City of Haverhill



City Council Minutes

Tuesday, September 20, 2016 at 6:30 PM

City Council Chambers, Room 202

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

City Clerk – Linda L. Koutoulas

**Executive Session-litigation concerning Premier Realty Trust, et al vs. City of Haverhill**

 The Council will first convene in open session in the City Council office, then go into Executive Session.

The Council will then reconvene in open session in the City Council Chambers to conduct all other business.

 President Michitson opened the City Council meeting at 6:30PM. On motion of Councillor Daly O’Brien

to go into Executive Session. Yeas 8, Absent 1(LePage)

The session was held in the City Council office, room 204.

On motion of Councillor Daly O’Brien to close session. Yeas 9, Nays 0 – Councillor LePage arrived late.

Session closed at 7:10PM. City Council meeting reconvened at 7:15PM.

1. Approval of Records of the Previous Meeting

 The minutes were approved Yeas 9, Nays 0

1. Assignment of the minutes review for the next Meeting

 Councillor Bevilacqua was assigned the minutes.

1. Communications from the Mayor:

 Mayor Fiorentini submits PILOT (Payment in Lieu of Taxes) Agreement with Haverhill PS Solar LLC

for approved solar project on the roof at Haverhill Police Dept. building located at 40 Bailey blvd; Related

communication from Orlando Pacheco, Purchasing Director/Energy Manager

PILOT AGREEMENT ACCEPTED & PLACED ON FILE Yeas 9, Nays 0 26M

 Mayor Fiorentini submits Power Purchase Agreement with Lodestar Energy LLC which calls for the City to purchase Net Metering Credits for .12 cents per KWH; to be applied to the City’s Water/and or Wastewater accounts; Related communication from Orlando Pacheco, Purchasing Director/Energy Manager

CONTRACT FOR POWER PURCHASE AGREEMENT WITH LODESTAR LSE CRATER LLC

ACCEPTED & PLACED ON FILE Yeas 9, Nays 0 97

1. Communications and Reports from City Officers and Employees

 No Schedule

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

 No Schedule

1. Appointments

Confirming Appointments

Ruby Lyons *-* Cultural Council, re-appointment; Appointment to expire September 26 2019

CONFIRMED Yeas 9, Nays 0 9O

1. Petitions

 No Schedule

1. Applications/Handicap Parking Signs

 No Schedule

1. One Day Liquor Licenses:

 No Schedule

1. Applications for Permit

 Application from Kathy Fitts/Saint Vincent de Paul Society for Friends of the Poor Walk/Run; beginning

at All Saints Church, through downtown and back; Saturday, September 24, 9:00AM-10:00AM; Application

has police approval

GRANTED Yeas 9, Nays 0 17P

 Application from Reverend Robert Murray, St. James Parish for Halloween 5K Road Race; beginning at

St James School, 415 Primrose st; Sunday, October 30, starting at 10:00AM; Application has police approval

GRANTED Yeas 8, Nays 0, Abstain 1 (Vargas) 17Q

1. Tag Days

No Schedule

1. Annual License Renewals:

 Taxis

 Taxi Driver Licenses

 Frank Adorno, 8 Ford st – new

GRANTED Yeas 9, Nays 0 77J

 Theater

 Chunky’s Cinema Pub *–* 3 Screens, 371 Lowell av

 GRANTED Yeas 9, Nays 0 77K

September 20, 2016

1. Drainlayer 2016 License

 No Schedule

1. Hearings & Related Orders:

 No Schedule

1. New Business/Orders:

ORDERED: That the basketball courts at Cashman’s Field be named in honor of Michael Rowinski, a dedicated coach and life-long resident of the City of Haverhill

MR. VIN OUELLETTE, DIRECTOR, HUMAN SERVICES, SPOKE ABOUT MIKE’S CONTRIBUTIONS TO THE CITY AS A COACH, EDUCATOR AND LONGTIME CITY EMPLOYEE. PRESIDENT MICHITSON ECHOED MR. OUELLETE’S COMMENTS AND PRAISED MIKE’S WORK WITH YOUTH.

PASSED Yeas 9, Nays 0 98

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

 Vendor Amount Account

 Ready Refresh $ 13.94 Highway

 Mass Municipal Assoc 105.00 Highway

 AppGeo 4,000.00 Highway

 Groundwork Lawrence 5,000.00 Highway

PASSED Yeas 9, Nays 0 80L

1. Ordinances (File 10 days):

 No Schedule

1. Unfinished Business:

 Document 15-II; Communication from Robert E Ward, Deputy DPW Director, submitting proposed

Loan Order to fund cost of construction of improvements to the City’s water transmission mains along

Amesbury rd between the water treatment plant and Humphrey st and related Order for Mayor to be authorized

to File said applications and execute agreements

PLACED ON FILE 15II

Document 15-I

ORDERED: That $3,088,000.00 is appropriated for the purpose of financing the engineering and construction of improvements to water transmission mains including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; (see document for complete text)

PASSED Yeas 9, Nays 0 15I

ORDERED: Authority To File

Whereas, the City of Haverhill, after thorough investigation, has determined that the work activity consisting of construction activities related to improvements to water transmission mains is both in the public interest and necessary to protect the public health, and that to undertake this activity, it is necessary to apply for assistance; (see document for complete text)

PASSED Yeas 9, Nays 0 15III

 Document 20-I

 MUNICIPAL ORDINANCE CHAPTER 240

 AN ORDINANCE RELATING TO PARKING

 96 BROADWAY- ESTABLISH HANDICAPPED PARKING

 (see document for complete text)

 PASSED Yeas 9, Nays 0, 20I

 Document 21-F

 MUNICIPAL ORDINANCE CHAPTER 240

 AN ORDINANCE RELATING TO PARKING

 (City Hall Parking)

Amend City Code. Section 240-88. Schedule E: City Parking Lots; by adding the following at the end of

the section: “Traffic entering, exiting and traveling through City Hall Parking Lots shall be one way only as

shown on said plan noted above by way of arrows which detail the allowed travel direction” (see document for

complete text)

PASSED Yeas 9, Nays 0, 21F

1. Monthly Reports

 No Schedule

1. Communication from Councillors

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 Communication was received from Councillor Bevilacqua requesting a discussion about the abandoned building at Railroad av and Comeau Bridge

COUNCILLOR BEVILACQUA STATED THAT THE BUILDING IS AN EYESORE WITH OVERGROWN SHRUBS & VEGETATION. THIS IS A GATEWAY TO CITY, NEGATIVE IMAGE.

DAVID VAN DAM, CHIEF OF STAFF REPORTED THAT INSPECTIONAL SERVICES IS WORKING WITH THE OWNER. AREA WILL BE MADE INTO A PARKING LOT.

ON MOTION OF COUNCILLOR BEVILACQUA TO SEND LETTER TO INSPECTIONAL SERVICES, MAYOR & SOLICITOR Yeas 9, Nays 0 96H

 Communication was received from Councillor Bevilacqua requesting to introduce Ron MacLeod to discuss the current City Charter

MR. MACLEOD REFERENCED CITY CODE, CH. 240.9 STATING THAT HE IS SEEKING TO GET COPY OF 2015 ANNUAL TRAFFIC & SAFETY REPORT FILED BY THE HAVERHILL POLICE DEPT. THRU MAYOR’S OFFICE AND HAS NOT BEEN SUCCESSFUL. HE RECEIVED LETTER FROM SOLICITOR STATING THAT THE REPORT IS NOT FILED AS REFERENCED IN THE CODE. MR. MACLEOD SUGGESTED THE REMOVAL OF THE LANGUAGE IF IT IS OUTDATED.

ON MOTION OF COUNCILLOR MCGONAGLE TO SEND A LETTER TO MAYOR TO PROVIDE DATA THAT IS READILY AVAILABLE TO COMPILE STATISTICS THAT ARE USED THROUGOUT THE CITY. Yeas 9, Nays 0 96I

 Communication was received from Councillors Barrett and Sullivan requesting a discussion regarding the continued use of Salem st by J.R.M. trucking.

DAVID VAN DAM REPORTED THAT HE HAD SPOKEN WITH THE GENERAL MANAGER OF JRM TRUCKING AND THAT THEY CURRENTLY HAVE 2 TRUCKS THAT RUN 6 TRIPS A DAY AND HE IS TRYING TO GET THEM TO REDUCE THE AMOUNT OF TRIPS AND THE USE OF JAKE BREAKS.

ON MOTION OF COUNCILLOR SULLIVAN TO SEND LETTER TO CITY ENGINEER PETTIS & PUBLIC WORKS DIRECTOR STANKOVICH AS FOLLOW UP TO LETTER SENT TO THEM EARLIER THIS YEAR TO INQUIRE ABOUT INTEGRITY OF SALEM ST. SINCE RECONSTRUCTION Yeas 9, Nay s 0 96J

1. Resolutions and Proclamations

 No Schedule

1. Council Committee Reports and Announcements

 Councillor Macek presented Minutes of the Planning and Development Committee meeting held on September 15, 2016 to discuss city-wide design review. Councillor Macek stated that a motion was made to have Mr. Pillsbury provide, in writing, his recommendations regarding signage and design. Once received, it will be presented to the full City Council for adoption.

MINUTES ACCEPTED AND PLACED ON FILE Yeas 9, Nays 0 19K

1. Documents referred to Committee Study

Meeting adjourned at 8:16 o’clock P.M. Yeas 9, Nays 0

Attest: *Linda Koutoulas*

 City Clerk