put into Reserve status. Reserve apparatus is used to replace frontline apparatus when they are down for repairs, have a major break down or for general maintenance. This Reserve status will last for 6 years at which time the apparatus will be assigned to one of the two call firefighter stations. At this point they will serve an additional 6 years and be retired.

It would be expected that an Engine would require some type of minor refurbishment work during its life time, most likely around the 6-8 year point.

The current price for a pumping engine is \$400,000.00. By extending its lifespan to 24 years the average yearly cost for the apparatus is \$16,666.00 a year. Everyone is always overwhelmed by the high cost of a piece of fire apparatus, but when it is spread out over its lifespan it becomes more realistic and reasonable.

Ladder Trucks

The City of Haverhill is populated by a large amount of multiple story buildings making the need for an aerial apparatus, such as a ladder truck or tower truck, an essential piece of firefighting apparatus. In order to assure an aerial apparatus is in service each and every day a reserve aerial device is also an essential piece of the fleet.

Based on the number of calls and longevity of an aerial the lifespan of a Ladder is 20 years and is broken down as follows:

The frontline assignment would be for ten years and then put in Reserve status for the next ten years, in the perfect world. However, the two aerial apparatus HFD have are only 5 years apart making the ten year rotation more difficult. In this situation I would suggest alternating each aerial apparatus on a 6 month basis and replace each at the end of their 20 year life.

It would be expected that a Ladder would require some type of minor refurbishment work during its life time, most likely around the 12 year point.

The current price for an aerial is 1.2 million dollars or an average annual cost of \$60,000.00 a year.

Rescue Truck

A Rescue vehicle is a type of specialty firefighting and emergency services apparatus. They are primarily designed to provide the specialized equipment necessary for technical rescue situations such as traffic accidents requiring vehicle extrication, building collapses, confined space rescue, rope rescues and water rescues. HFD carries an array of special equipment such as the breathing air cascade system, Jaws of Life, wooden cribbing, generators, winches, power saws and other forms of heavy equipment.

In addition and as importantly, a Rescue Company supports normal firefighting operation by augmenting and assisting Engine and Ladder Company operations with manpower, specialized equipment and training.

A Rescue Truck at HFD will be in frontline status its entire operational life of 16 to 18 years. It would be expected that the Rescue Truck would require some type of refurbishment work during its life time, most likely around the 10 year point.

Tanker Truck

A Tanker Truck, which can also be known as a water tender is a specialized piece of fire apparatus with the primary purpose of transporting large amounts of water to the fire area to make it available for extinguishing operations. HFD's Tanker Truck carries 3,000 gallons of water. It is especially useful in areas where fire hydrants are not readily available and or water supply is at a minimum.

A tanker has an on-board pumping system. This pump is not sufficient to fight fires but is designed to be attached to a Fire Engine to provide water supply.

The Tanker Truck at HFD will be in frontline status its entire operational life of 25 years. It would be expected that the Tanker Truck would require some type of refurbishment work during its life time, most likely around the 12 year point.

Small Vehicles

Small vehicles, such as cars and pickup trucks, serve an array of valuable purposes in both moving personnel and equipment around. Currently, HFD has 6 cars and 4 pickup trucks.

Cars

5 of the 6 cars are used for staff positions, Fire Chief, 3 Fire Prevention Officers and the Training Captain. The 6th car is "Car2" and is a line vehicle (or emergency response) and operated by the on duty Deputy Fire Chief and primarily responds to emergency calls. These cars have a 10 years lifespan.

The Fire Chief, the Fire Prevention Deputy Chief and the on duty Deputy (Car 2) cars serve for 5 years and then are handed down to a somewhat slower assignment for the 2 Fire Prevention Officers and the Training Captain for the additional 5 years.

Pickups

The pickup trucks serve three purposes, 1 for the Mechanic, 1 for the Mass Decon Unit (MDU) and 2 as Brush Fire Trucks with water pumping skid units that are installed in the back. A pickup truck has a lifespan of 20 years.

The first 10 years the pickup truck would serve as the Mechanic's or MDU then it would serve the next 10 years as one of the 2 Brush Fire Trucks.

I have attached a 25 year replacement matrix that coincides with the expected life span of HFD's apparatus and small vehicles as outlined above. Also attached is a brief description of the current state of this apparatus and small vehicles.

Haverhill Fire Department 25 years apparatus replacement plan

| | | | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|------------------|--------------------|-----------|------|------------|-----------|-----------|-----------|------------|------------|------------|
| Engine 1 | 06 KME | | | | | | | | | |
| Engine 2 | 06 KME | Engine 3 | | | | | | | Engine 3 | |
| Engine 3 | 15 KME | | | | | | | | | |
| Engine 4 | 00 KME | Engine 4 | | | | | | | | |
| Engine 5 | 95 HME | | | | | | | | Engine 2 | |
| Enginf 6 | 87 Hahns | Engine 4 | | | | | | | | |
| Engine 8 | 87 Hahns | | | | | | | | Call/E5 | |
| Engine 9 | 84 Hahns | Call/E6 | | | | | | | | |
| Ladder 1 | 09 KME | | | | | | | | | |
| Ladder 4 | 05 KME/12 | | | | | | | | | |
| Rescue 1 | 03 Frieght/CS | | | | | | | | | |
| Tanker 1 | 92 Ford L900 | | | | | | | | | |
| Combo 2 Brush | 93 F250 | | | | | | | | | |
| Combo 4 Brush | 81 GMC 2500 | Service 1 | | | | | MDU | | | |
| Ambulance 1 | 91 International | | | | | | | | | |
| Car 1 | 13 Ford Tauras | | | | | | | | | |
| Car 2 | 11 Tahoe | | | | | | | | | |
| Car 3 | 11 Ford Fusion | | | | | | | | | |
| Car 6 | 12 Ford Fusion | | | | | | | | | |
| Car 7 | 07 Ford Crown Vic. | Call 2 | | | | | | | Call 2 | |
| car 10 | 11 Ford Fusion | Call 1 | | | | | | | | |
| Service 1 | 03 F250 | | | | | | | | | |
| MDU | 12 F350 | | | | | | | | | |
| Fire Alarm Truck | | 2015 new | | 500,000.00 | 30,000.00 | 32,000.00 | 40,000.00 | 375,000.00 | 440,000.00 | 325,000.00 |

Cost of Vehicles at Today's Prices
9/3/2015

| | | |
|---------------|--------------|--|
| Engine | 400,000.00 | 12-13 years front line, 26-27 life time |
| Ladder | 1,200,000.00 | 20/21 years front line, rotating 2 ladders |
| Rescue | 375,000.00 | 17/18 front line |
| Tanker | 30,000.00 | 25 years front line |
| Ambulance | 145,000.00 | 10-11 years front line |
| FA truck | 45,000.00 | 20 years front line |
| Service truck | 40,000.00 | 10 years mech., 10 Brush Combo |
| Chief's car | 30,000.00 | 5 years Chief's car, 5 years FP car |
| FP car | 25,000.00 | 8-10 years |

Apparatus Report

Frontline Apparatus

Engine 1, 2005 KME

Miles: 114,358 Engine Hours: 11,631

This vehicle is in good mechanical condition. The engine, transmission and rear end all function properly. Vehicle is showing signs of corrosion and there are areas of paint peeling off the body. Structurally the body and cab are in good shape.

The pump and ground ladders passed the annual inspection.

Engine 2, 1995 HME

Miles: 173,129 Engine Hours: 16,933

This vehicle is in poor mechanical condition. The engine has low power and coolant leaks. The transmission shifts harsh and erratic. Body, cab, frame and tank frame all have severe corrosion issues.

The vehicle is in poor condition overall.

The pump and ground ladders passed the annual inspection.

Engine 3, 2005 KME

Miles: 94,727 Engine Hours: 10,601

This vehicle is in good mechanical condition. The engine, transmission and rear end all function properly. Vehicle is showing signs of corrosion and there are areas of paint peeling off the body. Structurally the body and cab are in good shape.

The pump and ground ladders passed the annual inspection.

Engine 4, 2000 KME

Miles: 142,275 Engine Hours: 13,754

The vehicle is in good mechanical condition. The engine, transmission and rear end all function properly. Vehicle has high miles and engine hours and problems related to this should be expected. The vehicle is corroded including the under carriage, cab and body.

The pump and ground ladders passed the annual inspection.

Ladder 1, 2009 KME 102 foot Aerial Platform

Miles: 29,265 Engine Hours 3,391 Aerial Hours: 451

This vehicle is in good mechanical condition. The engine, transmission and rear end all function properly. Vehicle has corrosion between the frame rails. The body and cab are showing signs of corrosion. This should be covered by the KME warranty. We are working with KME and Bull Dog to get this covered and fixed.

The aerial ladder has passed its annual inspection.

Ladder 4, 2005 KME 100 foot Aerial Tiller

Miles: 39,439 Engine Hours: 3,292 Aerial hours 195

This vehicle is in good mechanical condition. The engine, transmission and rear end all function properly.

This vehicle is currently rust free. Winter use should be limited if possible. This vehicle was built for the West Coast.

The aerial ladder has passed its annual inspection.

Tanker 1, 1992 Ford LTS 9000 -3,000 gallon

Miles 582,017

This truck is in good to fair mechanical condition. The engine, transmission and rear end all function properly. This is a converted "Ryder" truck that was stretched to accommodate the water tank. The transfer pump is not mounted properly.

This truck should last a long time because of its very limited use.

Rescue 1, 1999 Freightliner FL 70

Miles 123,855 Engine Hours: 11,001

This vehicle is currently out of service waiting a refurbishment. Estimated refurbishment cost \$120,000.00.

Ambulance 1, 1991 International 4000 SER

Miles: 51,866

The vehicle is in good mechanical condition. The engine, transmission and rear end all function properly.

Some corrosion issues under the truck and the under carriage. The PTO generator is rusting badly.

The vehicle is in good running shape for its age, but is getting to old for OEMS to certify as a Class 1 ambulance.

Combo 2, 1993 F250 Ford 4X4

Miles: 15,615

The vehicle is in good mechanical condition. The engine, transmission and rear end all function properly.

The truck has a small amount of corrosion. Body is dented from front to back.

Skid pump works, but is old and tired.

Combo 4 1981 GMC K2500 4X4

Miles: 26,961

The vehicle is in good mechanical condition. The engine, transmission and rear end all function properly.

The truck has corrosion and dents all over and is an eyesore.

Skid pump works, but is old and tired.

Car 2, 2011 Chevy Tahoe

Miles: 74,904

Vehicle is in good condition, but has very high miles. The engine, transmission, transfer case and rear end all function properly. To extend the life of the truck it should be moved down to a lower use function, a fire prevention car for example.

MDU 3 2011 F350 Ford 4X4 Pick up

Miles: 6,071

This vehicle is in very good condition. The truck is like brand new.

Car 5 2003 F250 Ford 4X4 Pick up

Miles: 94,235

The vehicle is in good mechanical condition. The engine, transmission, transfer case and rear end all function properly. The truck has corrosion issues on the right side and bed floor. Overall, the truck is in good condition.

Fire Alarm/Signal Truck

2015 F550 Ford with an aerial bucket

This truck is new and was delivered 7/23/15

Cars

Car 1 2013 Ford Taurus, Chiefs car. Excellent condition.

Car 3 2011 Ford Fusion, Dep. Chief/FP. Excellent condition.

Car 6 2012 Ford Fusion, Inspector/FP. Excellent condition.

Car 7 2007 Ford Crown Vic/Old Police Car, Inspector/FP. Poor condition.

Car 8 2000 Ford Explorer XLT, Old Car 1. Poor condition.

Car 9 2000 Ford Crown Vic, Fire Alarm Sup. Out of Service.

Car 10 2011 Ford Fusion, Training Office., Excellent condition.

Fire Prevention Van/Old Trinity Amb. 2004 Ford Econoline. Poor condition.

Reserve Apparatus

Engine 5, 1995 HME

Miles: 120,961 Engine hours 14,843

This vehicle is in poor mechanical condition. The engine has very low power. The engine, transmission and rear end all function properly. Vehicle has high miles and engine hours and problems related to this should be expected. The vehicle is very corroded including the under carriage, cab and body.

The pump and ground ladders passed the annual inspection.

Engine 6, 1987 Hahn

Miles: 142,275 Engine Hours: 9,320

This vehicle is in fair mechanical condition. The engine, transmission and rear end all function properly. Vehicle has high miles and engine hours and problems related to this should be expected. Plumbing problems should also be expected. The vehicle is corroded including the under carriage, cab and body.

The pump and ground ladders passed the annual inspection.

Engine 8, 1987 Hahn

Miles: 111,976 Engine Hours: Broken

This vehicle is in fair mechanical condition. The engine, transmission and rear end all function properly. Vehicle has high miles and unknown engine hours and problems related to this should be expected. Plumbing problems should also be expected. The vehicle is corroded including the under carriage, cab and body.

Out of all the Hahn Engines this one has the least corrosion.

The pump and ground ladders passed the annual inspection.

Engine 9, 1984 Hahn

Miles 111,844 Engine Hours: Broken

This vehicle is in fair mechanical condition. The engine, transmission and rear end all function properly. Vehicle has high miles and unknown engine hours and problems related to this should be expected. Plumbing problems should also be expected.

This is the only Engine with a 2 stage pump and could create operator problems. The vehicle's under carriage is severely corroded. There is also corrosion on the cab and body.

This vehicle has a semi opened cab with both jump seats open.

The pump and ground ladders passed the annual inspection.

NOTE: Engine 6, 8 and 9 have a 2 cycle diesel engine that during normal operations spit oil out the exhaust and drains on the ground. They are not environmentally friendly or safe.

RULES AND REGULATIONS OF THE CITY COUNCIL

ORGANIZATION

Rule 1. The City Council shall meet for organization at ten o'clock in the forenoon on the first Monday of January following the regular municipal election and the members of the City Council shall severally make oath, before the City Clerk or a justice of the peace, to perform faithfully the duties of their respective office, except any member-elect not present shall make oath at the first regular meeting of the City Council thereafter which s/he attends.

For the purpose of organization, the City Clerk shall be temporary Chair until the President and Vice President are elected. President nominee(s) must have a minimum of one year's experience on the Haverhill City Council to qualify for election.

The City Council shall, by majority vote of all members elected, elect a President and Vice President from its own members; and the persons elected shall likewise make oath to perform faithfully the duties of the respective offices to which they are so elected at the same meeting, except any member-elect not present shall make oath at the first regular meeting of the City Council thereafter which s/he attends.

The following year, the first Tuesday of January at 7:00 o'clock P.M., the members of the City Council shall meet for the purpose of organization.

Within the first sixty (60) days of each calendar year, the members of the City Council shall vote to approve, amend, add, disapprove or delete from its Rules and Regulations. The City Council may also amend, add or delete from its rules throughout the year through a process of having an agenda item referred to Administration & Finance receiving Administration & Finance recommendation and majority approval of the full City Council.

REGULAR MEETINGS

Rule 2. Regular meetings of the City Council shall be held every Tuesday at 7:00 o'clock P.M. except in June there shall be a meeting on the first, third and fourth Tuesday except when June has five Tuesdays then it will be first, third and fifth. From July until the second Tuesday after Labor Day, the Council shall meet every other week beginning with the second Tuesday of July. In September, starting with the second Tuesday after Labor Day, the Council shall return to its regular weekly schedule. Additionally, in any year that the Mayor should choose to deliver his/her State of the City address on a Tuesday night at 7:00P.M., the City Council meeting scheduled for that week shall be appropriately cancelled in advance. The meeting(s) scheduled for the Tuesday after the President's Day holiday in February, Tuesday before Thanksgiving and the Tuesday of the Christmas holiday week shall be cancelled. The meetings shall be held in the City Council Chambers, City Hall, unless a majority of the full Council votes to hold a meeting at an alternative location at least six days prior to such change. The City Council may at any meeting, by a majority vote, discontinue any further meetings herein before scheduled.

MEETINGS OPEN TO PUBLIC

Rule 32A. Except in the case of executive sessions, all meetings of the City Council and of City Council Committees thereof shall be open to the public, and the City Council shall provide that citizens shall have up to three (3) minutes, unless a longer period is deemed necessary by the presiding Councillor to be heard at any such meeting in regard to any matter considered there. All meetings of the City Council shall conform to the Massachusetts Open Meeting Law (M.G.L. c.30A sections 18-25).

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SPECIAL MEETINGS

Rule 43. The President, or in his/her absence the Vice President, of the City Council, or any three members thereof, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person or persons calling the same, to be delivered in hand or by electronic communication to each member of the City Council at least forty-eight (48) hours before the time of such meeting.

Every notice for a special meeting shall specify the subject to be acted upon and the place and time where the meeting is to take place.

HOLIDAYS

Rule 2A4. Whenever the day set by these rules for any meeting of the City Council shall fall upon or immediately after a holiday, then such meeting shall be cancelled by order of the Council.

QUORUM

Rule 5. Five (5) members of the City Council shall constitute a quorum.

REMOTE PARTICIPATION

Rule 6. Remote participation of City Council meetings shall be conducted in accordance with the Code of the City of Haverhill, Chapter 66, Article III.

PRESIDING OFFICER

Rule 7. The President, if present, shall preside at the meetings. In the absence of the President, the Vice President of the City Council shall preside or, in the absence of both, the next available Councillor in a downward sequential order as determined by the voting results of the last City Council election shall preside if s/he desires during the absence of both the President and the Vice President.

VACANCY IN THE OFFICE OF PRESIDENT OR VICE PRESIDENT

Rule 8. If the office of President becomes vacant, the Vice President shall assume duties of the President or if the office of Vice President becomes vacant, the City Council, in the manner provided in Rule 1, shall at the next regularly scheduled meeting elect one of its members to fill such office for the unexpired term, provided that no such vacancy shall be filled so long as there is a vacancy in the City Council.

DUTIES OF PRESIDING OFFICER

Rule 9. The presiding officer shall preserve decorum and order, may speak to points of order in preference to other members; shall decide all questions of order, subject to any appeal to the City Council, regularly seconded; and no other business shall be in order until the question on the appeal shall have been decided. The vote upon the appeal from the ruling of the chair shall be by roll call and shall stand unless a majority of the votes are to the contrary. The chair shall be allowed to vote on any question of appeal.

The presiding officer or his/her designee shall report all votes and the presiding officer shall then declare the result, and if the result be in doubt, may call for a roll call vote. Such declaration, if not the result of a roll call, shall stand unless it is reversed by a roll call called for by any member.

RELINQUISHING THE CHAIR

Rule 10. When the presiding officer desires to relinquish the chair, s/he shall call upon the Council Vice President, and, if not present, s/he shall call upon the next available Councillor in a downward sequential order as determined by the voting results of the last City Council election but such substitution shall not continue beyond the will of the presiding officer so relinquishing the chair or beyond any adjournment, except as hereafter provided. For practical and logistical purposes, at all Council meetings the Vice President shall sit to the immediate right hand of the President, (chair 4) and Councillors 3, 4 and 5 shall occupy chairs 1, 2 and 3 in descending order of election.

If the presiding officer wishes to present an agenda item or participate in any subject under debate, s/he shall relinquish the chair as above provided and shall not resume the chair until ~~s/he is through speaking and all points of order arising therefrom have been decided, that particular agenda item is concluded.~~ ~~s/he is through speaking and all points of order arising therefrom have been decided.~~

The presiding officer may, however, express a final opinion on any subject in which debate has concluded, without relinquishing the chair.

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COMMITTEES

Rule 11. The President of the City Council shall appoint all standing committees, all special committees, shall fill any committee vacancy and designate the rank of the members of each committee unless specifically directed otherwise by a majority of the council. There shall be the following standing committees:

1. Administration & Finance Committee: Department of Finance & Records; and Law
2. Natural Resources & Public Property Committee: Water and Wastewater; Energy Conservation; Conservation Commission; Department of Public Buildings; Assessors; Parks and Playgrounds
3. Planning & Development Committee: Department of Community Planning and Development; Planning Department; Engineering.
4. Public Health, Safety & Works Committee: Department of Law Enforcement; Department of Fire Safety Services; Public Works; Public Health.

5. Citizen Outreach Committee: Constituent and Neighborhood Groups

The City Councillor responsible for initiating an item at an official Council meeting, which is then forwarded to the Mayor, City Department Head(s) or Committee(s) for further study and review, is personally and solely responsible for facilitating all necessary steps for that item's final disposition. The procuring Councillor must also make him/herself available at all of the Committee meeting(s) upon which said item is to be reviewed. Failure or inability of procuring Councillor to attend the meeting to which the item is scheduled to be heard shall result in said item being tabled to the next meeting of the Committee, unless those committee members in attendance choose to act on or dispose of said item without the initiating Councillor present.

The Committee Chairperson shall ensure items referred to Committee be reported on as soon as reasonably possible after item is referred. On any item submitted to Committee of the City Council, the President shall have final authority as to which Committee or to which department an item will be forwarded to. Any item submitted to Committee of the City Council shall be reported back to the City Council with recommendation(s) for action, if any whenever reasonably possible. The City Council Vice President shall work to ensure **that whenever reasonable,** items referred to Committee be reported on within 60 days of referral by the Committee Chairperson.

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The meetings of the standing committees of the City Council shall be held on Mondays, Wednesdays or Thursdays no earlier than 7:00 PM. in the City Council office, Room 204, except in cases where the subject matter to be discussed is deemed by the Committee Chairperson to be more appropriate at another day, time or place. All Committee meetings shall be scheduled in compliance with the Massachusetts Open Meeting Law.

SUFFICIENCY OF VOTE

Rule 12. The affirmative vote of a majority of all the members elected to the City Council shall be necessary for the passage of any order, ordinance, resolution, or vote except as noted herein or otherwise provided by the General Laws. The affirmative vote of a majority of the members present shall be sufficient to adjourn any meeting of the City Council.

COUNCIL VOTES NECESSARY PLAN A

| | | | |
|----|--|----------|------------------------|
| | Annual Budget | Majority | 5 votes |
| | Salary Appropriation | Majority | 5 votes |
| | Salary Ordinance (increase) | 2/3 | 6 votes |
| | Loan Orders | 2/3 | 6 votes |
| | Transfer from one department to another (C.44 S.33B) | 2/3 | 6 votes |
| | Transfer within department | Majority | 5 votes |
| | Eminent Domain | 2/3 | 6 votes |
| * | Zoning ordinances and amendments | 2/3 | 6 votes |
| ** | Zoning Special Permits | 2/3 | 6 votes |
| | Suspend Rules | 3/4 | of Councillors present |
| | To amend a document | Majority | 5 votes |

| | | |
|----------------------------|-----|---------|
| To rescind a document | 2/3 | 6 votes |
| To expunge a document | 2/3 | 6 votes |
| To override a Mayor's veto | 2/3 | 6 votes |
| Motion to censure | 2/3 | 6 votes |

- * If a petition signed by the owners of 20% of the property abutting is presented to the Clerk prior to the close of the hearing, protesting a change, the document requires 7 votes, (see G.L. C.40A s.5)
- ** Cluster Residential Development, Planned Unit Development and Multifamily dwellings (see G.L. c.40A), Used and New Car Dealerships (see Zoning Regulations Ch.255-16, Table of Use and Parking Regulations)

EVERY MEMBER SHALL VOTE EXCEPT AS PROVIDED IN THIS RULE

Rule 13. Every member present when a question is put shall vote, unless any Councillor for special reason(s) or a conflict of interest stated at the introduction of an agenda item shall be excused from voting. Any Councillor who declares an intent not to participate in an agenda item shall leave the Council Chambers until such time as the agenda item has concluded. No member shall leave the Council Chambers without permission of the chair if his/her presence is necessary to make a quorum.

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MANNER OF VOTING YES - NO - VOICE VOTE

Rule 14. Final votes of the City Council shall be by individual voice vote by YES or NO and shall be entered on the records. The presiding officer shall always vote last.

With the exception of votes for orders, ordinances and Council votes necessary under the Plan A form of government, the President may proceed by voice vote of the City Council unless objected to by another member of the City Council in which case the vote shall be recorded as stated above.

Notwithstanding the language contained in Rule 12, no member shall vote on any question or serve on any committee where his/her private right is immediately concerned, distinct from the public interest.

Rule 15. Prior to the announcement by the Chair of the result of a roll call vote, any Councillor may ask to have his/her name called again in order to record him/herself differently.

GAINING THE FLOOR

Rule 16. Every Councillor, when wishing to speak, shall raise his/her hand respectfully or, if available, signal the Chair by some other acceptable manner, asserting his/her desire to gain the floor and wait until s/he is recognized.

EVERY ORDER OR RESOLUTION MUST BE ENDORSED

Rule 17. No order or resolution shall be received or acted upon unless endorsed by a member of the Council and properly seconded.

WITHDRAWING NOTICE

Rule 18. After a motion is stated or read by the Chair and properly seconded, it shall be deemed to be in possession of the Council, and shall be disposed of by vote, but the mover or seconder may withdraw it at any time before a decision or amendment.

PETITIONS ONCE REJECTED

Rule 19. Except as otherwise might be provided specifically in the Massachusetts General Laws, whenever final action on any order, ordinance, petition, or question, discussion, or public participation has been taken by the City Council, no further order, ordinance, petition, question, discussion, or public participation which in substance is the same as heretofore acted upon, shall be resubmitted to the Council within six months from the time of the Council's previous action thereon unless two-thirds of the Council consents in writing for its resubmission.

Nothing in this rule shall be intended to waive provisions of Rules 22 and 23 and said rule shall not be considered inconsistent with said rules numbered 22 and 23.

ORDINANCE AND BOND ORDERS REFERRED TO CITY SOLICITOR

Rule 20. Every ordinance and every order for a bond issue shall, before its passage, be referred to the City Solicitor, who shall forthwith examine the same as to its legality and notify the Council of his/her findings.

That it be a standing rule of this Council that no final or definite action be passed by this Council in the matter of abatement of betterment assessments until such time as the legality of a proposed abatement be approved by the City Solicitor.

ENACTING STYLE

Rule 21. All by-laws passed by the City Council shall be entitled ordinances and the enacting style be "Be it ordained by the City Council of the City of Haverhill". In all votes by which the City Council expresses anything by order or by command, the enacting style shall be "Ordered:" and in all votes by which the City Council expresses opinions, principles, facts or purposes, the enacting style shall be "Resolved".

Rule 22. When a question is under debate, the chair will receive motions in accordance with Order of Precedence outlined in "Robert's Rules of Order".

PREVIOUS QUESTION

Rule 23. The previous question shall be put in the following form: "Move the main question." Once seconded, all further amendment or debate of the main question shall be suspended until the previous question is decided.

On the previous question, not exceeding five minutes shall be allowed for debate, which shall be confined to giving reasons why the main question should not be put, and no member shall speak more than two minutes.

RECONSIDERATION

Rule 24. After a vote has been taken, it shall be in order for any member voting with the prevailing side to move reconsideration thereof at the same meeting at which the vote was taken, or to file with the City Clerk, not later than twelve o'clock noon of the second business day following such meeting, written notice of a motion to reconsider such vote. After receiving such written notice of reconsideration, the Clerk shall place it on the calendar for the next regular meeting or for any intervening special meeting, provided the same is included in the call thereof.

Whenever a written notice of a motion to reconsider has been filed as aforesaid, the Clerk shall notify all of the members of the City Council and any parties that spoke at the Council meeting when the original vote was taken. In the case of a question decided by a tie vote, the prevailing side shall be considered to be the one in whose favor the question was decided. Not more than one motion for reconsideration of any vote shall be entertained, and no vote upon either of the following motions shall be reconsidered: viz: to adjourn; to lay on the table; to take from the table and the previous question.

KEEPER OF THE RECORD

Rule 25. The Clerk or her/his designee shall attend and keep the records of all meetings of the Council. S/he shall record the names of the members present, and shall have the care and custody of the city records, and all documents, maps, plans and papers pertaining to the business of the City Council. The City Council Administrative Assistant or her/his designee shall assume the duties of the Clerk in her/his absence.

PAPERS MUST BE FILED BEFORE 11:00 A.M. FRIDAY BEFORE MEETING

Rule 26. All papers of whatever description which may require action by the City Council shall be presented to the City Clerk not later than 11:00 A.M. on the Friday preceding the day of each regular meeting, except when such preceding day is a holiday or City Hall is closed, then they shall be presented at the same hour on the Thursday preceding the day of the meeting. Papers presented after that hour on such day will not be considered until the next meeting, unless admission is approved by three quarters (3/4) of the City Council.

CLERK SHALL PREPARE A LIST OF ALL MATTERS

Rule 27. The City Clerk shall prepare a list of all matters to come before the City Council at each meeting in accordance with the established order of business and shall deliver to the Council office for each Councillor, a copy of the same on the same day that the agenda is prepared.

As part of the agenda for each meeting, on a separate sheet in a suitable format, there shall be a list of all orders, documents, reports and communications which have been referred to a Council committee for report or action, along with the date submitted to the committee.

Rule 27A. No business or document scheduled to come before the City Council may be removed or omitted from the agenda prior to a meeting.

Rule 27B. The City Council shall allow for re-reading of all back up material related to any Ordinance before the vote is taken for passage.

Rule 27C. The President of the City Council shall not allow any communication or other matter to be placed on the agenda that does not conform with the City Council's Rules and Regulations or, if not governed by a rule or regulation, that does not conform with Robert's Rules of Order. The City Council President or presiding officer shall have oversight and discretion of the content of the final agenda to ensure compliance with the Massachusetts Open Meeting Law (M.G.L.c.30A sections 18-25). Agenda items must be sufficiently specific to reasonably inform the public of the issues to be discussed at the meeting. And if in the sole determination of the presiding officer that specificity is lacking, the matter may be delayed until such information is obtained.

PUBLIC PARTICIPATION

Rule 28A. Any Haverhill resident, organization or taxpayer may request through the President, or any other member, to be placed on the agenda for the next regularly scheduled meeting to speak about a matter or concern, provided it is related to issues that are within the Council's jurisdiction. The person shall be allowed up to three (3) minutes to speak, which time may be expanded or limited at the discretion of the presiding officer.

Rule 28B. Any Haverhill resident, organization or taxpayer may request, in writing, to speak to the City Council at the next regularly scheduled meeting by filing a completed request form with the City Clerk's Office. Request forms may be obtained at the City Clerk's Office or downloaded from the City of Haverhill Official web site. Requests to speak must be about a matter or concern that is related to issues that are within the Council's jurisdiction, and the written request to speak must contain details of the intended topic of discussion, and be specific enough to comply, in the opinion of the Council's presiding officer, with the Massachusetts Open Meeting Law. Any request form filed with the City Clerk's Office that appears to be complete will then be forwarded to the City Council's presiding officer in order to seek approval to place the request item on the next regular meeting agenda. In the event that a request to speak form is incomplete, vague or lacking, in the opinion of the Council's presiding officer, and requires additional time to obtain enough detail so that the item when placed on an agenda will adequately inform the general public as to the specific topic to be discussed and thereby complying with the Massachusetts Open Meeting Law, such delay may cause the request to be held until such time that sufficient additional information is added to the request. The responsibility to provide sufficient detail on the request forms and thereby prevent any delay in filing shall be the sole responsibility of the requesting party. The person making the request shall be allowed up to three (3) minutes to speak, which time may be expanded or limited at the discretion of the presiding officer. Note: for other methods of public participation, see Rules 2A, 28A and 35.

EXAMINATION OF RECORDS OF PREVIOUS MEETING

Rule 29. At each meeting of the Council, the records for the meeting shall be referred to a member thereof (excepting to the President) for examination; and for the next Council meeting s/he shall report the results thereof to the Chair who shall accept the minutes for the file unless objected by any City Councillor whereupon the Chair shall then place before the meeting the question of approval of the same.

ORDER OF BUSINESS

Rule 30. At every regular meeting of the City Council the order of business shall be as follows:

1. Opening Prayer, and additional information at the discretion of the presiding officer
2. Pledge of Allegiance
3. Approval of the records of previous meeting
4. Assignment of minutes review for next meeting
5. Communications from the Mayor
6. Communications and Reports from City Officers and Employees
7. Utility hearing(s) and related order(s)
8. Hearings and related Orders
9. Public Participation – Requests under Council Rule 28B
10. Appointments
11. Petitions
12. Motions and Orders
13. Communications from Councillors
14. Unfinished business of preceding meetings
15. Resolutions and Proclamations
16. Council committee reports and announcements

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The above shall not be departed from except by permission of the presiding officer.

Any public hearing that is expected to exceed more than two hours in duration in the opinion of the City Council President, may be scheduled by the President as a special meeting to be held other than at the time of a regularly scheduled City Council meeting, provided that special Council meeting can be televised by the local cable channel.

PASSAGE AT ONE SESSION

Rule 31. Except as otherwise might be provided specifically in the Massachusetts General Laws, any ordinance after having been placed on file for at least 10 days, and any order or resolution may be passed through all its stages of legislation at one session, provided that no member of the Council objects thereto; but if any member of the Council objects, the measure shall be postponed for that meeting.

PARLIAMENTARY PRACTICE

Rule 32. In all matters of parliamentary practice not provided for in these rules or the Massachusetts Open Meeting Law (M.G.L. c.30A sections 18-25), the City Council shall use "Robert's Rules of Order", the latest edition, as a guide.

Rule 33. Insofar as these rules are not of statutory source or origin, the same may be suspended at any meeting by a three-quarters (3/4) vote of all Councillors present, but not otherwise. Suspension of rules shall apply only for the subject matter under consideration and must be stated in detail prior to voting for said suspension of rules. A suspension of the rules to add an item to the agenda for discussion must be of exigent circumstances. Exigent circumstances shall not include any matter which could have been added to an amended agenda prior to the commencement of the meeting, in compliance with the Open Meeting Law.

Upon completion of process as stated in Rule 1 these rules may be amended or repealed by the vote of five Councillors, but said amendment or repeal shall not be effective until the next regular meeting.

If any action is taken inconsistent with these rules, the same shall be construed to have been taken in suspension thereof provided there is a three-quarters (3/4) consent of all members of the Council, or there is no objection raised prior to the meeting being adjourned.

COUNCIL BUDGET

Rule 34. Prior to the President's submission of the Council annual budget to the Mayor, the President shall seek input from each Councillor and each Councillor shall be allowed to provide his/her input into the City Council budget request.

HEARINGS

Rule 35. All public hearings of the City Council will have the following guidelines. The proponent or petitioner will have up to thirty (30) minutes to make their presentation. The opposition will have up to thirty (30) minutes to make their presentation. Each side, proponent and opposition, will have up to five (5) minutes each for rebuttal after initial presentations. Anyone wishing to speak in favor of or against the proponent or petitioner shall be allowed up to three (3) minutes, in addition to the thirty (30) minutes each side is given to present. At the discretion of the presiding officer, a speakers' time may be limited due to repetitious information.

If a petitioner needs more time for a presentation, the presiding officer may at his/her discretion allow for additional time for any proponent or petitioner to complete a presentation, provided that an equal amount of time be granted to the opposition.

INDOCTRINATION OF NEW COUNCILLORS

Rule 36. It shall be the responsibility of the Council President to hold indoctrination for all new Councillors within thirty days of the final election. This also includes making available to Councillors Robert's Rules of Order in the City Council office and any other information that is pertinent for a smooth transition.

INTRADPARTMENTAL COMMUNICATION

Rule 37. ~~Any individual Councillor or Any individual Councillor or~~ The Council body, **by majority vote**, may make a formal request for information or ask pertinent questions of the Mayor, City Department Heads, Boards or Commissions pursuant to a matter placed on the

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Council meeting agenda provided, that, in all cases, the information requested or questions asked, be in accordance with the following manner:

The City Council at any time may request from the Mayor specific information on any municipal matter within its jurisdiction, and may request him/her to be present to answer written questions relating thereto at a meeting to be held not earlier than one week from the date of the receipt by the Mayor of said questions. The Mayor shall personally, or through a designated representative, the head of a department or a member of a board, attend such meeting and publicly answer all such questions. The person so attending shall not be obliged to answer questions relating to any other matter. The Mayor may attend and address the City Council in person or through the head of a department, or a member of a board, upon any subject.

USE OF CITY COUNCIL STATIONERY

Rule 38. The use of City Council stationery with official letterhead shall be afforded to the Council President to communicate with any City Department, citizens, private businesses or State and Federal entities as s/he deems necessary. However, any communication issued by any other Council member on said stationery with respect to an issue previously, presently or potentially under the auspices of the City Council, Mayor or any commission, committee, authority, board, task force or any other decision making body on the local, state or federal level, must be brought through the Council Administrative Assistant and must be copied and approved by the Council President.

The Council President shall be responsible for alerting each newly elected Councillor of this rule during the orientation period outlined in Rule 36.

SPECIAL ELECTION AND BALLOT QUESTIONS

Rule 39. Whenever the City Council votes for any special election or question to be placed on a ballot, the City Clerk shall immediately enter into the agenda for the following week an agenda item that would require providing a copy of the certified mail receipt to each Councillor. This would prove that the proper departments in local or state government have been notified of the special election or of the ballot question.

MOTIONS TO CENSURE

Rule 40. A communication to place a motion to censure a member of the City Council on the agenda must be filed with the City Clerk in a timely manner and must be in writing and signed by no less than six members of the City Council and must specify egregious behavior and/or conduct unbecoming of a City Councillor.

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
THOMAS J. SULLIVAN
VICE PRESIDENT
JOSEPH J. BEVILACQUA
MELINDA E. BARRETT
COLIN F. LEPAGE
TIMOTHY J. JORDAN
WILLIAM J. MACEK
MARY ELLEN DALY O'BRIEN
MICHAEL S. MCGONAGLE



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CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

DOCUMENTS REFERRED TO COMMITTEE STUDY

| | | | |
|-------|--|---|--------------------|
| 38-F | Communication from Councillors Barrett and LePage requesting to discuss double poles in the City | A & F 9/6/16, 11/316, 1/17/17, 5/11/17, 10/24/17 | 3/15/16 |
| 38-W | Communication from Councillor Barrett requesting to give an update on response from MBTA/Keolis & US EPA about idling trains in Bradford | Citizen Outreach | 4/5/16 1/31/17 |
| 26E | City of Haverhill – Mayor’s Recommendations, Capital Improvement Program – 2016-2020 | A & F 11/3/16, 5/11/2017, 7/25/17, 2/15/18 | 5/31/16 |
| 10-B | Communication from President Michitson asking to request from Mayor status of facility improvements to public buildings and parks to comply with American w/ Disabilities Act (ADA) | Citizen Outreach 1/31/17, 8/15/17 | 1/3/17 |
| 10-U | Communication from President Michitson requesting discussion on next steps to provide comprehensive long range plan for Haverhill | Citizen Outreach | 1/31/17 8/15/17 |
| 58-G | Communication from President Michitson requesting to present an update on the meeting with group homes stakeholders to address severe problems in Haverhill | Public Safety | 5/2/17 |
| 7-M | Communication from Councillor Daly O’Brien re: street parking change after storms by providing alternate street parking the night after storm to improve plowing & clearing in inner city streets | Citizen Outreach | 1/16/18 |
| 38-D | Communication from Councillors Sullivan and Barrett requesting an update on City’s emergency management plan and status of working generators in all public building in City | Public Safety | 3/20/18 |
| 82 | Ordinance re: Vehicles & Traffic – Amend Ch. 240-108, Article XVI, Central Business District Parking – Fees, Rate and Terms | A & F | 7/10/18 |
| 8-B | Ordinance re: Vehicles & Traffic – Amend Ch. 240-108, Article XVI, Central Business District Parking – Chart | A & F | 7/10/18 |
| 93-L | Communication from President Michitson requesting to introduce Dave Labrode to discuss street tree plantings | NRPP | 8/7/18 |
| 2-C | Ordinance re: Vehicles & Traffic; Central Business District Parking Fees Rates and Terms | A &F | 8/21/18 |
| 93-W | Communication from Councillor Sullivan and Bevilacqua request to discuss possibility of entering into an agreement with Lorraine Post 29 VFW to rehab and lease Clement Farm House located at 1314 Main St., Haverhill | NRPP | 9/11/18 |
| 107-N | Communication from Councillor Macek requesting to discuss Micro-paving | Public Safety | 9/25/18 |
| 121-H | Communication from Councillor Bevilacqua requesting to introduce discussion re: Haverhill Youth Soccer with David Lefcourt, Pres. & Edward Felker, Chair Field Committee | NRPP | 12/4/18 |

DOCUMENTS REFERRED TO COMMITTEE STUDY (cont.)

| | | | |
|------|---|-------|---------|
| 13-N | Communication from Councillor LePage requesting a discussion regarding Rules & Regulations of the City Council | A&F | 1/29/19 |
| 20-B | Communication from Mayor Fiorentini submitting the Haverhill Public Library Parking Study Draft Technical Report | P & D | 3/12/19 |
| 38-G | Communication from President Michitson requesting to provide update on broadband needs & competition to lower TV costs for resident and stimulate economic development | P & D | 3/12/19 |
| 38-I | Communication from Councillor Macek to refer City's Ch. 255 – Zoning, Article XVIII, Solar Energy Systems, Sec. 255-185 thru 255-194 to Administration & Finance Committee | A & F | 3/12/19 |
| 13-V | Communication from Councillor Daly O'Brien to discuss information needed by City Council When their approval is required to accept new employee contracts, measures to avoid contractual catastrophes | A & F | 3/12/19 |
| 13-Y | Communication from Councillor LePage to discuss accounting of revenue funds received from Licensed Marijuana establishments & their allocatin to mitigate costs and impacts to city | A&F | 3/12/19 |