

REGULAR MEETING OF THE PEABODY CITY COUNCIL
FEBRUARY 12, 2009

PRESENT: COUNCILLORS: BETTENCOURT, GRAVEL, DRISCOLL, MELLO, OSBORNE, ATHAS, MANNING, GARABEDIAN, LIACOS AND SINEWITZ

ABSENT: COUNCILLOR GAMACHE

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Barry C. Sinewitz.

Salute to the American Flag.

P169-09 COUNCILLOR OSBORNE - MOVE TO receive and approve the minutes from the last regular meeting of January 22, 2009. (Unanimous)

HEARINGS

A public hearing was duly held on the application from Walnut Mart, LLC, 32-36 Walnut Street, Peabody, MA. Appearing to speak on behalf of said application was Attorney Athan Vontzalides. Chief Robert Champagne appeared on behalf of the Police Department. No one appeared to speak in favor. No one appeared to speak in opposition.

P170-09 COUNCILLOR MELLO - MOVE TO receive, under suspension of the rules, Item 8-V communication from Chief Robert Champagne, Police Department, regarding 32-36 Walnut Street. (Unanimous)

P171-09 COUNCILLOR MELLO - MOVE TO receive, under suspension of the rules, Item 8-P communication from Blair Haney, Community Development Department, regarding 32-36 Walnut Street. (Unanimous)

P172-09 COUNCILLOR MELLO - MOVE TO receive, under suspension of the rules, late communication Item 5 from Pastor Jean Herbert, Lead Pastor Living Hope Peabody, 36 Walnut Street regarding 32-36 Walnut Street. (Unanimous)

P173-09 COUNCILLOR MELLO - BE IT ORDERED by the City Council of the City of Peabody that the application from Walnut Mart, LLC, 32-36 Walnut Street, Peabody, MA for a Special Permit to allow the retail sales of packaged alcoholic beverages at said 32-36 Walnut Street, Peabody, MA, as filed in accordance with Section 4.2.5 and 4.4 of the Peabody Zoning Ordinance, be approved based on the following reasons and conditions:

REASON: Owing to the fact that the use as approved satisfies a desirable local need, that its design and appearance will not be injurious to the established or future character of the vicinity and the neighborhood, and that said approval is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Peabody.

CONDITIONS:

1. That the Special Permit is for the retail sale of beer and wine only;
 2. That there be no consumption of alcoholic beverages in any portion of the building located at 32-36 Walnut Street;
 3. That the Special Permit requires, upon transfer of ownership or owners of Walnut Mart, LLC, a two-thirds vote of the City Council; and
 4. That any two violations of state and location regulations governing the sale of alcohol, within a 12-month period, of the provision of this Special Permit will result in an immediate revocation hearing requiring a two-thirds vote of the City Council.
- (Carried 9-1; Councillor Athas opposed; Councillor Gamache absent)

A public hearing was duly held on the application from Beacon Electrical Supply Co., Inc., 147 Summit Street, Peabody, MA. Appearing to speak on behalf of said application was Attorney John Keilty. No one appeared to speak in favor. No one appeared to speak in opposition.

P174-09 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, Item 8-Q communication from Blair Haney, Community Development Department, regarding 5 First Avenue. (Unanimous)

P175-09 COUNCILLOR OSBORNE - BE IT ORDERED by the City Council of the City of Peabody that the application from Beacon Electrical Supply Co., Inc., 147 Summit Street, Peabody, MA for a Special Permit to operate a wholesale electrical supply enterprise at 5 First Avenue, Peabody, MA, as filed in accordance with Section 4.2.5 and 4.4 of the Peabody Zoning Ordinance, be approved based on the following reasons:

REASON: Owing to the fact that the use as approved satisfies a desirable local need, that its design and appearance will not be injurious to the established or future character of the vicinity and the neighborhood, and that said approval is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Peabody. (Carried 10-0; Councillor Gamache absent)

A public hearing was duly held on the application from Ahmad M. Farhat, 56 Central Street, Peabody, MA. Appearing to speak on behalf of said application was Attorney John Keilty. No one appeared to speak in favor. No one appeared to speak in opposition.

P176-09 COUNCILLOR MELLO - BE IT ORDERED by the City Council of the City of Peabody that the application from Ahmad M. Farhat, 56 Central Street, Peabody, MA for a Special Permit to expand nonconformity, which is dimensional (side yard) and as to lot requirements (frontage) so as to allow completion of third floor apartment and thereby expand use of premises to a three (3) family dwelling at 5 Warren Street, Peabody, MA, as filed in accordance with Section 1.5 of the Peabody Zoning Ordinance, be approved based on the following reasons:

REASON: Owing to the fact that the use as approved satisfies a desirable local need, that its design and appearance will not be injurious to the established or future character of the vicinity and the neighborhood, and that said approval is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Peabody. (Carried 10-0; Councillor Gamache absent)

REPORTS OF COMMITTEE

Legal Affairs Committee

February 12, 2009

P177-09 COUNCILLOR MANNING - Reporting for the Legal Affairs Committee - Legal Affairs did meet this evening at 6:45. All members of Legal Affairs were present. And by the conclusion of the meeting the whole council that's here currently was at the meeting as well. I want to thank City Solicitor attorney Christopher, Director of Human Services, Sharon Cameron; and also Police Chief Champagne for joining us to address the issues that were on the agenda. The first issue was a proposed ordinance amendment for the deputy chief position, which resulted in a motion to approve the ordinance amendment adding a second deputy chief's position and to advertise the ordinance, as submitted, which passed five to zero. (Report received)

P178-09 COUNCILLOR MANNING - MOVE TO the ordinance amendment adding a second deputy chief's position, and to advertise the amended ordinance entitled Section 23-16 "Establishment and Composition" of the Code of the City of Peabody, Massachusetts (Carried 8-2; Councillors Mello and Sinewitz opposed; Councillor Gamache absent)

P179-09 COUNCILLOR MANNING - Reporting for the Legal Affairs Committee - The next item on the agenda was the reappointment of Dr. Michael Woods, City Physician, which resulted in a motion to approve the reappointment of Dr. Michael Woods to the position of City Physician, which passed five to zero. (Report received)

P180-09 COUNCILLOR MANNING - MOVE TO approve the reappointment of Dr. Michael Woods, 6 Annie's Lane, South Hamilton, MA as the City Physician for a one-year term to expire 12/31/2009. (Carried 9-1; Councillor Mello opposed; Councillor Gamache absent)

P181-09 COUNCILLOR MANNING - Reporting for the Legal Affairs Committee - The next item on the agenda was the reappointment of Daniel Cocuzzo, Assistant City Solicitor. This generated most of the discussion for the evening and resulted in two motions. (Report received)

P182-09 COUNCILLOR MANNING - MOVE TO request that the City Clerk research the Minutes of the City Council to review the motions for joint approval by the Mayor and City Council prior to entering into contracts with legal firms retained. (Carried 9-1; Councillor Osborne opposed; Councillor Gamache absent)

P183-09 COUNCILLOR MANNING - MOVE TO request that any salary increase for Attorney Daniel Cocuzzo be submitted to the City Council for approval. (Failed 5-5; Councillors Bettencourt, Gravel, Driscoll, Athas and Liacos in favor; Councillor Gamache absent)

MOTIONS, ORDERS & RESOLUTIONS

P184-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Walnut Street Park - acquisition and redevelopment project. (Unanimous)

(BRENDAN CALLAHAN, COMMUNITY DEVELOPMENT DEPARTMENT, APPEARED BEFORE THE CITY COUNCIL TO DISCUSS ITEM 7-B WALNUT STREET PARK - ACQUISITION AND REDEVELOPMENT PROJECT)

P185-09 COUNCILLOR MELLO - MOVE TO refer the Walnut Street park acquisition and redevelopment project and binder into the Industrial and Community Development Committee. (Failed 5-5; Councillors Mello, Athas, Manning, Liacos and Sinewitz in favor; Councillor Gamache absent)

P186-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Various transfer of funds dated February 2, 2009 and to refer to the Finance Committee. (Unanimous)

P187-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 7-C communication from His Honor the Mayor regarding Transfer of funds; Library salaries and to refer to the Finance Committee. (Unanimous)

P188-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, late communication Item 1 from His Honor the Mayor regarding Transfer of funds - Police Salaries and to refer to the Finance Committee. (Unanimous)

P189-09 COUNCILLOR BETTENCOURT - MOVE TO request that the Acting Director of Public Services submit a status update to the City Council regarding the cleanup over at Spring Pond. There has been numerous deadlines and I believe there's been extensions granted and I just want a report on the status of the project, specifically what the new deadlines are, what the expenditures are to date, what more remains to be done, the anticipated cost of what remains to be done and then if we are going to be on budget. (Unanimous)

P190-09 COUNCILLOR GRAVEL - MOVE TO receive, under suspension of the rules, Item 8-A communication from Patricia Davis Schaffer, Finance Director, regarding Status of contributory retirement system and to request further clarification on the potential obligations of the City, as it pertains to the unfunded liabilities of the retirement program. Currently, if I read this correctly, the obligation is \$197.2 million in accrued liability and the status of the fund, minus the obligations this year, would be \$74.4 million. That would result in only 38.8 percent of the retirement fund being funded, leaving the unfunded portion at 61.4 percent. I know it says in this memo that we'll receive our next actuarial evaluation of the retirement system in 2010 and that we will recalculate the valuation of assets then. Hopefully the recovery is doing well at that point in time. But there is a line in here that says that at that time they'll also be a proposed funding schedule. My concern is that many cities and towns are concerned about the unfunded liabilities of their pension programs and what their obligations are and I just want to be far enough in advance of this situation, so I would ask for clarification on what our obligations would be. (Unanimous)

P191-09 COUNCILLOR GRAVEL - MOVE TO receive, under suspension of the rules, Item 8-B communication from Patricia Davis Schaffer, Finance Director, regarding Status of high school project and to request clarification from the Finance Director on the proposed balance to be funded via the bonding situation. (Unanimous)

P192-09 COUNCILLOR GRAVEL - MOVE TO request that the Finance Director, under the direction of His Honor the Mayor, prepare a pro forma budget in advance of the budget submission. The pro forma budget would be requested that all of the current positions remain in the budget and that they be presented at their current salary, as well as the projected salary for FY '10 and that all other items be frozen, so that we can see, with the impending reduction in state aid, specifically what the gap is that the City will have to come up with from its own taxes to be able to fund the budget as is. (Unanimous)

P193-09 COUNCILLOR DRISCOLL - MOVE TO send a communication to Public Services Department commending the work of Richie Howcroft on the last storm. He resolved numerous complaints and he did it in a very gentlemanly manner. (Unanimous)

P194-09 COUNCILLOR MELLO - MOVE TO request that a communication be sent to JRM that they're missing 22 Buxton Lane on the trash pickup. (Unanimous)

P195-09 COUNCILLOR MELLO - MOVE TO request that the Acting Director of Public Services provide the City Council with a list of the maintenance and repairs of any and all water main breaks on Gardner Street from February 1999 to February 2009. (Unanimous)

P196-09 COUNCILLOR MELLO – MOVE, under suspension of the rules, to receive the communication from His Honor the Mayor relative to 45 Walnut Street, and refer the same to the Industrial & Community Development Committee. (Failed 5-5, Councillors Bettencourt, Gravel, Driscoll, Osborne and Garabedian opposed)

P197-09 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, Item 8-R communication from Blair Haney, Community Development Department, regarding Lynnfield Street, purchase city-owned land request and to refer to the Legal Affairs Committee. (Unanimous)

P198-09 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, Item 8-S communication from Blair Haney, Community Development Department, regarding Beacon Boulevard, purchase city-owned land request and to refer to the Legal Affairs Committee. (Unanimous)

P199-09 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, Item 8-F communication from Richard Walker, Director of Parks & Recreation, regarding Comments on requests to purchase city-owned land and to refer to the Legal Affairs Committee. (Unanimous)

P200-09 COUNCILLOR OSBORNE - MOVE TO request that the Peabody Municipal Light Plant inspect the pole at the corner of Laurel and Lynnfield Street. It seems to be leaning and it looks like it's been struck by a car. It looks like it might be braced up, but if it needs to be replaced, replace it. (Unanimous)

P201-09 COUNCILLOR ATHAS - MOVE TO request that the Public Services Department alleviate the water buildup problem in the driveway at 3-B Christina Drive, due to the grading of that section of the road. (Unanimous)

P202-09 COUNCILLOR SINEWITZ - MOVE TO request that the City Clerk send a letter to National Grid to investigate a gas leak at 3 Scott Drive. There's an odor over there that the neighbors are complaining about. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P203-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Robert Langley, Public Services Department, regarding Drainage, 22 Roosevelt Avenue. (Unanimous)

P204-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Jean Delios, Community Development Department, regarding 45 Walnut Street. (Unanimous)

P205-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Camille Bartlett, Chairperson, Rent Control Board, regarding Mobile home park oil tanks and to refer to the Public Services Committee. (Unanimous)

P206-09 COUNCILLOR BETTENCOURT - MOVE TO receive and approve a communication from North Shore Medical Center, 81 Highland Avenue, Salem regarding Banner request - May 15th - May 20th, subject to all papers being in order. (Unanimous)

P207-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from John Christopher, City Solicitor, regarding Lynnfield Street, KeySpan liability. (Unanimous)

P208-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from John Christopher, City Solicitor, regarding 719 Lowell Street. (Unanimous)

P209-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Chief Robert Champagne, Police Department, regarding Traffic complaints, 682 Lowell Street. (Unanimous)

P210-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Planning Board regarding 2008 Annual Report. (Unanimous)

P211-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Hancock Associates, Danvers, MA regarding Site plan; Acorn Management, 300 Jubilee Drive. (Unanimous)

P212-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Lynnfield Street Properties, Inc., 139 Lynnfield Street regarding Site plan. (Unanimous)

P213-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Attorney John Keilty on behalf of Omni Ventures, LLC of Concord, MA regarding Zoning map amendment; portion of Temple Beth El Cemetery from R-1B to B-H2 and to refer to the Planning Board. (Unanimous)

P214-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from F. Antionette Poli, 15 Monson Drive, regarding Special Permit application and to set up a public hearing. (Unanimous)

P215-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Christine Campece, 212 Newbury Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P216-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Blair Haney, Community Development Department, regarding Crystal Lake update-dredging and to refer to the Ad Hoc Committee on Crystal Lake. (Unanimous)

P217-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Blair Haney, Community Development Department, regarding 5 Warren Street. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P218-09 COUNCILLOR BETTENCOURT - MOVE TO receive Class 2 Motor Vehicle License (Transfer/amendment) R & A Inc., 26 Lake Street and to set up a public hearing. (Unanimous)

P219-09 COUNCILLOR BETTENCOURT - MOVE TO receive and approve the following Entertainment Licenses (Renewal for 2009), subject to all papers being in order:

Azorean Brotherhood of the Divine Holy Ghost	20 Howley Street
Bertucci's	210 Andover Street
Bertucci's	15 Newbury Street
Borders Books & Music	151 Andover Street
Brodies Pub	10 1/2 Lowell Street
Brothers Kouzina	23 Newbury Street
Buddah's Tavern	144 Washington Street
Bugaboo Creek Steak House	210 Andover Street
Cabaret Lounge	96 Newbury Street

Capones, Inc.	147 Summit Street
Carrabba's Italian Grill	1A Newbury Street
Century House of Peabody, Inc.	235 Andover Street
Champions Pub	114 Foster Street
Club Luis de Camoes	10 Collins Street
Courthouse Pub	43 Central Street
Fire Bull Restaurant	5 Central Street
Greg's Lounge	50 Walnut Street
Holiday Inn	1 Newbury Street
Jade's Restaurant	4 Bourbon Street
Joe's American Bar & Grill	210 Andover Street
Knights of Columbus Leo #508	96 Main Street
Legal Sea Foods Restaurant	210 Andover Street
O'Fado Café	72-74 Walnut Street
Peabody Coffee House	59 Walnut Street
Peabody/Lynn Elks Lodge #1409	40 Oak Street
Peabody Marriott	8A Centennial Drive
Pellana's	9R Sylvan Street
Portuguese American War Veterans Post #1, Inc.	103 Tremont Street
Portuguese Benefit Society of Our Lady of Help	61 Northend Street
Roadhouse Pub	55 Pulaski Street
Royal Garden	126 Newbury Street
Salem Country Club	133 Forest Street
St. Michael's Archangel Polish Society	15 Endicott Street
Seawitch Restaurant	203 Newbury Street
Spinelli's LLC	10 Newbury Street
Sugar Cane	106 Main Street
Sylvan Street Grille	12 Sylvan Street
Toscana's Ristorante	3 Bourbon Street
Trackside Bar & Grill LLC	29 Crowninshield Street
V.F.W. Fidelity Post #1011	20 Stevens Street
Wardhurst Grille	31 Lynnfield Street
Willowtree Restaurant	135 Washington Street

(Unanimous)

P220-09 COUNCILLOR BETTENCOURT - MOVE TO approve the Class 1 Motor Vehicle License (Renewal for 2009) NFR Custom Cycles, 101-R Foster Street, subject to all papers being in order. (Unanimous)

P221-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following Class 2 Motor Vehicle Licenses (Renewal for 2009), subject to all papers being in order:

AC Auto	3A Bourbon Street
Alex Auto Sales	480 Lowell Street
Allens Auto Trim, Inc.	27 Howley Street
American Auto Export	9 Main Street #4
Auto Choice of Peabody, Inc.	249 Andover Street
Auto Graphic & Sales	220-B Newbury Street
Auto Transporters of New England	55-R Lynnfield Street
Bill's Auto Sales	256 Newbury Street
C & C Auto	180 Newbury Street
Car Craft	258 Newbury Street
Country Club Motors	90 Margin Street
DC Trust	134-R Newbury Street
D & R Auto Body	10R Caller Street
Desi's Used Cars	108 Newbury Street
Elite Motor Cars	58R Pulaski Street
European Car Haus	218 Andover Street
Exotic Auto Sales	16 Spring Street
Fat Boy Cycles	11 Caller Street
Foster Street Motors	92 Foster Street
Four Star Service, Inc.	222 Newbury Street
Island Motor Sports	248 Newbury Street
JN MacArthur Towing	58C Pulaski Street
JRM Auto Sales	80 Newbury Street
Louies BMW Ltd.	260 Newbury Street
Mallia Towing, Inc.	161 Washington Street
Mario's Used Cars	245 Andover Street
North Shore Lincoln Mercury	1 Cross Street
Oasis Auto & Truck Center	7 1/2 Mason Street
Peabody Auto Clinic	3 Birney Street

Pioneer Garage, Inc.	77 Walnut Street #7
Prestige Motors of Peabody, Inc.	1 Willard Street #6
Russ' Used Cars	20 Wallis Street
Sacco's	119-121 Lynn Street
Summit Auto Sales	14 Newbury Street
Tim's Auto Sales	26 Lake Street
Tremont Auto Sales	97 Tremont Street
Tri City Services, Inc.	55-R Walnut Street
Universal Auto Center	36-42 Foster Street
Unlimited Sales	3 Birney Street
USA Speedy Auto & Tire Center	108 Newbury Street
Walnut Street Auto Sales	55-57 Walnut Street
Wilson Square Auto Sales	2 Andover Street

(Unanimous)

P222-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following Class 3 Motor Vehicle Licenses (Renewal for 2009), subject to all papers being in order:

Gurisi Brothers Auto & Truck Sales/Salvage	0 Corwin Street
Peterson's Automotive, Inc.	114 Newbury Street

(Unanimous)

P223-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following General Licenses, (Renewal for 2009), subject to all papers being in order:

A-1 Restaurant Trader	119-R Foster Street	AUCTIONEER
Metro Bowl	63 Foster Street	BOWLING ALLEY
Jimmy's Coffee House	82 Walnut Street	COFFEE HOUSE
Janice Cabot Sabatine	245 Andover Street	FORTUNE TELLER
Mrs. Russell Psychic Studio	259 Andover Street	FORTUNE TELLER
Fox Run Limousine	134 Newbury Street	LIMOUSINE
Michael's Limousine	161 Lynn Street	LIMOUSINE
Road House Limousine	55 Pulaski Street	LIMOUSINE
Sir Charles Limousine	108 Newbury Street	LIMOUSINE
Tri City Services, Inc.	55-R Walnut Street	LIMOUSINE
Metro Bowl	63 Foster Street	POOL & BILLIARD
World Class Billiards	82-R Newbury Street	POOL & BILLIARD

Community Taxi	27-R Caller Street	TAXI
Tri City Services, Inc.	55-R Walnut Street	TAXI

(Unanimous)

P224-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following Innholder Licenses (Renewal for 2009), subject to all papers being in order:

Hampton Inn-Boston/Peabody	59 Newbury Street
Peabody Holiday Inn	1 Newbury Street
Peabody Marriott	8A Centennial Drive
Springhill Suites by Marriott	43 Newbury Street

(Unanimous)

P225-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following Lodging House Licenses (Renewal for 2009), subject to all papers being in order:

John Skouras Realty Trust	59 Walnut Street
The Allen Motor Hotel	18 Peabody Square
The Sheldon Hotel	65 Main Street

(Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

P226-09 COUNCILLOR BETTENCOURT - BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 18-20 of the City Code entitled Schedule of Compensation for Part Time Positions be adopted as advertised and read. (Carried 7-3; Councillors Mello, Manning and Sinewitz opposed; Councillor Gamache absent)

P227-09 COUNCILLOR BETTENCOURT - BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 18-21 of the City Code entitled Rates of Compensation for Full-Time Positions Not Subject to Collective Bargaining be adopted as advertised and read. (Carried 7-3; Councillors Mello, Manning and Sinewitz opposed; Councillor Gamache absent)

P228-09 COUNCILLOR BETTENCOURT - BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 18-18C, which Establishes the Rates of Compensation for Police and Fire Personnel and Amending the Fringe Benefits for the Police and Fire Department be adopted as advertised and read. (Carried 7-3; Councillors Mello, Manning and Sinewitz opposed; Councillor Gamache absent)

P229-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Aggregate Industries, 55 Russell Street, regarding Blasting and rock excavation activities and to refer to the Ad Hoc Committee on Aggregate Industries. (Unanimous)

P230-09 COUNCILLOR BETTENCOURT - MOVE TO receive a communication from Aggregate Industries, 55 Russell Street, regarding Draft Quarry closure plan and to refer to the Ad Hoc Committee on Aggregate Industries. (Unanimous)

