

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JUNE 26, 2008

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

ABSENT: COUNCILLOR SINEWITZ

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Arthur W. Athas.

Salute to the American Flag.

P536-08 COUNCILLOR GAMACHE – MOVE TO receive and approve the minutes from the last regular meeting of June 12, 2008. (Unanimous)

P537-08 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, Item 8-A communication from David & Laurie Raposo, 1 Sandra Road regarding Modification to drainage easement. (Unanimous)

P538-08 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, late communication Item 5 from Jack Brennan, Public Services Department, regarding 1 Sandra Road, modify easement. (Unanimous)

P539-08 COUNCILLOR OSBORNE - BE IT ORDERED by the City Council of the City of Peabody to approve the modification of a drainage easement from 12 feet to 10 feet with regards to property located at 1 Sandra Road, Peabody, MA as referenced on a plan of land entitled, "Certified Plot Plan, Located at 1 Sandra Road, Peabody, MA; Boston Survey, Inc., dated June 18, 2008," as prepared for David & Laurie Raposo. (Carried 10-0; Councillor Sinewitz absent)

Finance Committee
June 26, 2008

P540-08 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - We did have a Finance Committee meeting prior to this meeting here this evening. There were two items on the agenda. Present at the meeting and voting members were myself as chairman, Councillor Gravel, Liacos, Mello and Driscoll, as well as all councillors present. As I said, there were two items on the agenda. First was a transfer of funds for \$19,000 from the reserve fund City Council advertising, City Clerk municipal code printing and that would go to elections - outside services. The matter was unanimously voted in favor of the transfer. (Report received)

P541-08 COUNCILLOR BETTENCOURT - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of June 9, 2008:

FROM:

TO:

Reserve Fund		Elections - Outside Services
100-1320-57410	\$13,000.00	100-1620-53125 - \$19,000.00
City Council Advertising		
100-1110-53116	\$ 5,000.00	
City Clerk - Municipal Code Printing		
100-1610-53127	\$ 1,000.00	

(Carried 10-0; Councillor Sinewitz absent)

P542-08 COUNICLLOR BETTENCOURT -Reporting for the Finance Committee - And then there was a second request for \$18,000 from police - full time salaries to police - gasoline expenses and that matter was also unanimously approved for the transfer. (Report received)

P543-08 COUNCILLOR BETTENCOURT - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of June 9, 2008:

FROM:

Police - Full Time Salaries
100-2100-51110 - \$18,000.00

(Carried 10-0; Councillor Sinewitz absent)

TO:

Police - Gasoline Expenses
100-2100-54110 - \$18,000.00

HEARINGS

P544-08 COUNCILLOR GAMACHE - MOVE, under suspension of the rules, to go to Item 4-D Special Permit - South Pike, LLC, 128-130 Newbury Street regarding Indoor family entertainment & recreation complex. (Unanimous)

P545-08 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, late communication Item 1 from Attorney John R. Keilty on behalf of South Pike, LLC, 128-130 Newbury Street. (Unanimous)

P546-08 COUNCILLOR GAMACHE - MOVE TO continue the public hearing on the application from South Pike, LLC, 128-130 Newbury Street, Peabody, MA, until the next City Council meeting on July 10, 2008. (Unanimous)

P547-08 COUNCILLOR BETTENCOURT – MOVE, under suspension of the rules, to receive items 7-A through 7-D various transfer of funds from His Honor the Mayor under date of June 18th and 20th, 2008. (Unanimous)

P548-08 COUNCILLOR BETTENCOURT – MOVE, under suspension of the rules, to approve the following transfer of funds, as submitted by His Honor the Mayor, under date of June 18, 2008:

FROM:

Fire - Full Time Salaries
100-2200-51110 \$18,000.00
Fire - Overtime
100-2200-51130 \$22,100.00
Fire - Holidays
100-2200-51160 \$ 4,800.00
Fire - Uniform Allowance
100-2200-51913 \$ 1,000.00
Fire - Defibrillator Training
100-2200-51918 \$ 2,500.00
Reserve Fund
100-1330-57410 \$14,200.00

(Carried 10-0; Councillor Sinewitz absent)

TO:

Fire - Gasoline Expenses
100-2200-54110 - \$24,900.00
Fire - Medical Expenses
100-2200-53111 - \$32,300.00
Fire Alarm - Overtime
100-2250-51130 - \$5,410.00

P549-08 COUNCILLOR BETTENCOURT – MOVE, under suspension of the rules, to approve the following transfer of funds, as submitted by His Honor the Mayor, under date of June 18, 2008:

FROM:

Reserve Fund
100-1320-57410 \$7,600.00

(Carried 10-0; Councillor Sinewitz absent)

TO:

Human Resources - Medical Expenses
100-1520-53111 - \$7,600.00

P550-08 COUNCILLOR BETTENCOURT - MOVE, under suspension of the rules, to approve the following transfer of funds, as submitted by His Honor the Mayor, under date of June 18, 2008:

FROM:

Comcast Technology Fund
100-1000-43514 \$50,000.00
 (Carried 10-0; Councillor Sinewitz absent)

TO:

PAT - Robotic Camera System
100-9300- \$50,000.00

P551-08 COUNCILLOR BETTENCOURT - MOVE, under suspension of the rules, to approve the following transfer of funds, as submitted by His Honor the Mayor, under date of June 20, 2008:

FROM:

Public Services - Salaries
100-4220-51110 \$75,000.00
Financial Admin - Reserve Fund
100-1320-57410 \$400,000.00
 (Carried 10-0; Councillor Sinewitz absent)

TO:

Public Services - Snow & Ice
100-4420-53125 - \$375,000.00
Public Services - Sand & Salt
100-4210-53136 - \$100,000.00

A public hearing was duly held on the application from Twice is Nice Boutique, 47-49 Central Street, Peabody, MA. Appearing to speak on behalf of said application was Ms. Kimberly Evans, 57 Purchase Street, Danvers, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P552-08 COUNCILLOR MELLO - MOVE TO approve the application from Twice is Nice Boutique, 47-49 Central Street, Peabody, MA for a Junk Dealers License to operate a consignment shop, subject to all papers being in order. (Carried 10-0; Councillor Sinewitz absent)

A public hearing was duly held on the application for a transfer of a Class 2 Motor Vehicle License from Lake Street Citgo, Inc., 26 Lake Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Timothy Ballard, 4 Elginwood Road, Peabody, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P553-08 COUNCILLOR GAMACHE - MOVE TO approve the transfer of a Class 2 Motor Vehicle License to Lake Street Citgo, Inc., 26 Lake Street, Peabody, MA subject to the same conditions as set forth in the previous license. (Carried 10-0; Councillor Sinewitz absent)

A public hearing was duly held on the Special Permit application from Bismarck Real Estate Partners, 14110 Dallas Parkway, Dallas, TX. Appearing to speak on behalf of said application was Attorney John R. Keilty. No one appeared to speak in favor. Mr. Russell Donovan, 12 Quail Road, Peabody, MA appeared to speak in opposition.

P554-08 COUNCILLOR GAMACHE - BE IT ORDERED by the City Council of the City of Peabody that the application from Bismarck Real Estate Partners, 14110 Dallas Parkway, Dallas, TX for a Special Permit to allow a drive-through banking facility at the northerly end of the property at 124 Newbury 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 subject to the following 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 plan prepared by Bohler Engineering for Bismarck Real Estate Partners and dated 05/19/2008 be the referenced plan of record.

2. That the drive-through is to be used for banking use only for this location on the property;
3. That the hours of operation shall be 8:00 a.m. to 8:00 p.m. Monday through Friday;
8:00 a.m. to 12:00 p.m. on Saturday; and 11:00 a.m. to 4:00 p.m. on Sunday.
(Carried 10-0; Councillor Sinewitz absent)

REPORTS OF COMMITTEE

Ad Hoc Committee on Crystal Lake June 26, 2008

P555-08 COUNCILLOR GAMACHE - Reporting for the Ad Hoc Committee on Crystal Lake - We held our meeting at 6 p.m. this evening. Present were Councillors: Bettencourt, Garabedian and Gravel, as well as myself. There was a PowerPoint presentation by Blair Haney and Brendan Callahan from the Community Development office. We also had Jack McMahon from the Friends of Peabody Lakes, as well as Mr. Carr from Carr Research Laboratory this evening to speak on various matters before the committee. And out of the committee a couple of motions. (Report received)

P556-08 COUNCILLOR GAMACHE - Reporting for the Ad Hoc Committee on Crystal Lake - MOVE TO have the master plan and resource plan be completed for Crystal Lake and Elginwood Pond by a qualified company. (Unanimous)

P557-08 COUNCILLOR GAMACHE - Reporting for the Ad Hoc Committee on Crystal Lake - MOVE TO request that His Honor the Mayor bond for \$1.5 million to dredge and complete all necessary work for Elginwood Pond and Crystal Lake. (10-0; Councillor Sinewitz absent)

P558-08 COUNCILLOR GAMACHE - Reporting for the Ad Hoc Committee on Crystal Lake - Also out of committee, there was not a motion but there was a request by Councillor Bettencourt to make sure that all expenditures that have been have entailed thus far concerning the \$400,000 that we received last year, as well as the \$400,000 that we received this year be given to the City Council by July 10. Mr. Haney agreed to have such material present for us. It was not in the form of a motion, but I do want to let the rest of the council know that we did follow up on that because we did not receive it. And I want to thank the councillors for showing up this evening at an early hour. (Report received)

Legal Affairs Committee June 26, 2008

P559-08 COUNCILLOR LIACOS - Reporting for the Legal Affairs Committee - Prior to the regular meeting at 6:30 in the conference room in City Hall the Legal Affairs Committee met. Present was myself, Councillor Driscoll, Councillor Manning, Councillor Osborne. It should be noted that Councillor Gamache was also on this committee, but he was simultaneously running the Crystal Lake ad hoc committee. We had a number of issues to discuss. The first one being, a Special Permit issued by City Council conditional to the applicant. And this is what I just alluded to in the previous applicant's request for a Special Permit. Attorney Christopher came in and what we're looking at here is changing the language to the Special Permit so that when a business changes, is sold, or goes out of business and another business comes in, that the Special Permit and its conditions would expire and that any new business, a new applicant would then have to come before the City Council to have their Special Permit reviewed and approved again. In the discussion -- let me give you an idea of where we're going with this -- if you approve operational hours for you know a restaurant and somehow a bank ends up in there, they could end up with the same hours and vice versa, and we're seeing it with drive-through windows. Drive-through windows should stay with the building, not with the business. So I think this change would give the council more control and a chance to review a new business that comes in that is significantly different than what was in there. So that's the gist of it. And there was a motion coming out of that committee. (Report received)

P560-08 COUNCILLOR LIACOS - MOVE TO request that the City Solicitor draft language that a Special Permit goes with the business and when the business is no more, that that Special Permit would sunset. (Unanimous)

P561-08 COUNCILLOR LIACOS - Reporting for the Legal Affairs Committee - The second item was a request from purchasing agent, Dan Doucette, and this was in regards to how we purchase, transfer and dispose of surplus properties and supplies. And I assume that everybody and I hope everybody got the memo and had a

chance to take a look at it. And what Dan was saying was that with the Internet and the other types of resources out there, without a language change to the current code, he's not able to utilize those types of resources for disposing of surplus supplies. So if you have that in front of you, what he's asked here is that Section 11-133 of Article 4 entitled, "Purchasing, Transfer and Disposition of Surplus Supplies," be deleted and that it has been rewritten as Section 11-133, "Transfer and Disposition of Surplus Supplies." I won't read it out loud, it's a bit lengthy. He's asked that new language be inserted. So it passed unanimously in subcommittee and I would make that motion before you this evening. (Report received)

P562-08 COUNCILLOR LIACOS - Reporting for the Legal Affairs Committee – MOVE TO approve the request from His Honor the Mayor to amend the current ordinance under Section 11-133 regarding disposition of surplus supplies. (Unanimous)

P563-08 COUNCILLOR LIACOS - Reporting for the Legal Affairs Committee – MOVE TO request that the proper ordinance be drafted amending Section 11-133 "Transfer and Disposition of Surplus Supplies", and that said ordinance be advertised as read. (Unanimous)

P564-08 COUNCILLOR LIACOS - Reporting for the Legal Affairs Committee - There was also a request this evening to purchase city-owned land from zero Herrick Road and the applicant has asked that it be placed in the next meeting. Nicholas Vlismas of 20 Farnham Avenue has requested to purchase 5,000 square feet of land from the City on zero Farnham Avenue. And we met with this gentleman and it was explained to him that this was in a buffer zone, it was explained to him that if he was interested in purchasing this, that it would come with a no-build clause. He still is interested in purchasing this property. The members of the subcommittee viewed it favorably and essentially what we want to ask the City Council to do this evening is to approve the request to declare this land surplus and that it contain a no-build clause and request an appraisal to be done. So you'll see that it's been checked off that the assessed value is greater than \$5,000, so an appraisal is required and that expense would be sustained by the person or people who are interested in that property. So the motion is to ask the council to declare it surplus, that it contain a no-build clause and ask for an appraisal to be done. (Report received)

P565-08 COUNCILLOR LIACOS –BE IT ORDERED by the City Council of the City of Peabody to declare 0 Farnham Avenue as shown on Assessors Map 73, Lot 94 as surplus property. (Unanimous)

P566-08 COUNCILLOR LIACOS – Reporting for the Legal Affairs Committee – MOVE TO proceed with the sale of city owned land referred to as 0 Farnham Avenue, as shown on Assessors Map 73, Lot 94 and that the applicant, Nicholas Vlismas of 20 Farnham Avenue submit to the City Council an appraisal of land to be performed by a licensed real estate appraiser and that said land be subject to conditioning that there shall be a no-build clause including no accessory structures of any kind and that the land be kept as open space, and that the applicant is aware of the fact that that said land is clearly within the buffer zone of a wetlands area. (Unanimous)

MOTIONS, ORDERS & RESOLUTIONS

P567-08 COUNCILLOR DRISCOLL - MOVE TO request that the Public Services Department investigate and rectify a water problem at 0 Norwich Road and 2 Yale Street. (Unanimous)

P568-08 COUNCILLOR DRISCOLL - MOVE TO receive and approve, under suspension of the rules, late communication Item 3 Block Party - Raymond Circle for July 12th, subject to all papers being in order. (Unanimous)

P569-08 COUNCILLOR MELLO - MOVE TO request that the Police Department, Fire Department and PMLP provide to the City Council, before the next regular meeting, any information on their emergency needs for the gate located at the end of North Central Street. (Unanimous)

P570-08 COUNCILLOR MELLO - MOVE TO request that the Public Services Department provide information to the City Council regarding the brown water problem they're having on North Central Street, if they could give us some idea of what they think the causes might be and what is needed for resolution. (Unanimous)

P571-08 COUNCILLOR MELLO - MOVE TO send a communication to Public Services Department thanking them for the repair work that was done at 43 Andover Street, and to request that the pavement be smoothed over. (Unanimous)

P572-08 COUNCILLOR MELLO - MOVE TO refer to the Municipal Safety Committee an issue neighbors are having on Mount Vernon Street where they're having difficulty crossing Tremont Street. A possible solution would be a pedestrian sidewalk or pedestrian crossing light. (Unanimous)

P573-08 COUNCILLOR MELLO - MOVE TO request that an Industrial & Community Development Committee meeting be set for Thursday, August 14 at 6:30 p.m. to address light industry zones between Main Street and Tremont Street and also to address the issue of the IZ buyout and the option of purchasing those low-income housing, instead of developing them. (Unanimous)

P574-08 COUNCILLOR MELLO - MOVE TO respectfully request an update from the Public Services Department regarding the signs that were requested on Sylvan Street stating "Welcome to Peabody". (Unanimous)

P575-08 COUNCILLOR MELLO -MOVE TO request that the Finance Director provide to the City Council the latest city budget and school budget independent audit by the next regular City Council meeting. (Unanimous)

P576-08 COUNCILLOR MANNING - MOVE TO request that City Solicitor Christopher advise if the City Council has the authority to require surety bonds on all future developments. (Unanimous)

P577-08 COUNCILLOR MANNING (Co-motion with Councillor Osborne) - MOVE TO request that the Public Services Department install a sidewalk at the corner of Veterans Memorial Drive and 200 Lynn Street by the former Brown School property. (Unanimous)

P578-08 COUNCILLOR MANNING - MOVE TO respectfully request that the School Transportation Department, via the School Committee and superintendent, advise if the lack of sidewalk on the corner of Veterans Memorial Drive and Lynn Street is identified in their transportation schedules, as a break in the walking path. And I ask that because there would be financial implications in their transportation budget, if it is. I don't recall that ever being identified as one. So that information would be helpful for Public Works to prioritize that work order, if it is indeed considered a break in walking path. (Unanimous)

P579-08 COUNCILLOR MANNING - MOVE TO respectfully request that the Police Chief, at his convenience, advise the City Council on the benefits or drawbacks of a newly proposed Lynn ordinance regarding no loitering within 100 feet of a school zone. The ordinance, I believe, took effect in April of 2008. I'd like to have the chief advise if he feels that this ordinance or some version thereof could be beneficial for the City of Peabody. (Unanimous)

P580-08 COUNCILLOR GRAVEL - MOVE TO respectfully request that the City Council establish an ad hoc committee on health insurance as a way of looking at this subject more deeply. (Unanimous)

P581-08 COUNCILLOR OSBORNE - MOVE TO receive and approve, under suspension of the rules, Item 8-D communication from Kevin Goggin, Building Commissioner, regarding Special Permit transfer 32-2003 to MD Jalal Huddin, 124 Lynnfield Street, subject to all papers being in order. (Unanimous)

P582-08 COUNCILLOR OSBORNE – BE IT ORDERED by the City Council of the City of Peabody that an emergency condition exists affecting the health, safety and welfare of a citizen residing at 25 Joy Road, and to further MOVE TO request that the Public Services Department repair the sidewalk in front of 25 Joy Road. I did receive a communication in my mailbox from the resident there and the resident is bound to a wheelchair. She's getting very nervous her husband has to maneuver her around on that sidewalk in the wheelchair.
(Emergency Preamble - Carried 10-0; Councillor Sinewitz absent)
(Motion to adopt - Carried 10-0; Councillor Sinewitz absent)

(COUNCILLOR ATHAS APPOINTED COUNCILLOR BETTENCOURT AS AN ALTERNATE MEMBER OF THE COMMUNITY PRESERVATION COMMITTEE IN PLACE OF COUNCILLOR MANNING, WHO IS STEPPING DOWN BECAUSE OF SCHEDULING CONFLICTS)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P583-08 COUNCILLOR LIACOS - MOVE TO receive the communication from Board of Appeals regarding a request for acceptance of the Mullen Rule Chapter 39, Section 23D. (Unanimous)

P584-08 COUNCILLOR LIACOS – MOVE TO adopt the provisions of Massachusetts General Laws Chapter 39, Section 23D entitled “**Adjudicatory hearings; attendance by municipal board, committee and commission members; voting disqualification**” for a period of one year for the Zoning Board of Appeals only, with the condition that they notify the City Council when the rule is being used (date and subject) and the reasons for said use. (Carried 10-0; Councillor Sinewitz absent)

P585-08 COUNCILLOR OSBORNE - MOVE TO receive a communication from Planning Board regarding 128-130 Newbury Street and to refer to the public hearing. (Unanimous)

P586-08 COUNCILLOR OSBORNE - MOVE TO receive and approve a communication from Kevin Goggin, Building Commissioner, regarding Special Permit transfer 4-1981 to Affordable Chimney Sweeps, 484 Lowell Street, subject to all papers being in order. (Unanimous)

P587-08 COUNCILLOR OSBORNE - MOVE TO receive a communication from Michael Eliuk, 55 North Central Street regarding Complaint, Special Permit 23-2007, Freedom Real Estate, 8 North Central Court. (Unanimous)

P588-08 COUNCILLOR OSBORNE - MOVE TO receive a communication from Freedom Real Estate Investment, 8 North Central Court, regarding Special Permit application and to set up a public hearing. (Unanimous)

P589-08 COUNCILLOR OSBORNE - MOVE TO receive a communication from Human Services Department regarding Job description, consultant program coordinator for substance abuse prevention grant and to refer to the Ad Hoc Committee on Drug Education & Awareness. (Unanimous)

P590-08 COUNCILLOR GAMACHE - MOVE TO receive the communication from Attorney David Ankeles, 246 Andover Street, regarding Renewal of lease agreement/request permission for building repairs Portuguese American War Veterans, 103 Tremont Street. (Unanimous)

P591-08 COUNCILLOR GAMACHE – MOVE TO authorize the Portuguese American War Veterans Post 1 to replace and repair the existing roof of the building in which they occupy at 103 Tremont Street subject to all permits being issued by the Building Commissioner. (Unanimous)

P592-08 COUNCILLOR GAMACHE – MOVE TO authorize His Honor the Mayor to renew the existing lease with the Portuguese American War Veterans Post #1 for premises at 103 Tremont Street, Peabody, MA with the same terms and conditions presently in effect. (Unanimous)

P593-08 COUNCILLOR MELLO - MOVE TO request that the issue of the Portuguese War Veterans acquiring the property at 103 Tremont Street from the City of Peabody at a nominal fee be considered and also some of the issues that came up around fire apparatus, sprinklers and all the things that may come into play regarding that, and that said matter be referred to the Legal Affairs Committee. (Unanimous)

P594-08 COUNCILLOR GRAVEL - MOVE TO request that the Community Development Department and/or Fire Chief provide to the City Council any information by July 10 on grants or loans that might be available to support the private clubs in the City regarding hardships for sprinkler systems. (Unanimous)

P595-08 COUNCILLOR GRAVEL - MOVE TO request that the Fire Chief appear before the City Council and provide us with information regarding any exclusions or extensions that can applied for by private clubs to be in compliance with the sprinkler system deadline on November 15. (Unanimous)

P596-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Sharon Cameron, Human Services Department, regarding Copies of letters sent to trash haulers regarding dumpster hour pickups and to send a communication thanking Ms. Cameron for her efforts. (Unanimous)

P597-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Patricia Davis Schaffer, Director of Finance, regarding Debt service report and to refer to the Finance Committee. (Unanimous)

P598-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Patricia Davis Schaffer, Director of Finance, regarding History of estimated revenues and to refer to the Finance Committee. (Unanimous)

P599-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Angel Cuevas for 218-A Newbury Street regarding Special Permit application and to set up a public hearing. (Unanimous)

P600-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Carr Research Laboratory, Inc., Natick, MA regarding Crystal Lake and be referred to the Ad Hoc Committee on Crystal Lake. (Unanimous)

P601-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Police Department regarding Special Permit memo, 128-130 Newbury Street and to refer to the July 10th public hearing.

P602-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Community Development Department regarding 128-130 Newbury Street and to refer to the July 10th public hearing.

P603-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Community Development Department regarding Land sale responses, 0 Farnham Avenue and 0 Herrick Road and to refer to the Legal Affairs Committee. (Unanimous)

P604-08 COUNCILLOR GAMACHE - MOVE TO receive a communication from Community Development Department regarding Crystal Lake update and to refer to the Ad Hoc Committee on Crystal Lake. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P605-08 COUNCILLOR GAMACHE - MOVE TO receive and approve the following Block Party Requests, subject to all papers being in order:

- Between 4 & 18 Benevento Circle - July 19th (Rain date: July 20th)
 - Between 12, 22 & 25 Rose Circle - July 5th (Rain dated: July 6th)
 - Our Lady of Help - August 16th and 17th
- (Unanimous)

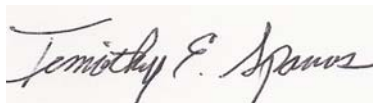
UNFINISHED BUSINESS FROM THE PRECEDING MATTER

P606-08 COUNCILLOR GAMACHE - MOVE under suspension of the rules, to receive late communication Item 2 from Health Department regarding South Pike, LLC, 128-130 Newbury Street and to refer to the July 10th public hearing. (Unanimous)

P607-08 COUNCILLOR GAMACHE – MOVE, under suspension of the rules, to receive late communication #2 from CVS Pharmacy, 174 Main Street, regarding the submission of their Site plan. (Unanimous)

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:45 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, JULY 3, 2008
RETURNED BY HIS HONOR THE MAYOR, JULY 3, 2008



ATTEST

(Timothy E. Spanos, City Clerk)