



CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, March 16, 2021 at 7:00 PM

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

In-Person/Remote Meeting

Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order temporarily suspending certain provisions of the Open Meeting Law, M.G.L. c. 30A sec. 20. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means."

- 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:**
 - 5.1. Mayor Fiorentini requests to give an update on Haverhill's efforts regarding the Coronavirus (COVID-19) crisis along with Councillor Daly O'Brien
- 6. COMMUNICATIONS FROM COUNCILLORS TO INTRODUCE AN INDIVIDUAL(S) TO ADDRESS THE COUNCIL:**
 - 6.1. Communication from President Barrett requesting to introduce Christine Soundara and John Cuneo to speak on upcoming forum regarding the Little River dam
- 7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28**
- 8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:**
- 9. UTILITY HEARING(S) AND RELATED ORDER(S):**
- 10. HEARINGS AND RELATED ORDERS:**
- 11. APPOINTMENTS:**
 - 11.1. Confirming Appointments:
 - 11.2. Non-Confirming Appointments
 - 11.3. Resignations
- 12. PETITIONS:**
 - 12.1. Application; CCCSP 21-5 from Attorney Robert Harb for Mazraany Construction, LLC, Owner/Applicant for a Special Permit to renovate existing home and convert existing garage to create a three Family Dwelling to be sold as condominiums for property located at 52 Salem st (former funeral home); Assessor's Map 728-704-1A

Hearing April 27, 2021
 - 12.2. Application; CCSP 21-2 from Attorney Michael Migliori for Alain Sfeir, Owner/Applicant for a Site Plan Review (Major) zone WD-F to construct an 18 residential unit building at 15 Middlesex st

Hearing May 4, 2021



CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, March 16, 2021 at 7:00 PM

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In-Person/Remote Meeting

- 12.3. **Applications Handicap Parking Sign - renewals**
- 12.4. **Amusement/Event Applications:**
- 12.5. **Tag Days**
- 12.6. **One Day Liquor License**
- 12.7. **Annual License Renewals:**
 - 12.7.1. **Hawker Peddlers License 2021 - Fixed location**
 - 12.7.2. **Coin-Op License Renewals 2021**
 - 12.7.3. **Drainlayer License Renewals for 2021 - with City Engineer approval**
 - 12.7.4. **Christmas Tree Vendor**
 - 12.7.5. **Taxi Driver Licenses for 2020**
 - 12.7.6. **Taxi License/ Limo/Livery:**
 - 12.7.7. **Junk Dealer License**
 - 12.7.8. **Pool Tables**
 - 12.7.9. **Sunday Pool**
 - 12.7.10. **Bowling**
 - 12.7.11. **Sunday Bowling**
 - 12.7.12. **Buy & Sell Second Hand Articles**
 - 12.7.13. **Buy & Sell Second Hand Clothing**
 - 12.7.14. **Pawnbroker license**
 - 12.7.15. **Fortune Teller**
 - 12.7.16. **Buy & Sell Old Gold**
 - 12.7.17. **Roller Skating Rink**
 - 12.7.18. **Sunday Skating**
 - 12.7.19. **Exterior Vending Machines – 2021 renewals**
 - 12.7.20. **Limousine/Livery License/Chair Cars**

13. MOTIONS AND ORDERS

14. ORDINANCES (FILE 10 DAYS)

15. COMMUNICATIONS FROM COUNCILLORS:

- 15.1. Communication from President Barrett requesting to discuss dog waste on the Brian Dempsey boardwalk and James Fiorentini rail trail and fine for violation of City Code
- 15.2. Communication from Councillors Michitson and Bevilacqua requesting to recognize Greek Independence Day
- 15.3. Communication from Councillor Michael McGonagle requesting removal of a handicap parking space at 37 Curtis st, as it is no longer needed
- 15.4. Communication from Councillor Bevilacqua requesting a discussion regarding the availability of off-street parking in the downtown area and confirmation of spaces reserved and remaining open spaces in the MVRTA garage



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In-Person/Remote Meeting

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

- 16.1. Document 4-Z: Communication from Council President Barrett and Vice President LePage requesting a status update from Mayor regarding ongoing City and School building maintenance projects including the Organizational Roles and Responsibilities of the “newly combined” Facilities Maintenance Dept
Filed February 24 2021
- 16.2. Document 30: Ordinance re: Vehicles and Traffic; Delete 3 designated parking spaces for Veterans’ Clinic patrons only in Merrimack Street Parking Lot as stated
Filed March 3 2021
- 16.3. Document 31: Ordinance re: Outdoor Dining – Amend Chapter 222 of City Code Article XVI Temporary Outdoor Dining
Filed March 3 2021

17. RESOLUTIONS AND PROCLAMATIONS:

- 17.1. PROCLAMATION – *Greek Independence Day*. March 25 2021

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

- 18.1. Councillor Colin Lepage submits minutes and recommendations of Administration & Finance Committee meeting held on February 16, 2021 for acceptance and discussion as follows: Doc. 4-G; Review of Rules and Regulations of City Council; review of study list documents for disposition Doc. 13-Y/2019 – accounting of revenue funds from Licenses Marijuana Establishments Doc. 89-D/2019 – outdoor advertising of marijuana products Doc. 89-K/2019 – process for establishing Charter Commission review Doc. 89-U/2019 – Community Compact Best Practices Grant

19. DOCUMENTS REFERRED TO COMMITTEE STUDY

20. LONG TERM MATTERS STUDY LIST

21. ADJOURN

JAMES J. FIORENTINI
MAYOR



**CITY OF HAVERHILL
MASSACHUSETTS**

511
CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@CITYOFHAVERHILL.COM
WWW.CI.HAVERHILL.MA.US

March 12, 2021

City Council President Melinda Barrett and Members of the Haverhill City Council

RE: Communication from the Mayor regarding Coronavirus

Dear Madame President and Members of the Haverhill City Council:

I am requesting to address the City Council at their meeting on Tuesday, March 16th, to give an update on Haverhill's efforts regarding the Coronavirus (COVID-19) crisis.

Very truly yours,

James J. Fiorentini
Mayor

JJF/lyf

CITY COUNCIL

MELINDA E. BARRETT

PRESIDENT

COLIN F. LePAGE

VICE PRESIDENT

JOSEPH J. BEVILACQUA

JOHN A. MICHITSON

THOMAS J. SULLIVAN

TIMOTHY J. JORDAN

MICHAEL S. MCGONAGLE

MARY ELLEN DALY O'BRIEN

WILLIAM J. MACEK



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

6.1
CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978 374-2328
FACSIMILE: 978 374-2329
www.cityofhaverhill.com
citycncl@cityofhaverhill.com

March 10, 2021

TO: Members of the City Council:

President Barrett requests to introduce Christine Soundara and John Cuneo to speak on upcoming forum regarding the Little River dam.

Council President Melinda Barrett

Hearing April 27, 2021

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

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

Of Counsel
Alfred J. Cirome

CCSP-21-5

2021 MAR 08 AM 09:28 PM CTPC

12.1

March 5, 2021

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

Re: **APPLICATION FOR A SPECIAL PERMIT
FOR A THREE FAMILY DWELLING IN AN RH ZONE**
Mazraany Construction, LLC-Owner/Applicant
Property: 52 Salem Street, Haverhill
Haverhill Assessor's Map 728-704-1A

Mazraany Construction, LLC, Owner and Applicant, with mailing address of 3 Artisan Drive Unit 127, Salem, NH 03079, is applying to the City Council for a Special Permit under the terms and provisions of the Haverhill Zoning Ordinance Chapter 255 for a Three Family Dwelling (to be sold as condominiums) for the property located at 52 Salem Street.

A large home, used most recently as a funeral home, already exists at said premises. Applicant proposes to renovate the existing home which was built in 1920 for two units and to convert the existing garage with a new addition into the third unit. A new unattached carport would be installed in the rear of the building. Plans showing the proposed renovations and addition over the existing garage are attached to the Application.

A three-family dwelling is allowed in this RH Zone with a Special Permit. Because there are exterior structural changes with the new addition over the garage, the City Council is the permitting authority for this Special Permit.

The lot, the dwelling and the garage are prior existing. The new addition is required to create the third unit.

The Lot meets all the zoning dimensional requirement for a three family dwelling. No variances are required. As mentioned, a three family dwelling is an allowed use with a Special Permit. There are existing three family dwellings on Salem Street at 20 and 48 Salem Street. 48 Salem Street abuts this property.

All required Parking Spaces for the three residential units are provided on site as can be seen on the Site Plan filed with this Application. Five parking spaces are required and the applicant is proposing 7. See also City Interactive Map showing subject property and the neighborhood attached to this brief.

Applicant meets all the following requirements for a Special Permit:

- A. The requested use is allowed in this District.
- B. The use is desirable to the public convenience or welfare.
- C. The use will not impair the integrity of the District or neighborhood where other residential uses are present, nor be detrimental to the health, morals or welfare and is in conformity with the Master Plan.
- D. The requested use provides for convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, properties and improvements.
- E. Property is on City sewer and city water and will have adequate methods for drainage.
- F. The requested use has adequate off-street loading and unloading of service vehicles, if applicable. See Site Plan.
- G. There are no Special Permit Conditions for this Special Permit.

Applicants would respectfully request the City Council grant this Application for a Special Permit for a three-family dwelling.

Respectfully submitted,

Robert D. Harb

Robert D. Harb, Attorney For Applicant-Mazraany Construction, LLC

l-city-mazraany-salem st-sp-brief

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

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PROJECT DESCRIPTION

Applicant is the Owner.

Owner / Applicant is applying for a Special Permit in the RH Zone for a Three Family Dwelling to be sold as Condominiums. Project involves renovating existing funeral home building to two units and converting the existing garage with a new addition to a third unit to be sold as condominiums. An unattached carport will be installed in the rear of the structure. Reference is hereby made to the Plans attached to the Application for project details.

Sincerely,

Robert D. Harb

Robert D. Harb
Attorney for Applicant

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

TEL: (978) 373-5611
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Of Counsel
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March 5, 2021

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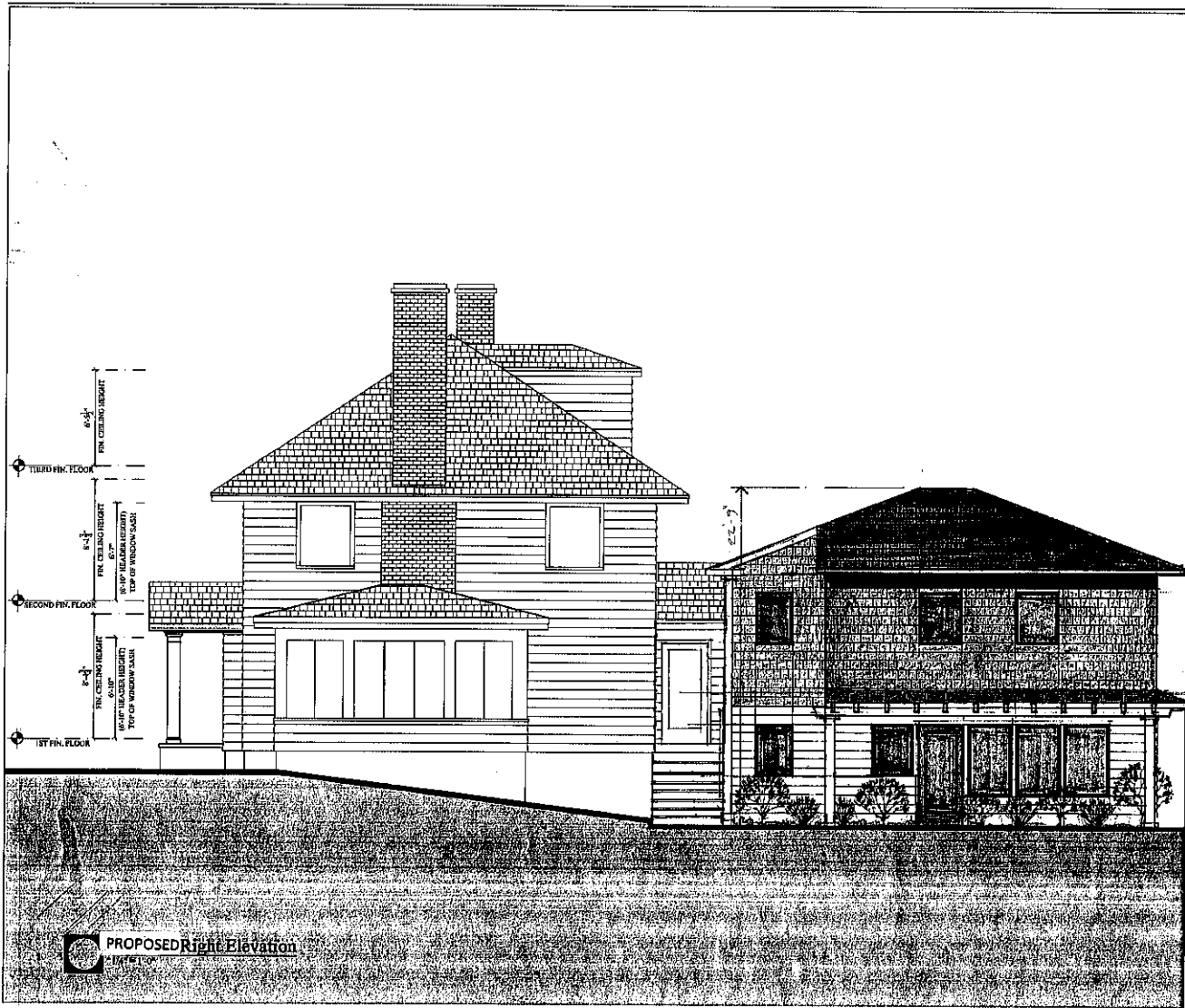
PLANNING BOARD

Owner / Applicant is applying for a Special Permit in the RH Zone for a Three Family Dwelling to be sold as Condominiums. No Subdivision involved. Planning Board review not required.

Sincerely,

Attorney Robert D. Harb

Robert D. Harb
Attorney for Applicant



191 Inn Street
 Newburyport
 Massachusetts 01950
 johnsavaarchitect.com

JOHN SAVA ARCHITECTS, LLC

tel (978) 417 9324
 john@johnsavaarchitects.com
 John S. Sava, Principal
 AIA, NCARB

32 Salem Street
 Haverhill, MA

January 14, 2021

General Notes:

GENERAL CONTRACTOR SHALL MAKE ALL SUB-CONTRACTORS AND SUPPLIERS AWARE OF THE REQUIREMENTS OF THESE NOTES.

ALL WORK SHALL BE PERFORMED IN COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE AND NATIONAL BUILDING, LIFE, SAFETY, ELECTRICAL AND PLUMBING CODES.

GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING ALL PERMITS NECESSARY FOR COMPLETION OF WORK. TO OBTAIN THE CONTRACT DOCUMENTS.

GENERAL CONTRACTOR SHALL LAYOUT IN THE FIELD THE ENTIRE WORK TO BE PERFORMED TO VERIFY DIMENSIONAL RELATIONS BEFORE CONSTRUCTING ANY PART, AND SHALL VERIFY ALL EXISTING CONDITIONS AND LOCATIONS BEFORE PROCEEDING WITH WORK.

GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE CO-ORDINATION OF DIMENSIONAL REQUIREMENTS BETWEEN THE WORK OF REQUESTED TRADES / SUB-CONTRACTORS FOR WORK.

ANY DISCREPANCIES FOUND IN THE PLANS, DIMENSIONS, EXISTING CONDITIONS OR ANY APPARENT ERROR IN THE CLASSIFYING OR SPECIFICATION OF A PRODUCT, MATERIAL, OR METHOD OF ASSEMBLY IS TO BE BROUGHT TO THE ATTENTION OF THE GENERAL CONTRACTOR IMMEDIATELY.

REGARDLESS OF WHETHER OR NOT AN ITEM IS SHOWN OR SPECIFIED, THE GENERAL CONTRACTOR SHALL PROVIDE SAID ITEM IF IT IS NECESSARY FOR THE PROPER INSTALLATION OR FUNCTION OF AN ITEM SHOWN OR SPECIFIED. SUPPLIERS AND SUBCONTRACTORS OF THEIR REQUIREMENTS FOR THE WORK OF OTHER TRADES, WHICH MAY NOT BE INDICATED, PRIOR TO SUBMITTAL OF FINAL BID.

DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS AND/OR FIELD DRAWINGS MAY HAVE BEEN REPRODUCED AT A SCALE DIFFERENT THAN ORIGINALLY DRAWN.

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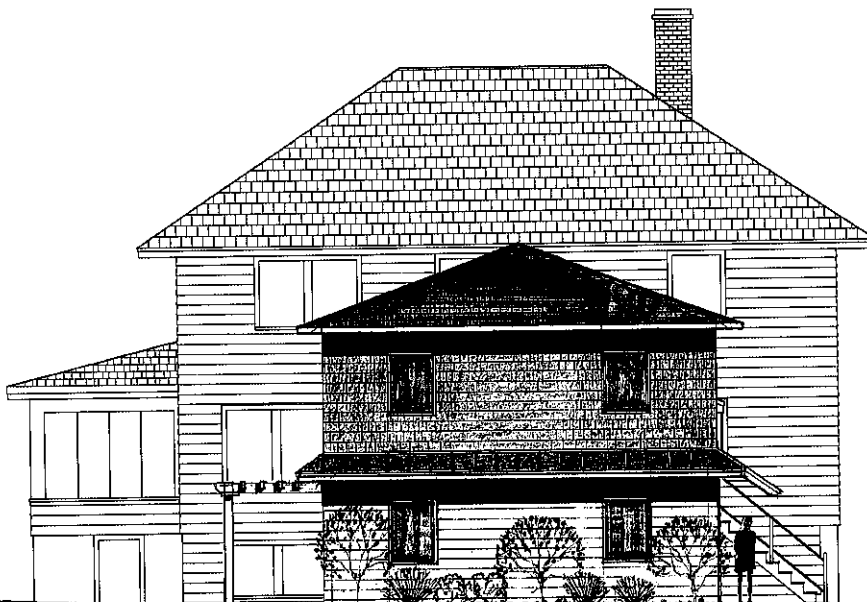
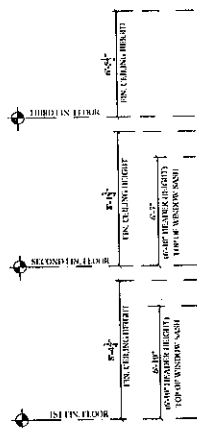
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EX-2.1



19L Inn Street
Newburyport
Massachusetts 019
johnsavaarchitect.c

JOHN SAVA ARCHITECT

tel (978) 417 9324
john@johnsavaarchi
John S. Sava, Principal
AIA, NCARB

52 Salem Street
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January 14, 2021

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191.1m Street
Newburyport
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johnsavaarchitect.com

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52 Salem St



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Haverhill, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated February 5, 2019
Data updated February 4, 2019



City of Haverhill, MA

03/08/2021

CCSP-21-5

City Council Special Permit

Status: Active**Date Created:** Mar 05, 2021**Applicant**

Robert Harb
bobharb@aol.com
17 West Street
Haverhill, MA 01830
9783735611

Location

52 SALEM ST
Bradford, MA 01835

Owner:

MAZRAANY CONSTRUCTION, LLC
3 ARTISAN DR, UNIT 127 SALEM, NH 03079

Important: Please Read Before Starting Your Application**Applicant Information****What is Your Role in This Process?**

Attorney/Agent

Applicant Business/Firm Phone

9783735611

Applicant Business/Firm City

Haverhill

Applicant Business/Firm Zip

01830

Client Business Name

Mazraany Construction, LLC

Client Email

p.mazraany@gmail.com,

Client City

Salem

Applicant Business/Firm Name

Attorney Robert D Harb

Applicant Business/Firm Address

17 West Street

Applicant Business/Firm State

MA

Client Name

Mazraany Construction, LLC

Client Phone

9783735611

Client Address

3 Artisan Drive Unit 127

Client State

NH

Client Zip

03079

Client County

Rockingham

Client Business Structure

Limited Liability Corporation (LLC)

Property Information**Proposed Housing Plan Name**

52 Salem Street

Proposed Street Name(s)

Salem Street

How Long Owned by Current Owner?

3 months +-

Type of Dwelling(s) Planned in Project

Multi-Family

Lot Dimension(s)

frontage 150'+-; depth 179'+- ; area 21,511 s.f.

Registry Plat Number, Block & Lot

728-704-1A

Zoning District Where Property Located

RH - Residential High Density

Deed Recorded in Essex South Registry: Block Number

Book 39331

Deed Recorded in Essex South Registry: Page

Page 480

Does the Property Have Multiple Lots?

No

IF YES, How Many Lots?

0

IF YES, What Is/Are the Map, Block Lot (MBL) Number(s)?

only 1 lot

Thoroughly Describe the Reason(s) for thre Special Permit

Application is for a Special Permit to convert an existing Funeral Home to a three family dwelling to be sold as condominiums.

Property Description

The land with the buildings thereon located on the easterly side of Salem Street in the Bradford District of Haverhill, Essex County, Massachusetts being shown as PARCEL "A" on a plan of land surveyed for John C. LeBlanc by Ralph E. Brasseur, C.E. dated August, 1946 and recorded with the Essex South District Registry of Deeds as Plan No. 790 of 1946 at Book 3486 Page 596. Said PARCEL "A" contains 24,643 square feet more or less; excepting therefrom property conveyed to Pettingill by deed dated March 11, 1957 recorded with said Registry of Deeds in Book 4368 Page 216. Said property is also shown as lot marked "Mary J. Noonan Et Al" on a plan of land entitled "Plan of Land Mary J. Noonan et al" by Spaulding E. Owen, PE, recorded with the Essex South District Registry of Deeds as Plan No. 275 of 1957 at Book 4368 Page 216.

Current Property Use

Business

TOTAL Number of Units Planned

3

TOTAL Number of Parking Spaces Planned

7

Special Circumstances**Building Coverage**☐**Dimensional Variance**☐**Front Yard Setback**☐**Side Yard Setback**☐**Rear Yard Setback**☐**Lot Frontage**☐**Lot Depth**☐**Lot Area**☐**Building Height**☐**Floor Area Ratio**☐**Open Space**☐**Parking**☐**Sign Size**☐**Use**☐**Other**☒**IF OTHER, Please Describe**

Special Permit for a three family dwelling

Hearing Waiver**Agrees**

No

Agreement & Signature**Agrees**☒

Hearing May 4 2021

FIORIELLO & MIGLIORI
ATTORNEYS AT LAW

12.2

KAREN L. FIORELLO
kfiorello@fimilaw.com

MICHAEL J. MIGLIORI
mmigliori@fimilaw.com

FIREHOUSE CONDOMINIUMS
18 ESSEX STREET
HAVERHILL, MASSACHUSETTS 01832
TEL 978/373-3003 FAX 978/373-3066

February 1, 2021

CCSP 21-2

Melinda Barrett, President
Haverhill City Council
4 Summer St, Room 204
Haverhill, MA 01830

Re: Riverview at Middlesex – 15 Middlesex Street
Site Plan Review (Major) Zone WD-F
Owner/Applicant: Alain Sfeir, Trustee of Middlesex Haverhill Realty Trust

Dear President Barrett,

Please be advised that this office represents Alain Sfeir, Trustee, in connection with his request for a Site Plan Review (Major) to construct an 18 residential unit building at 15 Middlesex Street.

As I am sure you are aware, the site at 15 Middlesex Street has housed the Arthur Sharp Hardware store and has been in a state of disrepair for many years. The lot is bounded by Middlesex St. on its Southern boundary, and the Merrimack River on its Northern boundary, a Dunkin Donuts on the East side and the Roma Restaurant on its West border.

This proposed building will be a vibrant redevelopment of the riverfront on the Bradford side of the Merrimack River.

The lot is approximately one quarter of an acre, located in the WD-F zone. There will be 18 parking spaces provided onsite. There is snow storage on site and trash will be contained within the building.

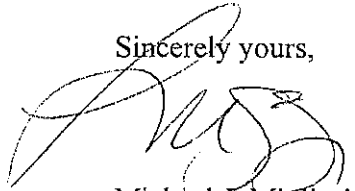
The project will provide additional access to the Bradford Rail Trail, which is always being improved and expanded upon, has been incorporated into this design. We will work with the City to improve the area between our property line and the Rail Trail to improve the aesthetics of that area and improve its usability for the public.

We feel that this project is one of the of a number of projects which will utilize its location on the Merrimack River as was intended by the Master Plan and will act as a beautiful redevelopment of a blighted site that is closely located to the downtown area and the Bradford Square area.

Page – 2 –

Please schedule a hearing before the Council at your earliest convenience.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'MJM', with a large, stylized flourish extending from the end of the signature.

Michael J. Migliori

MJM/dma

FIORELLO & MIGLIORI
ATTORNEYS AT LAW

KAREN L. FIORELLO
kfiorello@fmlaw.com

FIREHOUSE CONDOMINIUMS
18 ESSEX STREET
HAVERHILL, MASSACHUSETTS 01832
TEL 978/373-3003 FAX 978/373-3066

MICHAEL J. MIGLIORI
mmigliori@fmlaw.com

March 8, 2021

William Pillsbury
Economic and Planning Director
4 Summer St, Room 201
Haverhill, MA 01830

Re: Riverview at Middlesex – 15 Middlesex Street
Site Plan Review (Major) Zone WD-F
Owner/Applicant: Alain Sfeir, Trustee of Middlesex Haverhill Realty Trust
Zoning Opinion

Dear Bill,

With respect to the above referenced project, I have examined Haverhill Zoning Ordinance and I have determined that the project will require three waivers.

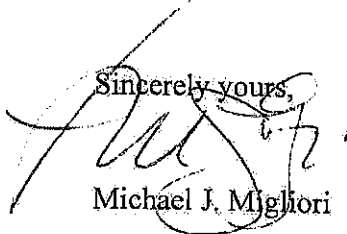
The first waiver will be for density. The WD-F zone in section 9.3.11 allows 20 units per acre by right. Based on the size of the lot at 15 Middlesex Street (1/4 acre) we would be allowed 5 units by right. The project is requesting 18 units; therefore, we would require a waiver for density.

The second waiver is for parking. The WD-F zone in section 9.3.15 requires 1.5 parking spots per unit. We have 18 units there by requiring 27 parking spaces where we are proposing 18 parking spaces; therefore, we would require a waiver for parking.

The third waiver is a dimensional waiver. The WD-F zone in section 9.3.13 allows for a maximum building height of 55', the building proposed has a height of 91'; therefore, we would require a dimensional waiver for height.

Should you have any questions or need any additional information please contact me.

Sincerely yours,


Michael J. Migliori

MJM/dma

City Council Special Permit · Add to a project

**Expiration Date**

Active



CCSP-21-2

**Details**

Submitted on Feb 01, 2021 12:55 PM

**Attachments**

9 files

**Activity Feed**

Latest activity on Mar 10, 2021

Applicant

michael miglioni

**Location**

15 MIDDLESEX ST, Bradford, MA 01835

Timeline**Add New** ▾**Special Permit Filing Fee**

Paid Feb 1, 2021 at 12:56pm

Building Inspector Review

Completed Feb 9, 2021 at 12:29pm

**Planning Director Review**

Completed Mar 10, 2021 at 9:26am

**City Clerk Review - Hearing Dates Set**

Completed Mar 10, 2021 at 1:08pm



Assessor for Abutter's List

Completed Mar 10, 2021 at 1:11pm

**City Council Clerk Notified**

In Progress

**Conservation Department Review**

Review

**DPW Review**

Review

**Engineering Department Review**

Review

**Fire1 Department Review**

Review

**Fire2 Department Review**

Review

**Health Department Review**

Review

**Police Department Review**

Review

**School Department Review**

Review

**Storm Water Review**

Review

**Wastewater Review**

Review

**Water Department Review**

Review



Water Supply Review

Review

☐**Planning Director Approval for Agenda**

Review

☐**Building Inspector Approval for Agenda**

Review

☐**First Ad Placement**

Review

☐**Placed on Agenda**

Review

☐**Abutter Notification**

Review

☐**Second Ad Placement**

Review

☐**City Councilor A Review**

Review

☐**City Councilor B Review**

Review

☐**City Councilor C Review**

Review

☐**City Councilor D Review**

Review

☐**City Councilor E Review**

Review

☐**City Councilor F Review**☐

Review

City Councilor G Review

Review



City Councilor H Review

Review



City Councilor I Review

Review



City Council Meeting

Review



Meeting Minutes & Decision Filed w/City Clerk

Review



Planning Director Review



Assignee

Due date



None



William Pillsbury ✓

Remove Comment • Feb 3rd 2021, 10:30am

Hi

Attorney Migliori: Prior to moving this forward to setting a hearing date please

provide a zoning review detailing any waivers that you are seeking for this proposal. Particular attention to height, density and parking. There is no

reference to waivers needed in your brief. Thanks Bill P



michael miglioni

Remove Comment • Mar 7th 2021, 9:59am

Bill, I
submitted the zoning review requested. You you please ask Linda to
schedule a
hearing date. Thanks.

ok to schedule hearing

Remove Comment • Mar 10th 2021, 9:21am

This step was assigned to William Pillsbury - Feb 1, 2021 at 12:56pm
LINDA KOUTOULAS approved this step - Mar 10, 2021 at 9:26am



SO.ESSEX #633 Bk:39272 Pg:092
12/08/2020 02:25 PM DEED Pg 1/3
eRecorded

MASSACHUSETTS EXCISE TAX
Southern Essex District ROD
Date: 12/08/2020 02:25 PM
ID: 1411235 Doc# 20201208006330
Fee: \$1,539.00 Cons: \$337,500.00

QUITCLAIM DEED

I, **Patrick J. Lane, Trustee of the XXI Middlesex Real Estate Trust** u/d/t dated June 2, 2003 and recorded with Essex South District Registry of Deeds Book 21481 Page 359, of Haverhill, Massachusetts

For consideration paid and in full consideration of

**Three Hundred Thirty-Seven Thousand
Five Hundred (\$337,500.00) Dollars**

Grant to

Alain Sfeir, Trustee of the Middlesex Haverhill Realty Trust u/d/t dated
December 8, 2020

Of 30 Catesby Lane, Bedford, New Hampshire 03110

With Quitclaim Covenants

The land in said Haverhill, Essex County, Massachusetts, with the buildings thereon, bounded and described as follows:

SEE ATTACHED EXHIBIT 'A'

Being the same premises conveyed to grantor by deed dated August 7, 2003 and recorded with Essex South District Registry of Deeds Book 21481 Page 366.

[signature page to follow]

Property Address: 15 Middlesex Street, Haverhill, MA

This is not homestead property of the within grantor.

Witness my hand and seal this 8th day of December, 2020

THE XXI MIDDLESEX
REAL ESTATE TRUST

by: *Patrick J. Lane*
Patrick J. Lane, Trustee

Commonwealth of Massachusetts

Essex, ss

December 8, 2020

On this 8th day of November, 2020, before me, the undersigned notary public, personally appeared **Patrick J. Lane, as Trustee**, who proved to me through satisfactory evidence of identification, which was/were NH Driver's License to be the person whose name is are signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief, on behalf of the Trust.

Michael J. Miglioni
_____, Notary Public
My commission expires:

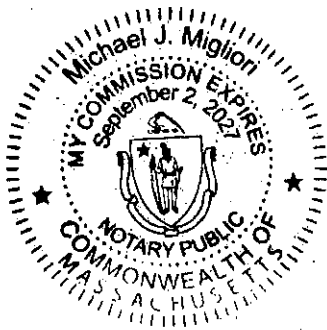


EXHIBIT 'A'

21 Middlesex Street
Haverhill, MA

A certain parcel of land, with the buildings thereon, situated on the Northerly side of Middlesex Street in the Bradford District of said Haverhill, bounded and described as follows: Beginning at an iron post in said side of said Street at the South-westerly corner of the parcel hereby conveyed at a Right of Way; thence Easterly by said Middlesex Street 105.82 feet to an iron pin driven in the ground and land now or formerly of Ellison Coal & Grain Company; thence North-easterly by said land Ellison Coal & Grain Company 103.60 feet to land of the Boston & Maine Railroad and an iron post; thence Westerly by land of said Boston & Maine Railroad 45 feet to an iron post; thence Southerly by said Railroad land 2.26 feet to an iron post; thence again Westerly by said Railroad land 70.54 feet to an iron post; thence again Westerly by said Railroad land in a slightly different direction 12.78 feet to an iron post; thence Southerly 41.09 feet to an iron post; thence Easterly by the Northerly line of a strip of land marked "Right of Way" on the Plan hereinafter mentioned, 13.02 feet to an iron post; thence Southerly by the Easterly line of said Right of Way 55.9 feet to said iron post in the Northerly side of said Middlesex Street and the point of beginning, containing 11,350 square feet, more or less, and being hereby conveyed together with the right to pass and repass in common with all persons, firms or corporations legally entitled thereto over and upon said strip of land marked "Right of Way" lying next Westerly of the Southwesterly portion of the premises hereby conveyed, said Right of Way being described in a deed from Old Colony Trust Company, Trustee, to said Ellison Coal & Grain Co. dated October 11, 1938, recorded in Essex Deeds, South District, Book 3160, Page 541, said lot hereby conveyed comprising the Westerly portion of the lot described in said deed.

Said parcel, together with other land of Ellison Coal & Grain Co. and also said Right of Way are shown on Plan entitled "Plan of Land in Haverhill, Massachusetts, owned by Ellison Coal & Grain Co., dated August 2, 1955", drawn by Ralph B. Brasseur, C.E., recorded in Essex South Registry of Deeds, and to which Plan reference is hereby made for a more particular description of the granted premises.

Subject to any other easements, restrictions and reservations of record insofar as the same are in effect and applicable and not intending to renew or reinstate the same.



City of Haverhill, MA

Copy

03/10/2021

CCSP-21-2

Planning Director Review

City Council Special Permit

Status: Complete**Became Active:** 02/01/2021**Assignee:****Completed:** 03/10/2021

Applicant

michael miglioni
mmiglioni@fimilaw.com
18 Essex Street
Haverhill, MA 01832
978-373-3003

Location

15 MIDDLESEX ST
Bradford, MA 01835

Owner:

MIDDLESEX HAVERHILL REALTY TRU SFEIR
ALAIN-TRUSTEE
30 CATESBY LANE BEDFORD, NH 03110

Comments**William Pillsbury, Feb 3, 2021**

Hi Attorney Miglioni: Prior to moving this forward to setting a hearing date please provide a zoning review detailing any waivers that you are seeking for this proposal. Particular attention to height, density and parking. There is no reference to waivers needed in your brief. Thanks Bill P

michael miglioni, Mar 7, 2021

Bill, I submitted the zoning review requested. You you please ask Linda to schedule a hearing date. Thanks.

, Mar 10, 2021

ok to schedule hearing

Review

City Councilor G Review

Review



City Councilor H Review

Review



City Councilor I Review

Review



City Council Meeting

Review



Meeting Minutes & Decision Filed w/City Clerk

Review



michael miglioni

[View Profile](#)



Email Address

mmiglioni@fimilaw.com (mailto:mmiglioni@fimilaw.com)

Phone Number

978-373-3003

Address

18 Essex Street, Haverhill, MA 01832

Review

City Councilor G Review

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

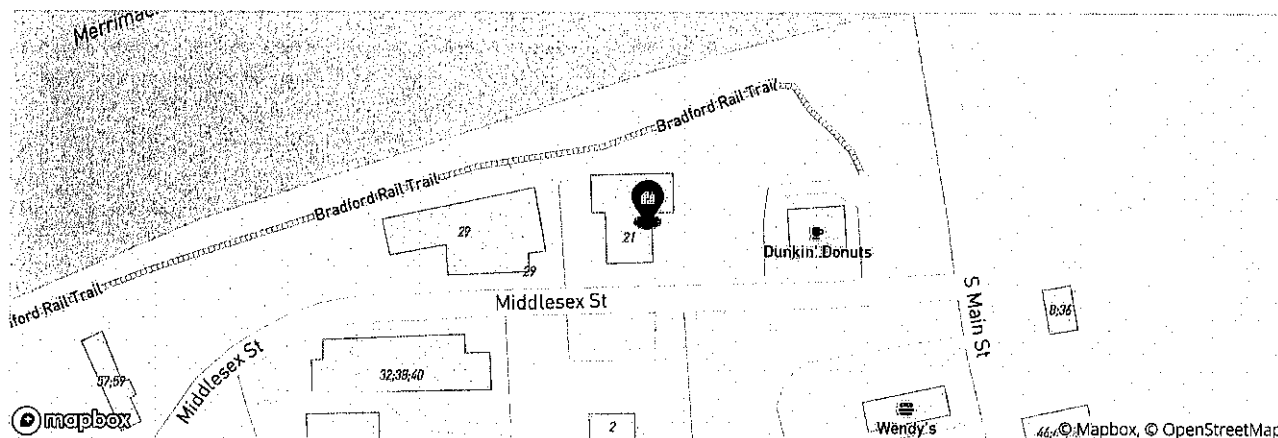
**Meeting Minutes & Decision Filed w/City Clerk**

Review

**15 MIDDLESEX ST**

Bradford, MA 01835

707-658-2

[View Location](#)**Owner**

Name

MIDDLESEX HAVERHILL REALTY TRU SFEIR ALAIN-TRUSTEE

Email Address

--

Phone Number

--

Address

30 CATESBY LANE
BEDFORD, NH 03110

City Council Special Permit · Add to a project

**Expiration Date**

Active



CCSP-21-2



Details

Submitted on Feb 01, 2021 12:55 PM



Attachments

9 files



Activity Feed

Latest activity on Mar 10, 2021

Applicant

michael migliori



Location

15 MIDDLESEX ST, Bradford, MA 01835

Timeline

Add New ▾

Special Permit Filing Fee

Paid Feb 1, 2021 at 12:56pm

Building Inspector Review

Completed Feb 9, 2021 at 12:29pm



Planning Director Review

Completed Mar 10, 2021 at 9:26am



City Clerk Review - Hearing Dates Set

Completed Mar 10, 2021 at 1:08pm



Assessor for Abutter's List

Completed Mar 10, 2021 at 1:11pm

**City Council Clerk Notified**

In Progress

**Conservation Department Review**

Review

**DPW Review**

Review

**Engineering Department Review**

Review

**Fire1 Department Review**

Review

**Fire2 Department Review**

Review

**Health Department Review**

Review

**Police Department Review**

Review

**School Department Review**

Review

**Storm Water Review**

Review

**Wastewater Review**

Review

**Water Department Review**

Review



Water Supply Review

Review

☐**Planning Director Approval for Agenda**

Review

☐**Building Inspector Approval for Agenda**

Review

☐**First Ad Placement**

Review

☐**Placed on Agenda**

Review

☐**Abutter Notification**

Review

☐**Second Ad Placement**

Review

☐**City Councilor A Review**

Review

☐**City Councilor B Review**

Review

☐**City Councilor C Review**

Review

☐**City Councilor D Review**

Review

☐**City Councilor E Review**

Review

☐**City Councilor F Review**☐

Review

City Councilor G Review

Review



City Councilor H Review

Review



City Councilor I Review

Review



City Council Meeting

Review



Meeting Minutes & Decision Filed w/City Clerk

Review



Building Inspector Review



Assignee

Tom Bridgewater

Due date



None



Tom Bridgewater ✓

Remove Comment • Feb 9th 2021, 12:29pm

I
feel any and all development in the Waterfront Zones should be
encouraged, that
being said here are the zoning requirements for 15 Middlesex St.
15 Middlesex
St. is in Waterfront F zone which allow following.

9.3.11 DENSITY
REGULATIONS Sub-zone F 20 units per acre . the lot area is 11,325
approximately

1/4 acre which would allow 5 units by right, 18 proposed.

9.3.12

DENSITY BONUSES sub-zone F allows 40 per acre with substantially rehabilitate an existing building.

It does not appear to be a substantial remodel.

9.3.15 PARKING REQUIREMENTS Sub-zone F multifamily requires 1.5 parking spots per unit $18 \times 1.5 = 27$ required where 18 are proposed.

9.3.13 DIMENSIONAL REGULATIONS Sub-zone F max building height 55' where 91' proposed

This step was assigned to Tom Bridgewater - Feb 1, 2021 at 12:56pm
Tom Bridgewater approved this step - Feb 9, 2021 at 12:29pm

CITY COUNCIL

MELINDA E. BARRETT

PRESIDENT

COLIN F. LePAGE

VICE PRESIDENT

JOSEPH J. BEVILACQUA

JOHN A. MICHITSON

THOMAS J. SULLIVAN

TIMOTHY J. JORDAN

MICHAEL S. MCGONAGLE

MARY ELLEN DALY O'BRIEN

WILLIAM J. MACEK



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

15.7

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

March 10, 2021

TO: Members of the City Council

Council President Barrett requests to discuss dog waste on the Brian Dempsey boardwalk and James Fiorentini rail trail and fine for violation of city code.

Council President Melinda Barrett

CITY COUNCIL

MELINDA E. BARRETT

PRESIDENT

COLIN F. LEPAGE

VICE PRESIDENT

JOSEPH J. BEVILACQUA

JOHN A. MICHITSON

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WILLIAM J. MACEK



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843


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www.cityofhaverhill.com
citycndl@cityofhaverhill.com

March 12, 2021

TO: President and Members of the City Council:

Councillors Michitson and Bevilacqua wish to recognize Greek Independence Day.


City Councillor John A. Michitson


City Councillor Joseph Bevilacqua

CITY COUNCIL

MELINDA E. BARRETT
PRESIDENT

COLIN F. LEPAGE
VICE PRESIDENT

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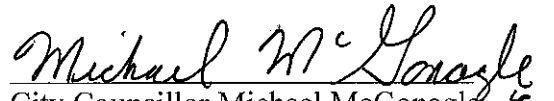
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HAVERHILL, MASSACHUSETTS 01830-5843

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citycncl@cityofhaverhill.com

March 8, 2021

TO: President and Members of the City Council:

Councillor Michael McGonagle requests the removal of a handicap parking space at 37 Curtis Street, as it is no longer needed.


City Councillor Michael McGonagle

Name of Street Location	Regulation	Hours/Days
South side [Added 10-12-1982 by Doc. 43-L]	No parking	—
Crescent Street		
From South Main Street north for 240 feet, west side	No parking	—
Currier Avenue		
25 Currier Avenue [Added 12-3-2013 by Doc. 32-F; repealed 10-16-2018 by Doc. 22-P]		
Currier Square		
From the north side of Washington Street to the west side of High Street (8 spaces), north side	Time limited: 2 hours	7:00 a.m. to 7:00 p.m.
From the north side of Washington Street to the east side of High Street (7 spaces), north side	Time limited: 2 hours	7:00 a.m. to 7:00 p.m.
Either of the 2 spaces between the north side of Washington Street and south side of High Street, north side	Time limited: 15 minutes	9:00 a.m. to 9:00 p.m.
* [Curtis Street		
In front of 37 Curtis Street, except for 1 24-hour handicapped parking space at No. 37 [Added 8-21-2018 by Doc. 22-I]	No parking	24 hours
Davenport Street		
Entire length, south side	No parking	—
Davis Street		
From Chick Avenue west for 90 feet, south side [Amended 10-21-1986 by Doc. 75-K]	No parking	—
From Chick Avenue west for 50 feet, north side [Added 10-21-1986 by Doc. 75-K]	No parking	—
From Silver Street east for 40 feet, south side	No parking	—
In front of 1 Davis Street, except for 1 24-hour handicapped parking space at No. 1 [Added 4-19-2011 by Doc. 7-G]	No parking	24 hours
In front of 19 Davis Street, except for 1 24-hour handicapped parking space at 19 Davis Street [Added 8-24-2004 by Doc. 12-I]	No parking	24 hours
Day Street [Added 12-22-1987 by Doc. 23-J]		

CITY COUNCIL

MELINDA E. BARRETT

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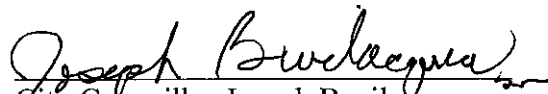
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March 12, 2021

TO: President and Members of the City Council:

Councillor Bevilacqua requests discussion regarding the availability of off-street parking in the downtown area and confirmation of spaces reserved and remaining open spaces in the MVRTA garage.


City Councillor Joseph Bevilacqua

CITY COUNCIL

4-2

MELINDA E. BARRETT
PRESIDENT
 COLIN F. LEPAGE
VICE PRESIDENT
 JOSEPH J. BEVILACQUA
 JOHN A. MICHITSON
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 TIMOTHY J. JORDAN
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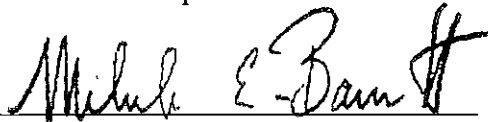
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 citycncl@cityofhaverhill.com

February 11, 2021

TO: Members of the City Council

Council President Barrett and Vice President LePage request a status update from the Mayor regarding ongoing City and School building maintenance projects including the Organizational Roles and Responsibilities of the "newly combined" Facilities Maintenance Department.


 Council President Melinda Barrett


 Councillor Colin LePage

IN CITY COUNCIL: February 23 2021
 POSTPONED TO MARCH 16 2021

Attest:

 City Clerk



DOCUMENT 30

16.2

CITY OF HAVERHILL

In Municipal Council March 2 2021

ORDERED

30

MUNICIPAL ORDINANCE

CHAPTER 240

AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, § 240-85, Schedule B: Parking Restrictions and Prohibitions, as amended, be and is hereby further amended by deleting the following words and numbers under the heading:

Name of Street Location

Regulation

Hours/Days

“Merrimack Street Parking Lot

3 most westerly spots in the rear row Veteran's Clinic patrons only Monday through Friday, 8:30 a.m. to 4:00 p.m.”

APPROVED AS TO LEGALITY

City Solicitor

PLACED ON FILE for at least 10 days

Attest:

City Clerk

CITY OF HAVERHILL

MASSACHUSETTS

CITY SOLICITOR'S OFFICE

145 South Main Street

Bradford, MA 01835

(978) 373-2360


FAX: 978/372-0688

EMAIL: billcoxlaw@aol.com

WILLIAM D. COX, JR.
CITY SOLICITOR

February 21, 2021

TO: Melinda Barrett, President, and Members of the Haverhill City Council

FROM: William D. Cox, Jr., Esq., City Solicitor 

RE: Ordinance - Veteran's Clinic Parking - Merrimack Street Parking Lot

As requested, I have prepared an ordinance which eliminates the 3 designated parking spaces for the Veteran's Clinic in the Merrimack Street Parking Lot directly in front of the Herbert H. Goecke Parking Deck. These spaces are no longer necessary as the Clinic has relocated.

Thank you.

cc: James J. Fiorentini, Mayor



CITY OF HAVERHILL

In Municipal Council March 2 2021

ORDERED

MUNICIPAL ORDINANCE

CHAPTER 222

AN ORDINANCE RELATING TO OUTDOOR DINING

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 222 of the Code of the City of Haverhill, as amended, be further amended by adding the following:

**“ARTICLE XVI
TEMPORARY OUTDOOR DINING**

222-98 Temporary Provisions.

Notwithstanding any other provisions of the Code of the City of Haverhill, including Article XII Outdoor Dining and Article XIV Parklets of Chapter 222, the following temporary program to allow restaurants, cafes, fast food outlets, coffee shops, and other similar places of public accommodation offering food and beverages, including alcoholic beverages, (“establishments”) for on-premises consumption to operate safely in outdoor settings. Any provision of existing Ordinances which is inconsistent with this Ordinance, such provisions shall be temporarily suspended. The provisions of this ordinance shall be available city-wide.

222-99 Purpose.

The intent of the program is to allow for greater physical distancing and safety for customers when the Commonwealth's public health orders allow restaurants to resume sit-down service, as outlined in Phase 2 of reopening Massachusetts. This is a temporary program to support our local eateries and residents. It will be available for the duration of the outdoor summer/fall dining season through November 1, 2021, at which time the City may evaluate a potential expansion of the program. The City reserves the right to require the user to remove the street seating if and when it determines it to be necessary, for any reason and at any time. All furnishings and lighting must be easily removed at the end of the program period.

222-100 Eligible Outdoor Areas.

Under this program, eligible businesses may be able to temporarily expand into the following types of outdoor areas:

Private property, including off-street parking lots with the property owner's consent.

Public right-of-way, including sidewalks, street parking spaces, public parking lots, boardwalks, public parks and any other public areas with the permission of the Mayor, and, possibly closing select streets.

222-101 Limitations.

Private Property - These properties can expand outdoors on their own property or on a neighboring property (with permission from the other property owner), including using any number of off-street parking spaces.

Public Right-of-Way - Proposals to expand into the public right-of-way will require that a right-of-way inspector, designated by the Director of Inspectional Services, visit the business location and consider the closure proposal from a mobility and safety perspective. An inspector may be able to approve a simple inspection in the field and issue an approval no later than the following business day. More complex requests will be reviewed for:

- Safety: ensuring any closure of the public right of way is done safely;**
- Mobility: considering impacts to people's ability to get around the closure by foot, bike, wheelchair and car and how the proposal mitigates impacts with a traffic control plan, if necessary;**
- Local and emergency access: local access to adjacent homes and businesses must be maintained.**

Once a temporary patio is established, a right-of-way inspector will do a final inspection.

222-102 Conditions and Restrictions.

All conditions and restrictions below apply to the new, temporary outdoor patio space only.

All establishments must provide food service in order to be eligible for outdoor dining.

Unless these provisions are renewed or expanded, businesses will have one week (through November 9, 2021) to remove any fixtures from their outdoor area.

Hours of Operation: Outdoor patios opened under this program must close by 10 p.m. on Sundays - Thursdays and by 11 p.m. on Fridays and Saturdays.

Allowed Uses of the Patio: Outdoor patios established under this program can only be used for sit-down food and beverage service or customer pick-up and carry-out service.

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All seating areas must comply with all applicable federal, state, and local laws and regulations, including the Americans with Disabilities Act, and, any state recommended or mandated COVID 19 distancing and restaurant service policies.

To prevent additional encroachment onto public space and to contain the sale of alcohol within the establishment's public right-of way seating area, the area must be separated from any pedestrian walk space with a non-movable system of enclosure, such as decorative fencing with removable bollards. Establishments using public right-of way areas that do not serve alcohol do not need this non-movable system of enclosure.

Total seating shall not exceed the restaurant's maximum occupancy.

Only movable tables, chairs, umbrellas and heat lamps shall be placed on public right-of-way areas. Temporary awnings or tents over the public right-of-way areas may be used, provided they are approved by the right-of-way inspector.

They cannot be used for activities that would promote congregating, involve shared equipment, or amplify sound, including but not limited to:

Standing areas

Live music

Outdoor games

Music over speakers

Movies

Broadcast sports

Loudspeaker call systems

Pets, except as provided in the Americans with Disabilities Act.

222-103 Parking.

Because of the reduced capacity of any establishment due to safe distancing practices, off-street parking spaces that are required by the Code to meet a minimum number of spaces may be utilized for outdoor patio space provided the right-of-way inspector approves the temporary reduction.

222-104 Permits and Licenses.

Establishments seeking to institute outdoor dining during this period to serve food and beverages shall apply for and obtain a permit to be issued by the Director of Inspectional Services. No other permit or license shall from any other board, department or officer of the City shall be required. No public hearing and no other notice or hearing other than what is specifically required by this ordinance or by state law shall be required; however, any permit application shall be sent to the Police Chief, Fire Chief and Department of Public Works Director, or their designees, who shall review and comment on the application within 2 business days of receipt of the application.

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The online permit application shall request: 1. description and diagram of the area where service will be provided, include the number and type of tables, chairs, umbrellas, tents, awnings, heat lamps and any barriers, railings or other temporary dividers to be used; 2. contact information for the restaurant owner, and if any expansion is planned in public areas or onto the property of adjacent owners contact information for the adjacent owner. 3. The number of tables and occupancy of each proposed table and what services will be required in the expanded area and whether the applicant wishes to provide table service, and whether alcohol or food will be served. Applicants shall also provide a certificate of insurance and a sidewalk bond, both of which shall name the City as an insured.

If the establishment is seeking to serve alcoholic beverages in the outdoor dining area, the application shall also be referred to the License Commission for compliance with any requirements of the Massachusetts Alcoholic Beverages Control Commission (ABCC). In the event that a hearing is required by the License Commission, a meeting shall be held within two weeks. No fee of any type shall be required unless required by state law. The application shall be allowed unless the license commission can state clear and coherent reasons for denial. The license commission shall be able to set reasonable terms and conditions regarding the serving of alcohol if allowed by law, however, the License Commission shall not in any way contradict the intent or purposes of these provisions.

Any requests to close streets or alleys for the purpose of on-premises consumption in outdoor settings shall be acted on by the Director of Inspectional Services, after consultation with the Police Chief, Fire Chief and Department of Public Works Director, or their designees.

222-105 Fees.

No fees shall be charged for any permits or licenses required to establish outdoor dining facilities during the effective period of these provisions, including, but not limited to, the License Commission, Building Inspector and Board of Health.

222-106 Sharing Patio Space.

Businesses may not share outdoor premises, because it will make performing contact tracing very difficult. Each establishment must maintain control of its operations and food and beverage service within its own outdoor premises.

222-107 Temporary Signs.

For the duration of this ordinance, eligible businesses may install temporary signs in excess of the allowed size or number permitted by Chapter 255 Zoning of this Code. Temporary signs must be made of fabric, vinyl, paper, or corrugated plastic, and, must be affixed to the eligible business' building or property or within a permitted use of public right-of-way space. Signs must allow for at least four feet of clearance for pedestrians, although at least six feet is preferred. Temporary signs that adhere to these requirements do not need a

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building permit.

222-108 Parklets.

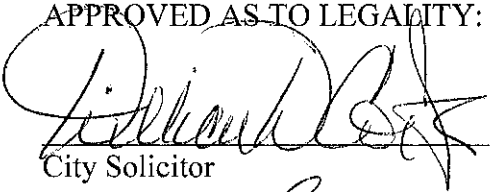
Parklets, as defined by 222-84 of the Code, shall be permitted and established according to the provisions of this Article during this temporary period.

222-108 Assistance Grants.

Assistance grants shall be available through the Community Development Office to assist establishments with the costs and expenses of setting up outdoor dining, including parklets."

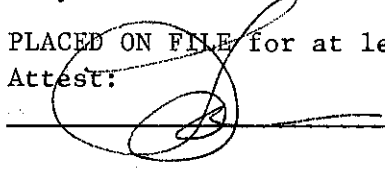
This Ordinance is temporary and shall terminate November 1, 2021, unless renewed by Order of the City Council and Mayor prior thereto.

APPROVED AS TO LEGALITY:


City Solicitor

PLACED ON FILE for at least 10 days

Attest:


City Clerk

JAMES J. FIORENTINI
MAYOR



**CITY OF HAVERHILL
MASSACHUSETTS**

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@CITYOFHAVERHILL.COM
WWW.CI.HAVERHILL.MA.US

February 26, 2021

City Council President Melinda Barrett and Members of the Haverhill City Council

RE: Temporary Outdoor Dining Ordinance

Dear Madame President and Members of the Haverhill City Council:

Please find attached an Ordinance Relating to Outdoor Dining as part of my restaurant revitalizing efforts. This temporary ordinance again amends our existing outdoor dining regulation for 2021. In order to support Haverhill's restaurants and eateries during the ongoing pandemic, this proposed ordinance allows for greater physical distancing and safety for customers and employees. This ordinance expands eligible outdoor dining options and was developed in consultation with many of our restaurants and dining establishments. This ordinance also expands this program city wide. I recommend approval.

Very truly yours,

James J. Fiorentini
Mayor

JJF/lyf

17.1

PROCLAMATION

WHEREAS: On March 25th, sons and daughters of Greece will celebrate the 200th year of independence from the Ottoman Empire;

WHEREAS: On a daily basis, and especially here in the City of Haverhill, we recognize the ancient Greek influence in our government and we recognize the Greek-American heritage that continues to strengthen our City and enhance our community;

WHEREAS: Throughout its history, Greece has provided the world community with leaders in political, social, and artistic innovations by the works of Plato, Socrates, Sophocles, and Homer;

WHEREAS: Together, Greeks and Americans share a profound sense of reverence and appreciation for democracy, freedom, and individual rights;

WHEREAS: Nearly three million Greek-Americans call the United States their home, some of whom live here in Haverhill, and their immeasurable innumerable contributions to the cultural heritage;

NOW, THEREFORE I JAMES J. FIORENTINI DO HEREBY PROCLAIM March 25, 2021, as

GREEK INDEPENDENCE DAY



IN WITNESS WHEREOF, I hereunto
Set My Hand And Caused The Seal Of The
City Of Haverhill To Be Affixed This 25th
Day Of March In The Year Of Our Lord
Two Thousand and Twenty-One


JAMES J. FIORENTINI, MAYOR

CITY COUNCIL

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



CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

18.1
CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978 374-2328
FACSIMILE: 978 374-2329
www.cityofhaverhill.com
citycncl@cityofhaverhill.com

March 12, 2021

TO: Madame 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 February 16, 2021 for acceptance and discussion. Items discussed were Doc. 4-G -Review of Rules and Regulations of City Council; review of study list documents for disposition: Doc. 13-Y/19 -accounting of revenue funds from Licensed Marijuana Establishments, Doc. 89-D/19 – outdoor advertising of marijuana products, Doc. 89-K/19 – process for establishing Charter Commission review, Doc. 89-U/19 – Community Compact Best Practices grant.


City Councillor Colin LePage

CITY COUNCIL

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FACSIMILE: 978 374-2329
www.cityofhaverhill.com
citycncl@cityofhaverhill.com

MINUTES OF THE ADMINISTRATION AND FINANCE COMMITTEE MEETING HELD ON FEBRUARY 16, 2021

An Administration and Finance Committee Meeting was held on Tuesday, February 16, 2021 at 7:00 P.M. in the City Council office, Room 204.

Committee Members: Committee Chairperson Colin LePage, Councillor John Michitson, Councillor Mary Ellen Daly O'Brien, Councillor William Macek. Council President Melinda Barrett and Councillor Thomas Sullivan also attended.

The meeting began at 7:01 P.M. and the following items were discussed:

- 1.) **Doc. 4-G** – Communication from Councillor LePage requesting a discussion regarding the Rules and Regulations for the City Council; *Committee members Macek and Daly O'Brien offered proposed changes which were discussed by all present. Proposed changes are to: Rule 1, Rule 4, Rule 11, Rule 12, Rule 25 (clarification/opinion), Rule 26, Rule 28 and Rule 31. * 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 unanimously.*


The following Committee Study list documents were reviewed for disposition:

- **Doc. 13-Y/19** – Communication from Councillor LePage to discuss accounting of revenue funds received from Licensed Marijuana Establishments & their allocation to mitigate costs and impact to city; *item to remain on study list with recommendation to be moved to Long Term Matters Study List as described in Rules 11 and 28 of the Rules and Regulations of the City Council, passed unanimously.*
- **Doc. 89-D/19** – Communication from Councillors LePage, Michitson, Jordan requesting discussion on reducing exposure of persons under 21 yrs. of age to outdoor advertising (billboards) of marijuana products and zoning regulations pertaining to smoke and/or vapor stores in Haverhill; *Chairperson LePage shared and informed the Committee of his recent emails with the Cannabis Control Commission (CCC) pertaining to new billboards in the City as well as with the City of Haverhill Board of Health members pertaining to zoning regulations. Items to remain on study list with recommendation to be moved to Long Term Matters Study List as described in Rules 11 and 28 of the Rules and Regulations of the City Council, passed unanimously.*
- **Doc. 89-K/19** – Communication from Councillor Macek requesting open discussion relative to the process for establishing a Charter Commission to review the current City of Haverhill Charter; *item to be removed from the Administration & Finance Committee Study List as it is also included on the Citizens Outreach Committee Study List as Doc. 89-K/19, passed unanimously.*

- **Doc. 89-U/19** – Communication from Councillor LePage re: applying for Community Compact Best Practices Program grant for benefit of city and its residents; *item to be removed from the Administration & Finance Committee Study List as it is also included on the Citizens Outreach Committee Study List as Doc. 89-D/19, passed unanimously.*

The meeting adjourned at 7:48 P.M.

Respectfully submitted,


Colin LePage, Chairperson
Administration and Finance Committee
Haverhill City Council

March 12, 2021

CL/bsa

*City Council Rules & Regulations 2021 Draft

c: Mayor James J. Fiorentini
City Council

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. The City Clerk shall open nominations and each candidate shall be nominated by name only and require a second to be considered. No other comment or information shall be made during the open nomination period. Once completed, the City Clerk shall close nominations and call the roll for elections. 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 for the election of President and Vice President in the same manner as the inaugural election.

Under the direction of the Chairperson of the Administration & Finance Committee and ~~W~~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 before Thanksgiving and the Tuesday of the Christmas holiday week shall not be included in the Council's annual calendar of meetings. 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 or add any further meetings not scheduled so long as such action is posted at least forty-eight (48) hours in advance in compliance with the Massachusetts Open Meeting Law (M.G.L. c.30A sections 18-25).

HOLIDAYS

Rule 2A. Whenever the day set by these rules for any meeting of the City Council shall fall upon or immediately after a Monday holiday, then such meeting shall not be included in the Council's annual calendar of meetings.

MEETINGS OPEN TO PUBLIC

Rule 3. 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 presiding officer of the City Council shall in his/her sole discretion 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.

SPECIAL MEETINGS

Rule 4. 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, and posted per the Massachusetts Open Meeting Law.

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

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 that particular agenda item is concluded.

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

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 (A&F): Department of Finance & Records; and Law

2. Natural Resources & Public Property Committee (NRPP): Water and Wastewater; Energy Conservation; Conservation Commission; Public Buildings; Assessors; Parks and Playgrounds
3. Planning & Development Committee (P&D): Department of Community Planning and Development; Planning Department; Engineering.
4. Public Health, Safety & Works Committee (Public Safety): Department of Law Enforcement; Department of Fire Safety Services; Public Works; Public Health.
5. Citizens 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. The Committee Chairperson shall make reasonable efforts to set the meeting date(s) to accommodate the procuring Councillor's schedule. However, if the Chairperson believes that the issue at hand cannot be delayed, a meeting may be called without the procuring Councillor in attendance. In which case, the item can be acted upon, continued or disposed. 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 dealt with without the procuring Councillor's participation or being continued to the next meeting of the Committee.

Each 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 updated on within ~~60~~ 30 days of referral by the Committee Chairperson at the end of a Council meeting agenda order of business #18. Items that cannot be reported out or acted upon within 60 days may be transferred to a long-term study list as detailed in Rule 28.

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	Majority	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
	To table a matter without a quorum present	Majority	of Councillors present
*	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, <u>Flexible Development</u> 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.

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, 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 23 and 24 and said rule shall not be considered inconsistent with said rules numbered 23 and 24.

ORDINANCE AND BOND ORDERS REFERRED TO CITY SOLICITOR

Rule 20. Every ordinance and every order for a bond issue shall upon its first reading or filing and 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.

MUNICIPAL EMPLOYEE CONTRACTS AND SALARY ORDINANCES

Rule 21. All municipal collective bargaining agreements and other employment contracts sent to the City Council by the Mayor shall be placed on file with no further action taken, except as to the appropriation of funds necessary to fund the collective bargaining agreements and employment contracts. The approval of any change or alteration to a salary ordinance which requires an increase in wages or other financial benefits to employees shall not be acted on until such time as a financial disclosure form, agreed to by the Mayor and City Council, signed by the Auditor, Department Head and the Human Resources Director is provided to the Council.

ENACTING STYLE

Rule 22. 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 23. 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 24. 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 25. 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 26. 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 27. 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 a majority of Councillors present.

CLERK SHALL PREPARE A LIST OF ALL MATTERS (AGENDA)

Rule 28. The City Clerk in cooperation with the Council President 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 and to digitally send a copy to each Councillor.

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 28A. No business or document scheduled to come before the City Council may be removed or omitted from the agenda prior to a meeting.

Rule 28B. 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 28C. 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. 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 29A. 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 29B. 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 3, 29A and 36.

EXAMINATION OF RECORDS OF PREVIOUS MEETING

Rule 30. 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 31. 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 from Councillors to introduce an individual(s) to address the Council

7. Public Participation – Requests under Council Rule 29B
8. Communications and Reports from City Officers and Employees
9. Utility hearing(s) and related order(s)
10. Hearings and related Orders
11. Appointments
12. Petitions
13. Motions and Orders
14. Ordinances
15. Communications from Councillors
16. Unfinished business of preceding meetings
17. Resolutions to be “Resolved” and Proclamations to be “Adopted”
18. Council committee updates, reports and announcements

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 32. 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 approved to legality by the City Solicitor, 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 33. In all matters of parliamentary practice not provided for in these rules or the Massachusetts Open Meeting Law, the City Council shall use "Robert's Rules of Order", the latest edition, as a guide.

Rule 34. Insofar as these rules are not of statutory source or origin, the same may be suspended at any meeting by a majority 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 majority vote of all Councillors present, or there is no objection raised prior to the meeting being adjourned.

COUNCIL BUDGET

Rule 35. 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 36. 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 extended or limited.

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 37. 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.

INTRADEPARTMENTAL COMMUNICATION

Rule 38. Any individual Councillor or the Council body 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 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 39. 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 before such letter is sent by mail, email, hand delivery or any other delivery process.

The Council President shall be responsible for alerting each newly elected Councillor of this rule during the orientation period outlined in Rule 37.

SPECIAL ELECTION AND BALLOT QUESTIONS

Rule 40. 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 41. 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

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COLIN F. LEPAGE
VICE PRESIDENT
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JOHN A. MICHITSON
THOMAS J. SULLIVAN
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CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978 374-2328
FACSIMILE: 978 374-2329
www.cityofhaverhill.com
citycncl@cityofhaverhill.com

CITY OF HAVERHILL HAVERHILL, MASSACHUSETTS 01830-5843

DOCUMENTS REFERRED TO COMMITTEE STUDY

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
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	1/3/17 1/31/17, 8/15/17
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, 4/23/18
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 1/23/19
13-Y	Communication from Councillor LePage to discuss accounting of revenue funds received from Licensed Marijuana establishments & their allocation to mitigate costs and impacts to city	A & F	3/12/19 8/5/19
79-F	Communication from Councillor Sullivan requesting to introduce Kathleen Fitts, Gale Park Assoc. to request the city replace the Gale Park Fountain in fiscal year 20	NRPP	6/25/19
79-T	Communication from Councillors Sullivan and Barrett re: discussion with VINFEN & Haverhill Police Dept. regarding incident in neighborhood of 20 Westland Ter. group home on 7/5 and steps being taken to better supervise residents and reduce police calls to residence	Public Safety	7/23/19
89-D	Communication from Councillors LePage, Michitson, Jordan requesting discussion on reducing exposure of persons under 21 yrs. of age to outdoor advertising (billboards) of marijuana products and zoning regulations pertaining to smoke and/or vapor stores in Haverhill	A & F	7/23/19 8/6/19
89-K	Communication from Councillor Macek requesting open discussion relative to the process for Establishing a Charter Commission to review the current City of Haverhill Charter	Citizen Outreach A & F	8/6/19
89-U	Communication from Councillor LePage re: applying for Community Compact Best Practices Program grant for benefit of city and its residents	Citizen Outreach A & F	9/17/19
89-V	Communication from Councillor McGonagle requesting a discussion about school bus safety	Public Safety	9/17/19
11	Communication from Councilor Jordan requesting to introduce Steve Costa of Citizens for Haverhill Fire to discuss Mayor's CIP and occupational cancer	Public Safety	1/7/20
34-P	Communication from Councillor Sullivan requesting a discussion regarding the disposal of cremated remains on public property	NRPP	3/17/20
58-M	Communication from Councillors LePage and Daly O'Brien re: the possible use of Hale Hospital Trust Funds for ongoing City health care programs and issues	A & F	4/21/20
55-D	Discussion about removal of the Hannah Duston Statue	NRPP	6/30/20

DOCUMENTS REFERRED TO COMMITTEE STUDY

69-O	Communication from President Barrett and Councillor Sullivan requesting discussion on illegal fireworks in the City	Public Safety	7/28/20
55-D	Communication from Councillor Jordan requesting to introduce Ben Roy to discuss Hannah Duston Statue	NRPP	7/28/20
86-D	Communication from Councillor Michitson requesting to address economic development ideas resulting from the pandemic	Planning & Dev.	8/11/20
86-F	Communication from Council President Barrett and Councillor LePage requesting discussion pertaining to utilization of UV-C disinfection fixtures in public buildings	A & F	8/25/20
89-C	Mayor Fiorentini submits final recommendations of Matrix Company	NRPP	9/15/20
91	Petition from Wady & Jewnifer Grullon requesting to purchase city property that abuts their property at 14 Silver Birch Ln; Assessor's Map 574, Block 1 Lot 7	NRPP	9/15/20
91-B	Petition from the Biggart Family requesting to purchase 2 parcels of land that abuts their property at 30 Belvidere Rd., Assessor's Map 409, Block 114, Lot 9; and Map 409, Block 1A, Lot 1 that includes conservation land, but only the portion zone RMD (Residential Medium Density)	"	9/22/20
86-S	Communication from Councillors LePage, Sullivan and Macek to discuss process for approval Of development projects within the Waterfront District Ch. 255, Article XVI	A & F	10/6/20
55-I	Communication from Council President Barrett and Councillor McGonagle requesting to introduce Don Jarvis, Keith Gopsill and Mike Ingham to discuss becoming a Purple Heart Community	NRPP	12/15/20
91-C	Petition of Michael DeLuca requesting to purchase surplus city land on River St., Map 538, Block 419B, Lots 20, 21, 22, 23	NRPP	12/15/20
4-G	Communication from Councillor LePage re: Rules & Regulations of City Council	A & F	1/12/21
4-I	Communication from Councillor Michitson requesting to address the rising inequities between high and low paid occupations in the United States	Citizen Outreach	1/12/21
4-Q	Communication from Councillor Macek requesting discussion on parking space requirements per zoning regulations throughout City	A & F	2/2/21
27-E	Communication from Councillor Sullivan requesting to introduce Debbie Lyons, to explain having legal permitting systems as it relates to establishing permitting/licensing process to allow for "Bow Hunter Tree Stands" to be placed on trees on City properties when hunting is allowed in season	NRPP	3/2/21
27-J	Communication from Councillor Michitson requesting to re-start discussion on way ahead for residential zoning in Haverhill	Planning & Dev.	3/9/21

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38-F	Communication from Councillors Barrett and LePage requesting to discuss double poles in the City A & F	3/15/16, 9/6/16, 11/3/16, 1/17/17, 5/11/17, 10/24/17, 3/6/19
26E	City of Haverhill – Mayor’s Recommendations, Capital Improvement Program – 2016-2020 A & F	5/31/16, 11/3/16, 5/11/2017, 7/25/17, 2/15/18, 3/6/19, 4/17/19
93-L	Communication from President Michitson requesting to introduce Dave Labrode to discuss street tree plantings NRPP	8/7/18, 2/28/19, 2/27/20
38-J	Communication from Councillor Macek requesting a discussion about reserve parking spaces at City Hall designated for Registry of Motor Vehicles NRPP	3/19/19, 2/27/20