

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**MARCH 25, 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.

P129-21 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of March 11, 2021.  
(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.

P130-21 COUNCILLOR WELTON – BE IT ORDERED by the City Council of the City of Peabody that the application filed by Victor C. Vo d/b/a Elysian Nail Bar, 2 First Avenue, Unit 122, Peabody, MA, for a Special Permit to operate a personal service establishment, specifically a nail salon, at 2 First Avenue, Unit 122, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons:

Reason: The City Council has determined that the application, as submitted and approved, meets the general requirements of Section 6.1 of the Peabody Zoning Ordinance, specifically 6.1.2 which 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 11-0)

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

P131-21 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, the following communications:

8-I Amy Bowden, Legal Asst., Riley & Dever, 210 Broadway, Suite 101, Lynnfield, re: 80 Newbury Street Special Permit

8-J Amy Bowden, Legal Asst., Riley & Dever, 210 Broadway, Suite 101, Lynnfield, re: 80 Newbury Street Special Permit

(Carried 11-0)

P132-21 COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application filed by Boston Auto Collision Center, 80 Newbury Street, Peabody, MA, for a Special Permit to operate an auto body shop repair and paint shop repair business at 80 Newbury Street, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons:

Reason: The City Council has determined that the application, as submitted and approved, meets the general requirements of Section 6.1 of the Peabody Zoning Ordinance, specifically 6.1.2 which 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 11-0)

P133-21 COUNCILLOR MOUTSOULAS – MOVE TO receive and approve, under suspension of the rules Late 3 communication from Attorney John Keilty on behalf of Elina, LLC, 19-23 Central Street, regarding Request to continue until Thursday, April 22, 2021.

(Carried 11-0)

A public hearing was duly held on the application filed by Paraskeve Noorigian, 60 Washington Street, Peabody, MA. Appearing to speak on behalf of the application was Ms. Paraskeve Noorigian. No one appeared to speak in favor. Ms. Joanne Pinkham, 61 Washington Street, Peabody, MA, appeared to speak in opposition.

P134-21 COUNCILLOR WELTON – MOVE TO recess the public hearing on the application from Paraskeve Noorigian, 60 Washington Street, Peabody, until Thursday, April 8, 2021.

(Carried 11-0)

A public hearing was duly held on the application filed by 535 Lowell Street Peabody, LLC, 535 Lowell Street, Peabody, MA. Mr. Brian Dundon and Mr. Al Yebba appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P135-21 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, the following communications:

Late 1 Councillor Joel Saslaw regarding Drive-through Highlighting; 535 Lowell Street

Late 2 Albert Talarico, Building Commissioner, regarding 535 Lowell Street

Late 5 Mr. Brian Dundon on behalf of RJ O'Connell, regarding 535 Lowell Street; Crack'd Kitchen  
Presentation Slides

(Carried 11-0)

P136-21 COUNCILLOR SASLAW – MOVE TO recess the public hearing on the application from 535 Lowell Street Peabody, LLC, 535 Lowell Street, Peabody, until Thursday, April 8, 2021.

(Carried 11-0)

## **REPORTS OF COMMITTEE**

### **Legal Affairs Committee**

**March 25, 2021**

P137-21 COUNCILLOR MELVILLE – Reporting for the Legal Affairs Committee – The Legal Affairs Committee met this evening. We had all committee members and councillors available and participating

along with the Mayor; Dan Doucette, the Purchasing Agent; and Jarrod Hochman, who runs the No Child Goes Hungry program. We had a good discussion about surplus property and how that gets worked out within the Mayor's office and the purchasing agent. We had a brief description of what the No Child Goes Hungry program will do with the surplus van that they receive and a motion was made and passed unanimously. (Report received)

P138-21 COUNCILLOR MELVILLE – Reporting for the Legal Affairs Committee – MOVE TO follow Mayor Bettencourt's recommendation to donate a surplus vehicle to No Child Goes Hungry in Peabody, who will be required to provide their Form 501(c)(3) tax exemption status documentation.  
(Carried 11-0)

### **Committee of the Whole**

**March 25, 2021**

P139-21 COUNCILLOR O'NEILL – Reporting for the Committee of the Whole – Tonight we met this evening with all councillors present, along with Mayor Bettencourt. We started a discussion of future in-person attendance by the general public at City Council meetings. The Mayor spoke regarding what is going to be greater public access for City Hall with security and a greeter for the public who come to City Hall to do business at any of the departments. We will have security so that mask wearing and safety protocols are taken. So that's expected to be, I believe, April 7<sup>th</sup> when that's going to kick in, if you will. We covered a lot of different topics, in terms of how we can bring the public back to our meetings in a safe way along with other attendees that will be here. We've got a lot more work to do in terms of fleshing out the Health Department recommendations and also councillors brought up some good points in terms of scheduling, when we want to do that. But certainly there's a willingness to continue to work on this to figure out how to get to our next step to bring the public back to City Hall for public hearings and meetings. We voted to keep this in committee so this is a report of progress. (Report received)

P140-21 COUNCILLOR ROSSIGNOLL – MOVE TO receive, under suspension of the rules, Late 4 communication from Councillor Mark O'Neill regarding Committee of the Whole meeting and refer to the Committee of the Whole.  
(Carried 11-0)

### **MOTIONS, ORDERS AND RESOLUTIONS**

P141-21 COUNCILLOR GOULD (Co-motion with Councillor O'Neill) – MOVE TO request that the Public Services Department repair the sidewalk at 7 Sophie Road.  
(Carried 11-0)

P142-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, the following communications from His Honor the Mayor and refer to the Finance Committee:

7-B Transfer of funds – CPC – Recreation Open Space Plan; \$60,000

7-C Transfer of funds – Cable Fund Expense; \$27,809.78

7-D Transfer of funds – Road Improvement Projects; \$1,242,480

(Carried 11-0)

P143-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 7-E communication from His Honor the Mayor regarding Request for Proposals – 2, 12, and 16 Washington Street and refer to the Legal Affairs Committee.  
(Carried 11-0)

P144-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 8-B communication from Joseph J. Nicotera, Jr., 23 Downing Road, regarding Application for purchase of city-owned land; 0 Downing Road, Map 061, Lot 042A and refer to the Legal Affairs Committee and Community Development Department.

(Carried 11-0)

P145-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive and approve, under suspension of the rules, Item 9-A Banner - Peabody Youth Soccer Association, 91 Pine Street, subject to all papers being in order.

(Carried 11-0)

P146-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Late 6 communication from Councillor Anne Manning-Martin regarding House Bill Number 1066 of 2019-2020 An Act requiring the fingerprinting of TNC drivers and a copy of a Boston Herald article entitled “No More Idling – Fingerprint Ride-Hail Drivers Now” and refer to next regular City Council agenda under “Unfinished Business from the Preceding Matter.”

(Carried 11-0)

P147-21 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-A communication from Florian Qoqi, 1 Newbury Street, regarding Special Permit application and set up a public hearing.

(Carried 11-0)

P148-21 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-K communication from Bosun’s Assets and Operations, LLC, d/b/a Bosun’s Marine, 203 Newbury Street, regarding Special Permit application and set up a public hearing.

(Carried 11-0)

P149-21 COUNCILLOR WELTON (Co-motion with Councillor Turco) – MOVE TO amend Section 19-126 entitled “Obedience to Isolated Stops Signs” of the Code of the City of Peabody by adding “Stop” signs at the following intersections:

Marshall Circle @ Gedney Drive  
 Pzegeo Circle @ Gedney Drive  
 Conaxis Circle @ Tsitsinos Drive  
 Vieira Drive @ Tsitsinos Drive  
 Sunset Road @ Vieira Drive  
 Manuel Drive @ Tsitsinos Drive  
 Manuel Drive @ Vieira Drive

(Carried 11-0)

P150-21 COUNCILLOR WELTON (Co-motion with Councillor Turco) – MOVE TO request that the Public Services Department install “Stop” signs at the following intersections:

Marshall Circle @ Gedney Drive  
 Pzegeo Circle @ Gedney Drive  
 Conaxis Circle @ Tsitsinos Drive  
 Vieira Drive @ Tsitsinos Drive  
 Sunset Road @ Vieira Drive  
 Manuel Drive @ Tsitsinos Drive  
 Manuel Drive @ Vieira Drive

(Carried 11-0)

P151-21 COUNCILLOR CHAREST – MOVE TO receive and approve, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding the appointment of RitaMarie Cavicchio, 25 Emerson Street, Peabody, MA, to the Conservation Commission for a one-year term to expire 12/31/2021.

(Carried 11-0)

P152-21 COUNCILLOR CHAREST – MOVE TO request that the Public Services Department install a street sign for Rear Felton Terrace.

(Carried 11-0)

P153-21 COUNCILLOR CHAREST (Co-motion with Councillor Welton) – MOVE TO request that the Police Department, in conjunction with the Peabody West Little League, close James Street at the basketball court to behind the backstop to all vehicular traffic during games. The cost of signage and publication shall be the responsibility of Peabody West Little League.

(Carried 11-0)

P154-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-C communication from Spero J. Demakes, Trustee, 29-31 Lynnfield Street, regarding Special Permit application and set up a public hearing.

(Carried 11-0)

P155-21 COUNCILLOR MCGINN (Co-motion with Councillor Gould) – MOVE TO receive, under suspension of the rules, Item 8-H communication from Councillor Thomas Gould, regarding Healing Garden at Brooksby Farm.

(Carried 11-0)

P156-21 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, Item 9-B Petition - Peabody Municipal Light Plant, 201 Warren Street Extension, regarding Petitions: #20-212 for locating one new pole on Newcastle Road; #20-128 for locating one new pole on Pulaski Street and set up a public hearing.

(Carried 11-0)

P157-21 COUNCILLOR MOUTSOULAS – MOVE TO rescind the handicap parking sign at 4 Walker Road.

(Carried 11-0)

P158-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, the following communications:

8-D Robert Labossiere, Dir., Public Services Dept., regarding Council Motion P72-21

8-E Robert Labossiere, Dir., Public Services Dept., regarding Council Motion P41-21

8-F Robert Labossiere, Dir., Public Services Dept., regarding Council Motion P49-21

8-G Robert Labossiere, Dir., Public Services Dept., regarding Council Motion P52-21

(Carried 11-0)

P159-21 COUNCILLOR TURCO – MOVE TO schedule a Public Services Committee to refer the issue of chokepoints for Goldthwaite Brook, Craig's Pond, Cedar Pond, the wetlands behind Quail Road, and Strong Water Brook.

(Carried 11-0)

P160-21 COUNCILLOR ROSSIGNOLL (Co-motion with Councillor Moutsoulas) – MOVE TO endorse the following Resolution supporting Greek Independence Day on March 25, 2021:

**WHEREAS**, the people of ancient Greece developed the concept of democracy, in which the supreme power to govern was vested in the people;

**WHEREAS**, the movement for Greek Independence was inspired by the heroes of the American Revolution who fought alongside the Greeks in their fight for Greek independence and the desire of the people of Greece to be free;

**WHEREAS**, the Greek national anthem, the “Hymn to Liberty”, includes the words, “most heartily was gladdened George Washington’s brave land”;

**WHEREAS**, Greece heroically resisted Axis forces at a crucial moment in World War II;

**WHEREAS**, Winston Churchill said that “if there had not been the virtue and courage of the Greeks, we do not know which the outcome of World War II would have been” and “no longer will we say that Greeks fight like heroes, but that heroes fight like Greeks”;

**WHEREAS**, the Government of Greece has taken important steps in recent years to further cross-cultural understanding, rapprochement, and cooperation in various fields enhancing the stability of the wider region who are at the forefront of efforts to advance freedom, democracy, peace, stability, and human rights;

**WHEREAS**, those efforts and similar ideals and values have forged a close bond between the people of Greece and Greece’s children in the United States and the City of Peabody;

**WHEREAS**, the City of Peabody has warmly embraced and welcomed immigrants from Greece into its community as it is home to the largest Greek Orthodox Community in New England through the Saint Vasilios Greek Orthodox Church which has existed here since 1912;

**WHEREAS**, Peabody’s Greek community, through their collective dedication and hard work have helped advance the cultural diversity of the City of Peabody from where its citizens have become notable entrepreneurs, business leaders, scholars, lawyers, doctors, judges and leaders in their fields through the labor and toil of their ancestors who came here before them; and

**WHEREAS**, it is proper and desirable for the City of Peabody to celebrate March 25, 2021, the bicentennial Greek Independence Day, with the people of Greece and Peabody’s Greek Community and to reaffirm the principles and values upon which Greece and the United States were founded.

**NOW, THEREFORE**, be it *Resolved*, That the City of Peabody through its Honorable Mayor, Edward A. Bettencourt, Jr. and the Honorable City Council jointly proclaims ***March 25, 2021 to be Greek Independence Day*** and

- (1) Extends warm congratulations and best wishes to the people of Greece and Peabody’s Greek Community as we celebrate with them, the 200th anniversary of the independence of Greece; and
- (2) Notes the important role that Greeks have played in the Peabody Community through their cultural, scholarly and economic contributions.

(Carried 11-0)

P161-21 COUNCILLOR MELVILLE – MOVE TO refer the discussion of polling locations for the 2021 municipal elections to the Legal Affairs Committee and to request that the Board of Registrars, the City Solicitor, and Mayor Bettencourt attend said committee meeting.

(Carried 11-0)

P162-21 COUNCILLOR MELVILLE – MOVE TO receive and approve, under suspension of the rules, the following Item 9-C Class 2 Motor Vehicle License (Renewal for 2021), subject to all papers being in order:

Elite Motor Cars, 93 Lynn Street  
Mike’s Custom Auto Body, 100 Birney Street  
Tri State Auto Sales, 248 Newbury Street  
(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.

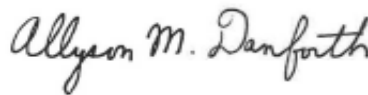
**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 10:15 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, MARCH 31, 2021

RETURNED BY HIS HONOR THE MAYOR, MARCH 31, 2021



ATTEST: \_\_\_\_\_  
(Allyson M. Danforth, City Clerk)

**COMMUNICATIONS:**

- His Honor the Mayor re: Appointment under date of March 16, 2021
- His Honor the Mayor re: Transfer of funds – CPC – Recreation Open Space Plan; \$60,000
- His Honor the Mayor re: Transfer of funds – Cable Fund Expense; \$27,809.78
- His Honor the Mayor re: Transfer of funds – Road Improvement Projects; \$1,242,480
- His Honor the Mayor re: Request for Proposals – 2, 12, and 16 Washington Street
- Florian Qoqi, 1 Newbury Street, re: Special Permit application
- Joseph J. Nicotera, Jr., 23 Downing Road, re: Application for purchase of city-owned land; 0 Downing Road, Map 061, Lot 042A
- Spero J. Demakes, Trustee, 29-31 Lynnfield Street, re: Special Permit application
- Robert Labossiere, Dir., Public Services Dept., re: Council Motion P72-21
- Robert Labossiere, Dir., Public Services Dept., re: Council Motion P41-21
- Robert Labossiere, Dir., Public Services Dept., re: Council Motion P49-21
- Robert Labossiere, Dir., Public Services Dept., re: Council Motion P52-21
- Councillor Thomas Gould, re: Healing Garden at Brooksby Farm

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Amy Bowden, Legal Asst., Riley & Dever, 210 Broadway, Suite 101, Lynnfield, re: 80 Newbury Street Special Permit

Amy Bowden, Legal Asst., Riley & Dever, 210 Broadway, Suite 101, Lynnfield, re: 80 Newbury Street Special Permit

Bosun's Assets and Operations, LLC, d/b/a Bosun's Marine, 203 Newbury Street, re: Special Permit application

**Banner:**

Peabody Youth Soccer Association, 91 Pine Street

**Petition:**

Peabody Municipal Light Plant, 201 Warren Street Extension, re: Petitions:

#20-212 for locating one new pole on Newcastle Road

#20-128 for locating one new pole on Pulaski Street

**Class 2 Motor Vehicle License:** (Renewal for 2021)

Elite Motor Cars, 93 Lynn Street

Mike's Custom Auto Body, 100 Birney Street

Tri State Auto Sales, 248 Newbury Street