City of Haverhill



City Council Minutes

Tuesday, January 15, 2019

Theodore A. Pelosi, Jr. Council Chambers, Room 202

4 Summer Street

Present – President Michitson, Councillors Sullivan, Bevilacqua, Barrett, LePage, Jordan, Macek, Daly O’Brien

Absent – Councillor McGonagle

City Clerk – Linda L. Koutoulas

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of Prior Meeting

 The minutes were approved. Yeas 8, Nays 0, Absent 1

1. Assignment of the minutes review for the next Meeting

 Councillor Macek was assigned the minutes

COUNCILLOR SULLIVAN REQUESTED A MOMENT OF SILENCE IN MEMORY OF THE

PASSING OF JOHN RATKA, EXECUTIVE DIRECTOR OF THE VETERANS NORTHEAST

OUTREACH CENTER AND MASTER COMMANDER CHIEF

1. Communications from the Mayor:
2. Communications and Reports from City Officers and Employees:
3. Utility Hearing(s) and Related Order(s)
4. Hearings and Related Orders
5. Public Participation- Requests under Council Rule 28
6. Appointments:

Confirming Appointments:

Non-Confirming Appointments:

1. Petitions:

 Petition from John Thomas, Project Manager, on behalf of Wildflower Solar, LLC care of Hexagon

Energy LLC, requesting a Hearing to grant a Special Permit for a Solar Energy Facility to be installed

at 1037 Broadway ; Parcel ID: 574-1-16, to generate approximately 0.25 MW alternating current (AC)

of solar energy

COUNCIL HEARING FEB 26 2019 Yeas 8, Nays 0, Absent 1 13

 Petition from Robert and Ann Hackett of 1007 Boston rd and Stephen Franciosa of 10 Merrimac st

Seabrook; to discontinue the Portion of I Street located between Boston rd and Oxford av

REFER TO PLANNING BOARD

COUNCIL HEARING MAR 5 2019 Yeas 8, Nays 0, Absent 1 14

 Petition from Attorney Michael Migliori requesting a Hearing to grant a Special Permit to Johnson

Construction Management for property located on 121-123 Portland st; Assessors Map 610, Block 490,

Lots 21-22; to construct a three family residential building; located in the “RU” zoning district

REFER TO PLANNING BOARD

COUNCIL HEARING MAR 26 2019 Yeas 8, Nays 0, Absent 1 15

 Applications/Handicap Parking Sign – *new*

 Apostolos Koutoulas, In Home Rehab & Wellness Associates; at 356 Main st

REFER TO PLANNING Yeas 8, Nays 0, Absent 1 16

 June M Childs, at 8 LeBlanc st

REFER TO PLANNING Yeas 8, Nays 0, Absent 1 16B

**Tag Days**:

The following were all GRANTED Yeas 8, Nays 0, Absent 1

HHS Boys Swimming & Diving, January 18, 19, 20 17

HHS Girls Basketball, February 2 & 3 17B

HHS Indoor Track, February 9 & 10 17C

Haverhill Girls Travel Basketball, March 23 & 24 17D

HHS Classical Academy Parents’ Association, March 29, 30, 31 17E

HHS Outdoor Track, April 6 & 7 17F

HHS Baseball, April 19 & 20 17G

HHS Girls Lacrosse, April 27 & 28 17H

Haverhill Elite Track, May 3, 4, 5 17I

VFW Post 29, May 17 & 18 17J

HHS Boys Volleyball, May 24 & 25 17K

DAV Chapter 20, June 6, 7, 8 17L

Korean War Veterans, September 5, 6, 7 17M

HHS Cross Country, September 14 & 15 17N

Haverhill Elite Cross Country, September 20, 21, 22 17O

Haverhill Boys Travel Basketball, November 2 & 3 17P

**Coin-Op License Renewals 2019**

The following were all GRANTED Yeas 8, Nays 0, Absent 1

Kelley’s Restaurant, 75 South Main st 1 Coin-op 7F

RG’s Pub I, 242 Winter st 1 Coin-op 7G

Skateland, 19 Railroad av 12 Coin-ops 7H

Cedarland, 931 Boston rd 25 Coin-ops 7I

**Sunday Coin-Op License Renewals 2019**

The following were all GRANTED Yeas 8, Nays 0, Absent 1

Kelley’s Restaurant, 1 Sunday Coin-op 8F

RG’s Pub, 1 Sunday Coin-op 8G

 Skateland, 12 Sunday Coin-ops 8H

Cedarland, 25 Sunday Coin-ops 8I

**Drainlayer License for 2019**:

The following were all GRANTED Yeas 8, Nays 0, Absent 1

John L Enos 10D

Richard Golen 10E

John C Jablonski 10F

David Maynard 10G

1. Motions and Orders:
2. “Statements of Interest” to replace roofs of 4 different Haverhill Schools

RESOLUTION: Having convened in an open meeting on January 15, 2019, prior to the Statement of Interest

Submission closing date, the City Council of the City of Haverhill, in accordance with its charter, by-laws,

and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building

Authority the Statement of Interest Form dated January 15, 2019 for the **Golden Hill School, located at**

**140 Boardman Street, Haverhill, Massachusetts**, which described and explains the following deficiencies

and the priority category(s) for which an application may be submitted to the Massachusetts School Building

Authority: i.e. **Priority 5** **for replacement of a leaking, defective and obsolete roof**, and hereby further

specifically acknowledges that by submitting this State of Interest Form, the Massachusetts School Building

Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or

any other funding commitment from the Massachusetts School Building Authority, or commits the city to

filing an application for funding with the Massachusetts School Building Authority.

RESOLVED Yeas 8, Nays 0, Absent 1 18

RESOLUTION: Having convened in an open meeting on January 15, 2019, prior to the Statement of Interest

submission closing date, the City Council of the City of Haverhill, in accordance with its charter, by-laws,

and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building

Authority the Statement of Interest Form dated January 15, 2019 for the **Haverhill High School, located at**

**137 Monument Street, Haverhill, Massachusetts**, which described and explains the following deficiencies

and the priority category(s) for which an application may be submitted to the Massachusetts School Building

Authority: i.e. **Priority 5** **for replacement of a leaking, defective and obsolete roof**, and hereby further

specifically acknowledges that by submitting this State of Interest Form, the Massachusetts School Building

Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or

any other funding commitment from the Massachusetts School Building Authority, or commits the city to

filing an application for funding with the Massachusetts School Building Authority.

RESOLVED Yeas 8, Nays 0, Absent 1 18B

RESOLUTION: Having convened in an open meeting on January 15, 2019, prior to the Statement of Interest

submission closing date, the City Council of the City of Haverhill, in accordance with its charter, by-laws,

and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building

Authority the Statement of Interest Form dated January 15, 2019 for the **Silver Hill School, located at**

**476 Washington Street, Haverhill, Massachusetts**, which described and explains the following

deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts

School Building Authority: i.e. **Priority 5** **for replacement of a leaking, defective and obsolete roof**, and

hereby further specifically acknowledges that by submitting this State of Interest Form, the Massachusetts

School Building Authority in no way guarantees the acceptance or the approval of an application, the

awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or

commits the city to filing an application for funding with the Massachusetts School Building Authority.

MAYOR FIORENTINI INFORMED THAT HE PROBABLY WILL NOT SUBMIT THIS APPLICATION

BECAUSE THE SCHOOL ROOF IS NOT LEAKING. SUPERINTENDENT MARROTTA CONFIRMED

THAT ROOF IS NOT LEAKING. ROOF IS OVER 25 YRS OLD

RESOLVED Yeas 7, Nays 1(Bevilacqua) Absent 1 18C

RESOLUTION: Having convened in an open meeting on January 15, 2019, prior to the Statement of Interest

submission closing date, the City Council of the City of Haverhill, in accordance with its charter, by-laws,

and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building

Authority the Statement of Interest Form dated January 15, 2019 for the **Moody School, located at**

**59 Margin Street, Haverhill, Massachusetts**, which described and explains the following deficiencies

and the priority category(s) for which an application may be submitted to the Massachusetts School Building

Authority: i.e. **Priority 5** **for replacement of a leaking, defective and obsolete roof**, and hereby further

specifically acknowledges that by submitting this State of Interest Form, the Massachusetts School Building

Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or

any other funding commitment from the Massachusetts School Building Authority, or commits the city to

filing an application for funding with the Massachusetts School Building Authority.

RESOLVED Yeas 8, Nays 0, Absent 1 18D

1. Ordinances (File 10 days)
2. Monthly Report

Abatement report from Christine Webb, City Assessor for month of December 2018

PLACED ON FILE Yeas 8, Nays 0, Absent 1 19

1. Communications from Councillors:
2. Unfinished Business of preceding Meetings :

 Document 13-E; Communication from Councillor Macek requesting to present a citation

to Roger LeMire for his community service

COUNCILLOR MACEK THANKED MR. LEMIRE FOR HIS YEARS OF OUTREACH WORK WITH

SENIORS

CITATION PRESENTED Yeas 8, Nays 0, Absent 1 13E

 Document 121-P; Communication from Councillor LePage requesting a discussion on

the proposed Ordinance relating to Adult Use of Marijuana and Marijuana establishments and offers

amendments. See Sections B (Applicability) and D (Evaluation Criteria) from the City of Somerville

Ordinance

ON MOTION OF COUNCILLOR LEPAGE TO TABLE Yeas 8, Nays 0, Absent 1 121P

Document 103-BB

 MUNICIPAL ORDINANCE CHAPTER 255

 An Ordinance Relating to Adult Use of

 Marijuana and Marijuana Establishments

Be it Ordained by the City Council of the City of Haverhill that Chapter 255, of the Code of the City of Haverhill, as amended, being and is hereby further amended by deleting Article XIX in its entirety and inserting in its place the following:

Article XIX – Licensed Marijuana Establishments Overlay Zone

1. Purposes.
	* + - 1. To provide for the placement of adult use marijuana establishments in appropriate places and under specific conditions in accordance with the provisions of Massachusetts General Law Chapter 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed.
				2. To Minimize any adverse impacts of adult use marijuana establishments on adjacent properties, dense or concentrated residential area, school and other places where children congregate, and other sensitive land uses.
				3. To regulate the siting, design, placement, access, security, safety, monitoring, modification and discontinuance of adult use marijuana establishments.
				4. To provide applicants, owners and operators with clear guidance regarding adult use marijuana establishments siting, design, placement, access, security, safety, monitoring, modification and discontinuance. (see document for complete text)

*Related communication and minutes from the Planning Board Clerk*

 President Michitson opened the hearing. He informed that each side would be allowed 5 speakers (pro/

against) and each speaker would be limited to 3 minutes. Solicitor Cox gave an introduction/overview

explaining the Mass. State law allows up to 6 Adult Retail Marijuana establishments. Speaking against were

Deb Rogers-Thornton, Brad Brooks, Lloyd Jennings, Starvos Dimakis and Richard Lantini. Speaking in

favor were Caroline Pineau, Michael Schroth, Dougan Sherwood, Phillip Rice and Elaine Barker. There was

no rebuttal.

Hearing closed. Each Councillor made statements about the proposed zoning ordinance.

On motion of Councillor LePage to amend Section D #4, to strike the word “on” and replace with the word

“one”

PASSED Yeas 8, Nays 0, Absent 1

On motion of Councillor Daly O’Brien to pass as amended.

PASSED AS AMENDED Yeas 7, Nays 1(Bevilacqua) Absent 1 103BB

1. Council Committee Reports and Announcement

 Councillor Bevilacqua announced the Planning & Development Committee meeting scheduled for

Jan. 16 at 6:00PM in the City Council office. Discussion will be on proposed energy improvements/projects.

Councillor Daly O’Brien announced the Public & Safety Committee meeting scheduled for Jan. 23

at 7:00PM in the Theodore Pelosi Jr. Council Chambers. Items for discussion will be hunting and generators.

 Councillor Sullivan announced that the Vietnam Veterans Ad Hoc Commission meeting scheduled for this week has been postponed to Jan. 23 due to John Ratka’s death

 Councillor Sullivan announced the Dept. of Conservation and Recreation is holding an informational

seminar on tips for tree plantings on Jan 22 from 5:30-6:30PM at the Haverhill Public Library

 President Michitson announced there will be no City Council meeting on Jan. 22 because of the Monday

holiday.

1. Documents Referred To Committee Study

 Meeting adjourned at 8:50 o’clock P.M. Yeas 8, Nays 0, Absent 1

 Attest: *Linda Koutoulas*

 City Clerk