

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**NOVEMBER 9, 2021**

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

ABSENT COUNCILLORS:

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.

(COUNCILLOR SASLAW ATTENDED REMOTELY VIA ZOOM.)

P612-21 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the Special Meeting of October 25, 2021.  
(Unanimous)

**HEARINGS**

A public hearing was duly held on the application filed by Peabody Municipal Light Plant, 201 Warren Street Extension, Peabody, MA. Mr. Brian Abcunas and Mr. John Weaver appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P613-21 COUNCILLOR MOUTSOULAS – MOVE TO approve Petition 20-128, as submitted by the Peabody Municipal Light Plant, 201 Warren Street Extension, Peabody, MA, to locate a new pole approximately 70 feet from existing pole #27 Pulaski Street across the street to the left of the Roadhouse Pub parking lot, Peabody, MA, subject to all papers being in order.  
(Carried 11-0)

A public hearing was duly held on the application filed by Edson Teixeira, 161-163 Washington Street, Peabody, MA. Mr. Edson Teixeira appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P614-21 COUNCILLOR MCGINN – MOVE TO approve the Class 2 Motor Vehicle License transfer to Edson Teixeira, 161-163 Washington Street, Peabody, MA, with the following conditions and subject to all papers being in order:

**CONDITIONS:**

1. Limit of 25 unregistered motor vehicles on the premises at any one time for sale or not for sale, sold or not sold, or in for repair;
2. A fence shall be maintained on the property line at all times; and
3. All lighting shall be directed on the lot at all times.

(Carried 11-0)

## REPORTS OF COMMITTEE

### **Public Services Committee November 9, 2021**

P615-21 COUNCILLOR TURCO – Reporting for the Public Services Committee – We held a meeting of the Public Services Committee. Present for the subcommittee were Councillor O’Neill for Councillor Moutsoulas, Councillor Rossignoll for Councillor Gould, Councillor Melville, Councillor Charest, and myself as chair. By the end of the meeting all councillors were present. There were no motions filed. As a synopsis, the first agenda item was sidewalk repairs, which had been on the agenda for several months; so it wasn’t very timely going into winter, but there were a lot of questions asked by the council, hopefully, for next year. One of the primary concerns brought up initially by Councillor Melville was if DPS had a system or a way to streamline and make sidewalk repairs more effective throughout the city. Most councillors seem to agree with Councillor Melville on that. I guess it was more of a question than a suggestion. Mr. Labossiere, through discussion, had stated that he would like to stick to an existing list and follow Councillor Melville’s lead on that for several reasons, contracting similar to what we do with the streets, but sometimes with council motions for sidewalk repairs and mayoral requests that becomes impossible. There is in fact a list, which doesn’t seem to be followed very much for those exact reasons, due to requests that come in last minute from councillors and the mayor; so that’s something, hopefully, Mr. Labossiere can address through next year to follow the request or the question from Councillor Melville to streamline and come up with a better system for sidewalk repairs. The second issue for Mr. Labossiere was snow removal. Every councillor asked questions with regard to snow removal as that’s the impending issue coming forward. Mr. Labossiere addressed questions from councillors about outside contractors. We are looking good for the hiring of outside contractors. Many of our contractors from last year returned and they have several new ones to fill the voids. Mr. Labossiere also addressed new hires. There is currently one new hire working that transferred from another city and one or two more that are scheduled to be hired in the upcoming weeks. Mr. Labossiere also mentioned a new method of snow removal that they’re going to experiment with this year for sidewalk snow removal, whereas the DPS will start in school areas and more densely populated areas and work out to less traveled areas throughout the city in order to address the problem issues first. Councillor McGinn spoke on that idea and supported it, particularly since the downtown is greatly affected by snow. New equipment orders were mentioned. There’s an 18-month backlog on the two new trucks that the council approved in the capital budget not too long ago; so we won’t see those trucks during this winter. Councillor Manning-Martin had asked a question about the supply and demand of plow drivers in a recent article that she had read where there was an increased cost of doing business with outside contractors due to the shortage of drivers. Mr. Labossiere said he doesn’t necessarily anticipate a problem, but he won’t know that until the number of snow events that come forward may affect that and he has agreed to come back to the council and let us know if he is well over budget due to those costs. (Report received)

P616-21 COUNCILLOR TURCO – Reporting for the Public Services Committee – The second item on the agenda was from Councillor Manning-Martin regarding the emptying of park barrels and how that relates to the rodent problem. I think she just wanted to get an answer on the frequency of trash removal in the parks. Jen Davis from Parks and Recreation was here to address that. She stated that Monday, Wednesday, and Friday were the scheduled days for trash removal from the parks and bike trails; Tuesday and Thursday were used as spare days in the event they couldn’t get to them on the prior days. She mentioned that there is one trash truck that’s used by both DPS and Parks and Recreation as the second trash truck is down and unrepairable. She also mentioned that she has three employees for Parks and Forestry Department with one summer intern this year and it was very difficult to maintain all the barrels throughout the city. Ms. Davis also mentioned that we’re still using 55-gallon drums, which are sometimes conducive for residents to empty their household waste in and she would like to use newer barrels with more of a covered top that prevents large bags from being disposed in those barrels. The approximate cost to replace all the barrels under Parks’ control would be about \$30,000. It’s a

discussion that we could have as we get closer to budget season. Councillor Charest mentioned the possible use of dumpsters in heavily used park areas. Ms. Davis was okay with that idea and will look at that idea in some of the more heavily used parks, but also had the same fear of household refuse being dumped in those dumpsters. Councillor Manning-Martin recommended a trash button similar to our pothole button and our storm drain reporter that are on the city website. She asked for opinions from other councillors. Due to time, I don't think we heard many other opinions. I will say that I like the idea. I think it only makes sense. Mayor Bettencourt did stand up and mentioned that he also liked the idea; so hopefully it's implemented by city hall. Lastly, Councillor Welton mentioned the purchase of possible BigBelly barrels. For those of you that don't know what those are, they're just larger trash compacting barrels that are lockable and they compact the trash, therefore lessening the frequency of removal that's needed. They are very expensive, but Ms. Davis said she had not looked at that in several years and would reinvestigate that. (Report received)

**Finance Committee**  
**November 9, 2021**

P617-21 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. All other councillors were present. We took the agenda out of order. The first item we considered was a bond order for the Welch School Renovation Project of \$29,973,821. This was presented to us by His Honor the Mayor. Also present to present the bond order were Superintendent Dr. Vadala; School Committee Member and Chair of the Welch School Building Committee, Beverley Ann Griffin Dunne; our project manager representatives from Dore and Whittier; representatives from the design company DeNisco Design; and the construction company representatives from Consigli. This is a major renovation to the Welch School. This is a very important project for the city and for Ward 2. The project includes new HVAC systems, new windows, new furnishings, and the latest in equipment and technology to reconfigure the educational space. It should add minimally 50 years of useful life to the building. Questions dealt with a couple of areas. One was focused on the reimbursement percentage, which is 63.33 percent, from the MSBA. That's a very favorable percentage and up from what we had seen in prior projects notably with the middle school. Partially that is due to the fact of changes in the MSBA formulas, but also due to the fact that this project will be Leed Silver Certified, which is a big accomplishment and tough to pull off in a renovation project. Other questions dealt with the phasing of the project and how students would be moved around while the building is occupied through the renovation. Dr. Vadala explained how that would happen, how students would be moved between schools, and that this has already been addressed with all of the families. Councillor Melville spoke from his first-hand involvement in the project as a member of the Welch School Building Committee and spoke to the quality of the project and the professionalism of the team that's been assembled. I'm also a member of the Welch School Building Committee and I fully agree with Councillor Melville's comments and observations relative to the process to date. With that, a motion was made by Councillor Rossignoll, which was a co-motion with myself as chair of the Finance Committee but also the Ward 2 Councillor in which this building is located. (Report received)

P618-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – BE IT ORDERED by the City Council of the City of Peabody that the City of Peabody appropriate the amount of Twenty-Nine Million Nine Hundred Seventy-Three Thousand Eight Hundred Twenty-One Dollars (\$29,973.821) for the purpose of paying the costs of the addition and renovation project to the existing William A. Welch School, located at 50 Swampscott Avenue, Peabody, Massachusetts, including the payment of all costs incidental or related thereto and for which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least fifty years and for which the City of Peabody may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the City of Peabody Welch Elementary School Building

Committee. To meet this appropriation the City Treasurer is authorized to borrow said amount under MGL Chapter 44, or pursuant to any other enabling authority; that any premium received upon the sale of any bonds or notes, may be applied to the payment of costs approved by this vote in accordance with MGL Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs in a like amount. The City of Peabody acknowledges that the MSBA's grant program is a non-entitlement discretionary program based on need, as determined by the MSBA, and any project costs the City of Peabody incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City of Peabody provided further that any grant the City of Peabody may receive from the MSBA for the project shall not exceed the lesser of (1) 63.33 percent (%) of approved project costs as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA and that the amount of borrowing authorized pursuant to the vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Peabody and the MSBA; and that this Order be advertised as read.

(Carried 11-0)

P619-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was the transfer of funds for CPC Riverwalk Canal Wall Project in the amount of \$359,950. This was presented by the Finance Director, Mr. Gingras, and it is a project that has been approved by the Community Preservation Committee. The following motion was made. (Report received)

P620-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of October 18, 2021:

**FROM:**

**TO:**

|                  |              |                             |              |
|------------------|--------------|-----------------------------|--------------|
| 270-0000-33021   | \$359,950.00 | 270-1811-58562-2022-00-0388 | \$359,950.00 |
| CPC – Open Space |              | CPC – Riverwalk Canal Wall  |              |

(Carried 11-0)

P621-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was a transfer of funds Community Preservation Act Bikeway Independence Greenway Extension project \$113,794.75. This was presented to the committee by Director of Finance, Mr. Gingras. This is the second part of a funding that happened over a two-fiscal-year period, so this will complete the funding for the project. The following motion was made. (Report received)

P622-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of October 18, 2021:

**FROM:**

**TO:**

|                               |              |  |              |
|-------------------------------|--------------|--|--------------|
| 270-0000-33021                | \$113,794.75 | 270-1811-58562-2018-00-0350                              | \$113,794.75 |
| CPC – Open Space Fund Balance |              | CPC – Bikeway Independence Greenway<br>Extension Project |              |

(Carried 11-0)

P623-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was a transfer of funds Community Preservation Act Administration in an amount of \$10,000. This was presented to us by the Director of Finance, Mr. Gingras. This is an annual transfer that is made to cover administrative costs for the CPC. The following motion was made. (Report received)

P624-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of October 18, 2021:

| <b><u>FROM:</u></b>   |             | <b><u>TO:</u></b>                            |             |
|---|-------------|--|-------------|
| 270-0000-270-33011  | \$10,000.00 | 270-0000-33024                               | \$10,000.00 |
| Community Preservation Act<br>Unreserved Fund Balance<br>(Carried 11-0) |             | Community Preservation Act<br>Administration |             |

P625-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was a transfer of funds Community Preservation Act Open Space in the amount of \$300,000. This was presented to us by Director of Finance, Mr. Gingras. This is a transfer that was required to cover some previously approved projects and the following motion was made. (Report received)

P626-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of October 18, 2021:

| <b><u>FROM:</u></b>   |              | <b><u>TO:</u></b>                        |              |
|---|--------------|--|--------------|
| 270-0000-33011  | \$300,000.00 | 270-0000-33021                           | \$300,000.00 |
| Community Preservation Act<br>Unreserved Fund Balance<br>(Carried 11-0) |              | Community Preservation Act<br>Open Space |              |

P627-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was transfer of funds various. These were, again, presented to us by Director of Finance, Mr. Gingras, and deal with the statutory required transfers that are done annually from the unreserved fund to the various accounts in the CPC, as well as some additional set-asides that the City of Peabody does on an annual basis. The following motion was made. (Report received)

P628-21 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve the following transfer, as submitted by His Honor the Mayor, under date of October 18, 2021:

| <b><u>FROM:</u></b>   |              | <b><u>TO:</u></b>                  |              |
|---|--------------|------------------------------------|--------------|
| 270-0000-33011  | \$447,083.64 | 270-0000-33022                     | \$149,027.88 |
| Community Preservation Fund<br>Unreserved<br>(Carried 11-0) |              | Historic Preservation Reserve Fund |              |
|   |              | 270-0000-33023                     | \$149,027.88 |
|   |              | Community Housing Reserve Fund     |              |
|   |              | 270-0000-33021                     | \$149,027.88 |
|   |              | Open Space Reserve Fund            |              |
| 270-0000-33011  | \$223,541.82 | 270-0000-33021                     | \$149,027.88 |
| Community Preservation Fund<br>Unreserved                   |              | Open Space Reserve Fund            |              |
|   |              | 270-0000-33022                     | \$37,256.97  |
|   |              | Historic Preservation Reserve Fund |              |

(Carried 11-0)

**MOTIONS, ORDERS AND RESOLUTIONS**

P629-21 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Transfer of Funds – Salary Reserve; \$1,600,000 and refer to the Finance Committee.

(Unanimous)

P630-21 COUNCILLOR MANNING-MARTIN (Co-motion with Councillor Moutsoulas) – MOVE TO receive and approve, under suspension of the rules, Item 9-A Entertainment License (Renewal for 2021) Portuguese American War Veterans, Post 1, 103 Tremont Street, subject to all papers being in order.

(Unanimous)

P631-21 COUNCILLOR SASLAW – MOVE TO receive and approve, under suspension of the rules, Item 8-E communication from Albert Talarico, Building Commissioner, regarding Transfer of Special Permit 30-2017; ZLE Car Care, LLC, 241 Newbury Street, subject to all papers being in order.

(Unanimous)

P632-21 COUNCILLOR WELTON – MOVE TO receive, under suspension of the rules, Item 8-F communication from Christine Lander, Bombshell Boutique, 101 Lynn Street, regarding Special Permit 17-2021.

(Unanimous)

P633-21 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 9-B Petition Peabody Municipal Light Plant, 201 Warren Street Extension, regarding Petition #20-190 for locating one new pole on Dearborn Road and set up a public hearing.

(Unanimous)

P634-21 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-D communication from Massport-Massachusetts, 210 Andover Street, regarding Special Permit application and set up a public hearing.

(Unanimous)

P635-21 COUNCILLOR CHAREST – MOVE TO request that the Park, Recreation & Forestry Department provide the City Council with an update on the status of the renovations at the Bob Driscoll Skating Rink.

(Unanimous)

P636-21 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-C communication from Peabody Retirement Board regarding Appropriation for Fiscal Year 2023.

(Unanimous)

P637-21 COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 18-20 “Schedule of Compensation for Part-Time Positions” and Section 18-21 “Rates of Compensation for Full-Time Positions Not Subject to Collective Bargaining” of the Code of the City of Peabody be adopted as advertised.

(Carried 11-0)

P639-21 COUNCILLOR TURCO (Co-motion with Councillor O'Neill) – MOVE TO request that the Public Services Department clean the four storm drains at the corner of Clifton Circle and Winona Street.  
(Unanimous)

P640-21 COUNCILLOR TURCO – MOVE TO refer the issue of right turn on red to the Municipal Safety Committee and invite State Rep. Thomas Walsh, Community Development Department, and Captain Richards to the next scheduled Municipal Safety Committee.  
(Unanimous)

P641-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 8-H communication from Councillor Mark O'Neill regarding American Lung Cancer Screening Initiative – City Council Proclamation (November).  
(Unanimous)

**P642-21 COUNCILLOR MELVILLE - MOVE TO APPROVE THE RESOLUTION SUPPORTING THE AMERICAN LUNG CANCER SCREENING INITIATIVE, WHICH IS INTENDED TO RAISE AWARENESS OF LUNG CANCER AND LUNG CANCER SCREENING.**

**WHEREAS**, lung cancer is the leading cause of death by cancer among men and women in the United States and in Essex County in 2021, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined;

**WHEREAS**, according to the Centers for Disease Control, there were 3,011 new lung cancer cases and 1,819 deaths because of lung cancer between 2013 and 2017 in Essex County;

**WHEREAS**, the 5-year survival rate for localized lung cancer is approximately 59%, yet only roughly 17% of lung cancers are diagnosed at this stage;

**WHEREAS**, screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing the mortality by 20% when compared to screening by chest x-ray in the National Lung Screening Trial and reducing the risk of death at 10 years by 24% in men and 33% in women as demonstrated by another large randomized trial;

**WHEREAS**, funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities;

**WHEREAS**, lung cancer incidence is decreasing twice as fast in men as it is in women, each year more women die from lung cancer than breast cancer and by 2035, more women will die from lung cancer than men;

**WHEREAS**, African Americans have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among African Americans and other racial minorities;

**WHEREAS**, lung cancer in never smokers is the 7<sup>th</sup> leading cause of cancer-related death and accounts for 17,000-26,000 deaths in the US every year, 60-70% of never smokers diagnosed with lung cancer are women and the proportion of lung cancers diagnosed in never smokers is increasing in the US;

**WHEREAS**, organizations working in the Peabody community, such as the American Lung Cancer Screening Initiative and Women’s Lung Cancer Forum, are committed to educating about lung cancer and lung cancer screening and working to increase lung cancer screening rates in the City of Peabody.

**THEREFORE**, The Peabody City Council does hereby proclaim November 2021 as Lung Cancer Awareness Month in the City of Peabody and recognize the need for research in lung cancer affecting women and lung cancer health disparities and encourage all citizens to learn about lung cancer and early detection through lung cancer screening.

(Carried 11-0)

P643-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 8-B communication from Kathy Ferreira, 23 Larkspur Circle, Georgetown, regarding Peabody Police Department; Letter of appreciation.

(Unanimous)

P644-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, the following communications:

7-B His Honor the Mayor re: Peabody Municipal Light Plant’s Public Awareness Program

8-A Peabody Municipal Light Plant, 201 Warren Street Extension, re: Public Awareness Program

(Unanimous)

P645-21 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 8-G communication from Citizens Inn, 81 Main Street, regarding Inn to Opportunity.

(Unanimous)

**COMMUNICATIONS FROM HIS HONOR THE MAYOR**

Previously received.

**COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

Previously received.

**PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

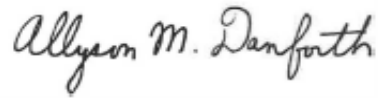
Previously received.

**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:55 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, NOVEMBER 18, 2021  
RETURNED BY HIS HONOR THE MAYOR, NOVEMBER 18, 2021



(Allyson M. Danforth, City Clerk)

**COMMUNICATIONS:**

His Honor the Mayor re: Transfer of Funds – Salary Reserve; \$1,600,000

His Honor the Mayor re: Peabody Municipal Light Plant's Public Awareness Program

Peabody Municipal Light Plant, 201 Warren Street Extension, re: Public Awareness Program

Kathy Ferreira, 23 Larkspur Circle, Georgetown, re: Peabody Police Department; Letter of appreciation

Peabody Retirement Board re: Appropriation for Fiscal Year 2023

Massport-Massachusetts, 210 Andover Street, re; Special Permit application

Albert Talarico, Building Commissioner, re: Transfer of Special Permit 30-2017; ZLE Car Care, LLC, 241 Newbury Street

Christine Lander, Bombshell Boutique, 101 Lynn Street, re: Special Permit 17-2021

Citizens Inn, 81 Main Street, re: Inn to Opportunity

Councillor Mark O'Neill re: American Lung Cancer Screening Initiative – City Council Proclamation (November)

**ENTERTAINMENT LICENSE:** (Renewal for 2021)

Portuguese American War Veterans, Post 1, 103 Tremont Street

**PETITION:**

Peabody Municipal Light Plant, 201 Warren Street Extension, re: Petition #20-1190 for locating one new pole on Dearborn Road