

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JUNE 10, 2021

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

ABSENT COUNCILLORS: MANNING-MARTIN

An in-person 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.

P311-21 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of May 27, 2021.
(Unanimous)

HEARINGS

A public hearing was duly held on the Petition filed by Peabody Municipal Light Plant, 201 Warren Street Extension, Peabody, MA. Appearing to speak on behalf of the application was Mr. Roy Simoes. Ms. Bella Travaglini, 11 Brookbridge Road, Peabody, MA, appeared to speak in favor. No one appeared to speak in opposition.

P312-21 COUNCILLOR ROSSIGNOLL – MOVE TO receive, under suspension of the rules, the following late communications:

Late 1 Diane Paolucci, 13 Brookbridge Road, re: Item 4-A Petition
Late 2 Joe Travaglini, 11 Brookbridge Road, re: Item 4-A Petition
(Unanimous)

P313-21 COUNCILLOR ROSSIGNOLL – MOVE TO approve Petition 21-131 filed by Peabody Municipal Light Plant, 201 Warren Street Extension, to install one new pole at the end of Catherine Drive at Theresa Road, subject to all papers being in order.
(Carried 10-0; Councillor Manning-Martin absent)

REPORTS OF COMMITTEE

Municipal Safety Committee
June 10, 2021

P314-21 COUNCILLOR SASLAW – Reporting for the Municipal Safety Committee – We had a meeting earlier of the Municipal Safety Committee. On the committee present were myself and Councillors: Charest, Manning-Martin, Turco, and Welton, and the rest of the other councillors were also present. We had two items on the agenda. The first item was regarding an update on the traffic signage at Gardner Street area. Councillor Gould informed us that we have received funds from the MassDOT in the Mayor's office. Signage has been going up and will continue to be added and we will report back once it is completed. But they have added signs and will continue to add them. As I said, we will let the public know when that project is completed. The second item on the agenda tonight was a discussion regarding

costs associated with safety measures at the intersection of Bartholomew Street and Lynnfield Street and/or any other intersections referred to in the traffic study. This is a traffic study that was done in May of 2020 by World Tech Engineering. World Tech Engineering representative Mr. Richard Benevento was here. He went over the costs associated with some safety measures at the intersection of Bartholomew Street and Lynnfield Street. The main two suggestions were either a signal option or a roundabout option. Both of them had a price tag upwards of \$1 million. The signalized option was \$1.465 million; the roundabout option was \$1.345 million. We had a healthy debate from councillors regarding, quite frankly, what could be done now because both of the options would be a 12- to 18-month lead time. At this point in time, it did not seem as there would be anything that could really be done, which would create maybe some other additional issues; so we're going to keep that in committee. In addition, we did not have, unfortunately, Captain Richards in attendance as he was attending the fallen police officer's funeral in Worcester. We want to hear from Captain Richards and the police department for any recommendations that they may have because it is paramount. Safety is an issue in that area. We're trying to slow down traffic and that is the goal and the will of the subcommittee and the council as a whole. So as I said, we are going to keep this in the subcommittee. We will be rescheduling this and we will be reaching out to Captain Richards so that we can accommodate his schedule and continue the discussion. (Report received)

P315-21 COUNCILLOR SASLAW – Reporting for the Municipal Safety Committee – MOVE TO receive, under suspension of the rules, the following late communications and refer to the Municipal Safety Committee:

Late 3 Roadway Improvement Estimate and Map, Bartholomew Street @ Lynnfield Street – Alternative 1 Signalized Intersection

Late 4 Roadway Improvement Estimate and Map, Bartholomew Street @ Lynnfield Street – Alternative 2 Roundabout
(Unanimous)

Finance Committee

June 10, 2021

P316-21 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, Saslaw, O'Neill, and Melville. There were two items on the agenda. The first item was a request by the Mayor to combine the existing Skating Rink Enterprise and Golf Course Enterprise funds into one Recreation Enterprise. The Mayor was here to explain his rationale for the request and for combining these two into a single enterprise. There were a number of excellent questions by both members of the committee and other councillors, which were addressed by the Mayor and the Director of Finance, Mr. Gingras. I think it's worthy to note that a number of the concerns that existed were around visibility and there was an assurance provided by the Mayor that the accounting would be maintained separately so that the council, and anybody that wants to view it for that matter, would maintain visibility to each of the two entities' performance and that they really only come together at the retaining earnings line. The following motion was made by Councillor Gould. (Report received)

P317-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO rescind the Skating Rink Enterprise Fund and Golf Course Enterprise Fund established under the provisions of Chapter 44, Section 53 F ½, of the Massachusetts General Laws at the end of FY 2021; and MOVE TO accept the provisions of Chapter 44, Section 53 F ½, of the Massachusetts General Laws establishing a “Recreation Enterprise” that would include the Skating Rink, Golf Course departments effective for FY 2022.

(Carried 9-1; Councillor Saslaw opposed; Councillor Manning-Martin absent)

P318-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The second item was a transfer fund request Cable Expense in an amount of \$203,364.35. Mr. Gingras was on hand to explain that transfer. There were no questions from the council, as this is a pretty routine, straightforward matter. (Report received)

P319-21 COUNCILLOR MCGINN – Reporting for the Finance Committee - MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of May 13, 2021:

<u>FROM:</u>		<u>TO:</u>	
Receipts Reserved Cable Fund 270-0000-33017	\$203,364.35	Cable Fund Expense 270-0000-53007	\$203,364.35

(Carried 10-0; Councillor Manning-Martin absent)

MOTIONS, ORDERS AND RESOLUTIONS

P320-21 COUNCILLOR SASLAW – 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:

Edythe Lane @ Raylen Avenue
Nancy Avenue @ Raylen Avenue
Nancy Avenue @ Albert Road
Paul Avenue @ Nancy Avenue
(Unanimous)

P321-21 COUNCILLOR SASLAW – MOVE TO request that the Public Services Department replace the faded “Stop” sign at the intersection of Lindauer Street and Hamerick Road.
(Unanimous)

P322-21 COUNCILLOR SASLAW – MOVE TO request that the Public Services Department repaint the crosswalk at Albert Road and Peabody Road where the bike path crosses.
(Unanimous)

P323-21 COUNCILLOR SASLAW – MOVE TO request that the Park, Recreation & Forestry Department cut back the branches on Albert Road and Peabody Road that are blocking the signs that notify motorists of the bike path crossing.
(Unanimous)

P324-21 COUNCILLOR WELTON – MOVE TO receive, under suspension of the rules, Item 8-A communication from Christine Lander, 99 Lynn Street (a/k/a 101 Lynn Street), regarding Special Permit application and set up a public hearing.
(Unanimous)

P325-21 COUNCILLOR WELTON – MOVE TO receive and approve, under suspension of the rules, the following Block Party, subject to all papers being in order:

Alexandra Street & Travis Terrace – July 4, 2021
 Lake Shore Road @ Bay State Road – July 3, 2021
 (Unanimous)

{95 Lynn Street}

P326-21 COUNCILLOR WELTON – BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 19-81 entitled “Parking Prohibited, Handicapped Zone” of the Code of the City of Peabody be adopted as advertised and read.
 (Unanimous)

P327-21 COUNCILLOR WELTON – Whereas an emergency condition exists affecting the health, safety, and welfare of citizens of the City of Peabody; therefore be it ordered by the City Council of the City of Peabody that the Public Services Department repair the sidewalk in front of One Mansfield Street, citing accessibility concerns for a resident who uses a wheelchair.
 (Emergency Preamble - Carried 10-0; Councillor Manning-Martin absent)
 (Motion to adopt - Carried 10-0; Councillor Manning-Martin absent)

P328-21 COUNCILLOR WELTON – MOVE TO amend Section 19-96 entitled “Fifteen Minutes Zones Designated Monday through Sunday” of the Code of the City of Peabody by adding one parking space at 106 Lynn Street.
 (Unanimous)

P329-21 COUNCILLOR WELTON – MOVE TO request that the Public Services Department install a “15-Minute Parking” sign in front of 106 Lynn Street.
 (Unanimous)

P330-21 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-D communication from Silvercar, Inc., 252 Andover Street, regarding Special Permit application and set up a public hearing.
 (Unanimous)

P331-21 COUNCILLOR CHAREST – MOVE TO receive and approve, under suspension of the rules, Item 9-A Junk Dealer’s License – Golden Link, 515 Lowell Street, subject to all papers being in order.
 (Unanimous)

P332-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, the following communications from His Honor the Mayor and refer to the Finance Committee.

7-A Statement of Interest – Peabody Veterans Memorial High School
 Statement of Interest – Center School
 7-B Transfers of Funds – Various Transfers – Salaries; \$1,279,935
 7-C Transfer of Funds – Cable Fund Expense; \$15,217.10
 Transfer of Funds – Cable Fund Expense; \$3,381.58
 (Unanimous)

P333-21 COUCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Late 5 communication from His Honor the Mayor, which includes a June 15, 2021, letter; a budget overview presentation titled “City of Peabody Fiscal 2022 Budget” dated June 15, 2021; a detailed budget package titled “Fiscal Year 2022 Budget” dated June 15, 2021; and “Peabody Public Schools FY22 Budget” approved by the School Committee dated June 8, 2021, and refer to the Finance Committee.
(Unanimous)

P334-21 COUNCILLOR MOUTSOULAS – MOVE TO request that the Public Services Department clean out the sewer drain at the end of Sprague Street.
(Unanimous)

P335-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 8-E communication from Allyson M. Danforth, City Clerk, regarding Update Peabody City Code and refer to the Legal Affairs Committee.
(Unanimous)

P336-21 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-C communication from Councillor Jon Turco regarding Resolution in support of House Bill No. 130 (formerly HD No. 1440) An Act Relative to a streaming entertainment operator’s use of the public rights-of-way.
(Unanimous)

(MR. JIM PALMER OF PEABODY ACCESS TELEVISION APPEARED TO SPEAK REGARDING ITEM 8-C RESOLUTION.)

P337-21 COUNCILLOR TURCO – MOVE TO endorse the following Resolution in support of House No. 130 An Act Relative to Streaming Entertainment Operator’s Use of the Public Rights of Way:

WHEREAS, Cable television operators (Comcast and RCN) doing business in Peabody require City permission to use the public roadways in order to install coaxial and/or fiber cables to homes and businesses; and

WHEREAS, Permission is secured via a 10-year Local Franchise Agreement between the cable operator and the City and the agreement stipulates that funding is to be provided for Public, Education, and Government programming services of which a percentage is allocated to Peabody TV, our local PEG provider, to support their operation, and a percentage to the City of Peabody; and

WHEREAS, Peabody TV is a multiple national and regional award-winning nonprofit community media center located in Downtown Peabody that has helped provide transparency in government by televising School Committee, City Council, and subcommittee meetings as well as sporting events, intern programs, and coverage of citywide local events and happenings; and

WHEREAS, Since 2006 Peabody TV’s professionally equipped production studio has provided an array of additional services resulting in quality training opportunities as well as local and regional cable television programming which help to keep residents informed of local government meetings, events, and happenings; and

WHEREAS, Peabody homeowners have stopped cable television, utilizing instead internet-based streaming services, which has resulted in a 4.7% reduction of cable subscribers in recent years. Since 2015 cable services have decreased by nearly 1,000 cable subscribers since -causing *Peabody TV* to lose approximately \$70,000.00 in 2019 from its operating budget while the City of Peabody lost approximately \$8,000.00 last year for its PEG Enterprise Fund; and

WHEREAS, There has been a national movement to allow cities and towns to assess streaming services along with cable providers for use of the public way and many have already instituted this surcharge; and

WHEREAS, House Bill No. 130 “An Act relative to streaming entertainment operator’s use of the public rights-of-way” seeks to add a surcharge to all internet streaming providers doing business in the Commonwealth of at least 5% of their Gross Annual Revenues (same rate charges of cable operators and satellite providers); and

NOW, THEREFORE, be it *Resolved*, That the Peabody City Council strongly supports House No. 130 and urges the legislature and our sister cities and towns to support this bill and encourages our Mayor to ensure Peabody TV has the necessary funding to survive while this Bill is being considered (Carried 10-0; Councillor Manning-Martin absent)

P338-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 8-B communication from Stephen J. Tassinari, 10 Wildwood Drive, regarding Real estate tax relief for the elderly citizens of Peabody and refer to the Legal Affairs Committee. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

Previously received.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

Previously received.

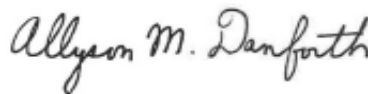
UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:50 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, JUNE 15, 2021

RETURNED BY HIS HONOR THE MAYOR, JUNE 15, 2021



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

COMMUNICATIONS:

His Honor the Mayor re: Statement of Interest – Peabody Veterans Memorial High School
Statement of Interest – Center School

His Honor the Mayor re: Transfers of Funds – Various Transfers – Salaries; \$1,279,935

His Honor the Mayor re: Transfer of Funds – Cable Fund Expense; \$15,217.10

Transfer of Funds – Cable Fund Expense; \$3,381.58

Christine Lander, 99 Lynn Street (a/k/a 101 Lynn Street), re: Special Permit application

Stephen J. Tassinari, 10 Wildwood Drive, re: Real estate tax relief for the elderly citizens of Peabody

Councillor Jon Turco re: Resolution in support of House Bill No. 130 (formerly HD No. 1440) An Act

Relative to a streaming entertainment operator's use of the public rights-of-way

Silvercar, Inc., 252 Andover Street, re: Special Permit application

Allyson M. Danforth, City Clerk, re: Update Peabody City Code

Junk Dealer's License: (Renewal for 2021)

Golden Link, 515 Lowell Street

Block Party:

Alexandra Street & Travis Terrace – July 4, 2021

Lake Shore Road @ Bay State Road – July 3, 2021