

REGULAR MEETING OF THE PEABODY CITY COUNCIL
MARCH 11, 2021

PRESENT COUNCILLORS: GOULD, MANNING-MARTIN, SASLAW, WELTON, CHAREST, MCGINN, MOUTSOULAS, TURCO, ROSSIGNOLL, MELVILLE, AND O'NEILL

ABSENT COUNCILLORS:

An in-person (City Council only) and remotely held meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President Mark J. O'Neill.

Salute to the American Flag.

COUNCILLOR O'NEILL – OPEN MEETING LAW STATEMENT: THIS MEETING IS BEING TELEVISED LIVE ON CABLE CHANNEL 9 AND BEING TAPED BY PEABODY ACCESS TV, AND ALSO BEING RECORDED BY OUR CITY COUNCIL STENOGRAPHER.

P106-21 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of February 25, 2021.
(Carried 11-0)

(CITY SOLICITOR DONALD CONN PROVIDED AN OVERVIEW OF RECENT AMENDMENTS TO CHAPTER 40A OF THE GENERAL LAWS.)

(MR. JARROD HOCHMAN APPEARED TO SPEAK REGARDING ITEM 7-A FROM HIS HONOR THE MAYOR)

P107-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Donation of city van to No Child Goes Hungry in Peabody and refer to the Legal Affairs Committee.
(Carried 11-0)

HEARINGS

A public hearing was duly held on the application filed by Victor C. Vo d/b/a Elysian Nail Bar, 2 First Avenue, Unit 122, Peabody, MA. Attorney John Keilty appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P108-21 COUNCILLOR WELTON – MOVE TO recess the public hearing on the application from Victor C. Vo d/b/a Elysian Nail Bar, 2 First Avenue, Unit 122, Peabody, until Thursday, March 25, 2021.
(Carried 11-0)

A public hearing was duly held on the application filed by Boston Auto Collision Center, 80 Newbury Street, Peabody, MA. Mr. Renato Assis appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P109-21 COUNCILLOR SASLAW – MOVE TO recess the public hearing on the application from Boston Auto Collision Center, 80 Newbury Street, Peabody, until Thursday, March 25, 2021.
(Carried 11-0)

A public hearing was duly held on the application filed by Elina, LLC, 19-23 Central Street Peabody, MA. Attorney John Keilty and Mr. Medhat Messak appeared to speak on behalf of the application. No one appeared to speak in favor. Mr. Russell Donovan, 12 Quail Road, Peabody, MA, appeared to speak in opposition.

P110-21 COUNCILLOR MOUTSOULAS – MOVE TO recess the public hearing on the application from Elina, LLC, 19-23 Central Street Peabody, until Thursday, March 25, 2021.
(Carried 11-0)

REPORTS OF COMMITTEE

Finance Committee

March 11, 2021

P111-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The Finance Committee met earlier this evening. Present for the committee were Councillors: Gould, Manning-Martin, Rossignoll, Turco, and myself as chair. Also present were Councillors: Welton, Moutsoulas, Charest, O'Neill, and Melville. We had two items on the agenda. The first item was a motion by Councillor Manning-Martin, co-motion with Councillor Saslaw, to request that Director Labossiere of Public Services and Director of Finance Mr. Gingras appear before the Finance Committee for an explanation of how the Water and Sewer fund works and how it is affecting water billing. The reason for the request were that some questions had been raised about the Water and Sewer Enterprise and more specifically about some recent water bills. We got quite a bit of input from Mr. Gingras and Mr. Labossiere, who appeared before the committee, and I'll attempt to summarize that briefly. There were delays in meter reading due to COVID, which resulted in a longer billing cycle and consequently higher bills. Meter reading and billing are now back on track for a 90-day cycle, but residents should understand that that cycle can be plus or minus 10 days; so there will be some variability or there can be some variability in billing due to the length of the billing cycle. So that's something you could look at on your water bill. There has been no rate increase since 2019; so any larger bill is not related to rate increases. The summer of 2020 was very dry, which both Mr. Gingras and Mr. Labossiere say contributed significantly to the increased usage by residents and as evidence of that, MWRA supplied water was up significantly in 2020 versus 2019. That was due to the summer usage during peak season, but also due to the Winona plant being offline for planned upgrades at that facility. The Water and Sewer Enterprise Fund is maintained as separate from the City Budget and collections are on pace to cover the FY20 budget deficit as well as to cover the FY21 operating budget for the enterprise. The impact of irrigation systems was discussed, which is significant, and residents are encouraged to have their irrigation system maintained to be sure that they're operating properly and that they're not wasting water. Residents are also reminded that they can pursue a second water meter for outside water that will not have a sewer component of the billing. Mr. Labossiere indicated that it's very rare that a water meter malfunctions so that's typically not a contributing factor to a larger bill. The multi-tier water and sewer rate structure was discussed and residents were reminded that if they are able to conserve water, that potential exists to save significant money. There were no motions made. (Report received)

P112-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – We then moved to the second item on the agenda, which was a transfer of funds for Cable Fund Expense and that was presented to the committee by Mr. Gingras. The following motion was made by Councillor Gould. (Report received)

P113-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of February 11, 2021:

FROM:

Receipts Reserved Cable Fund
270-0000-33017
(Carried 10-0; Councillor Gould absent)

TO:

Cable Fund Expense
270-0000-53007

\$203,011.65

\$203,011.65

Municipal Safety Committee

March 11, 2021

P114-21 COUNCILLOR SASLAW – Reporting for the Municipal Safety Committee – Earlier we had a meeting of the Municipal Safety Committee. Present was myself and Councillors: Charest, Manning-Martin, Turco, and Welton. Also attending were Councillors: Gould, McGinn, Moutsoulas, Rossignoll, Melville, and O'Neill. We had one item on the agenda. That item was regarding a discussion of the possibility of putting some safety measures at the intersection of Bartholomew and Lynnfield Street. We briefly discussed the design and safety report that was provided to the City back in May of 2020. Councillor Welton went over some of the history on that report. Also one of the main reasons for the hearing tonight was there was a serious accident a few months ago and so Councillor Welton is trying to

look at some possible safety measures that would make the area safer. We did have one motion on the floor made by Councillor Welton. (Report received)

P115-21 COUNCILLOR SASLAW – Reporting for the Municipal Safety Committee – MOVE TO invite Mayor Bettencourt, Public Services Director Labossiere, and Captain Richards to the next Municipal Safety Committee meeting to continue to discuss questions of cost associated with safety measures at the intersection of Bartholomew Street and Lynnfield Street and any other intersections referred to in the traffic safety study.

(Carried 11-0)

MOTIONS, ORDERS AND RESOLUTIONS

P116-21 COUNCILLOR GOULD – MOVE TO request that Captain Richards appear before the Municipal Safety Committee to provide the City Council with an update on the recommended truck traffic signage for Gardner Street.

(Carried 11-0)

P117-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 8-E communication from Andrew Levin, City Planner, Community Development Department, regarding Peabody Planning Board; City Master Plan and refer to His Honor the Mayor.

(Carried 11-0)

P118-21 COUNCILLOR MANNING-MARTIN – MOVE TO refer to the Committee of the Whole the Charter Review Commission's recommendation.

(Carried 11-0)

P119-21 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-B communication from 535 Lowell Street, Peabody, LLC, 535 Lowell Street, regarding Special Permit application and set up a public hearing.

(Carried 11-0)

P120-21 COUNCILLOR SASLAW – MOVE TO invite Public Services Director Labossiere and Building Commissioner Talarico to the Municipal Safety Committee to discuss the previously referred issue regarding improper disposal of landscaping debris and snow in the roadways.

(Carried 11-0)

P121-21 COUNCILLOR CHAREST – MOVE TO request that His Honor the Mayor and the Health Department provide an update on the city purchasing trash and recycling barrels with covered lids for residents' use.

(Carried 11-0)

P122-21 COUNCILLOR CHAREST – MOVE TO send a condolence card from the City Council to the Walsh Family on the recent passing of Mr. Robert Walsh.

(Carried 11-0)

P123-21 COUNCILLOR CHAREST – MOVE TO request that His Honor the Mayor, the Public Services Department, and Captain Richards update the City Council daily or at least weekly on road closures or traffic delays due to upcoming paving projects throughout the city.

(Carried 11-0)

P124-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-C communication from Paraskeve Noorigian, 60 Washington Street, regarding Special Permit application and set up a public hearing.

(Carried 11-0)

P125-21 COUNCILLOR MOUTSOULAS – MOVE TO rescind 65 Endicott Street from Section 19-81 of the City Code entitled Handicap Zone.

(Carried 11-0)

P126-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-A communication from Jason Temple, Regional Environmental & Land Manager, 1715 Broadway, Saugus, regarding Aggregate Industries – 2020 Annual Report and refer to the Committee of the Whole. (Carried 11-0)

P127-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-D communication from City Council President, Mark J. O’Neill, regarding Eventual return of in-person attendance by the general public at city council meetings and refer to the Committee of the Whole. (Carried 11-0)

P128-21 COUNCILLOR MELVILLE – MOVE TO request that City Solicitor Donald Conn, Community Development Director Curt Bellavance, and Building Commissioner Talarico identify language in our Zoning Ordinance and special permitting process that could be updated in response to the recent amendments to Chapter 40A. Also include recommendations to update any applicable applications that might be impacted by the new language. (Carried 11-0)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

Previously received.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

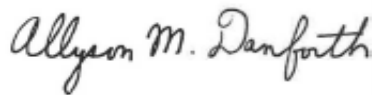
None.

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 9:55 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, MARCH 17, 2021
RETURNED BY HIS HONOR THE MAYOR, MARCH 17, 2021



ATTEST: _____
(Allyson M. Danforth, City Clerk)

COMMUNICATIONS:

His Honor the Mayor re: Donation of city van to No Child Goes Hungry in Peabody
Jason Temple, Regional Environmental & Land Manager, 1715 Broadway, Saugus, re: Aggregate Industries – 2020 Annual Report
535 Lowell Street Peabody, LLC, 535 Lowell Street, re: Special Permit application
Paraskeve Noorigian, 60 Washington Street, re: Special Permit application
City Council President, Mark J. O’Neill, re: Eventual return of in-person attendance by the general public at city council meetings
Andrew Levin, City Planner, Community Development Department, re: Peabody Planning Board; City Master Plan