

REGULAR MEETING OF THE PEABODY CITY COUNCIL
SEPTEMBER 26, 2024

PRESENT COUNCILLORS: TURCO, ROSSIGNOLL, WELTON, MELVILLE, MCGINN, GOULD, DAIGLE, MANNING-MARTIN, HIGGINS, AND PEACH

ABSENT COUNCILLORS: GAMACHE

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 Stephanie R. Peach.

Salute to the American Flag.

COUNCILLOR PEACH – 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.

P425-24 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the Regular Meeting of September 12, 2024, and the Special Meeting of September 17, 2024.
(Unanimous)

P426-24 COUNCILLOR ROSSIGNOLL – MOVE TO go to Item 10-A regarding Appointment of Jennifer Kowal as North Shore Children's Museum Executive Director.
(Unanimous)

(MAYOR BETTENCOURT AND MS. JENNIFER KOWAL APPEARED TO SPEAK REGARDING ITEM 10-A)

P427-24 COUNCILLOR MCGINN – MOVE TO approve the appointment of Jennifer Kowal, 51 Front Street, Apartment 202, Cumberland, RI, as the North Shore Children's Museum Executive Director for a term to expire 12/31/2025.
(10-0; Councillor Gamache absent)

HEARINGS

A Show Cause hearing was duly held on Special Permit 24-2017, condition number 8, as issued to Peterbuilt, LLC, 168-172 Washington Street, Peabody, MA. Appearing to speak on behalf of the City was City Solicitor Donald Conn and Mr. Ramphis Medina, Code Enforcement Officer. Appearing to speak on behalf of the Special Permit holder was Mr. Peter Castrichini. Mr. Matthew Everson, 2 Dustin Street, Peabody, MA; and Ms. Angela Shaw, 168 Washington Street, Apartment 3, Peabody, MA, appeared to speak.

P428-24 COUNCILLOR GOULD – MOVE TO receive, under suspension of the rules, late communication Item 3 from Peter Castrichini d/b/a Peterbuilt, LLC, 7 Raylen Avenue, regarding Various photographs.
(Unanimous)

P429-24 COUNCILLOR MCGINN – MOVE TO uphold the findings of code enforcement inspector relative to this matter and provide Mr. Peter Castrichini d/b/a Peterbuilt, LLC, 168-172 Washington Street, 45 days to comply with condition 8 of Special Permit 24-2017 and after such time any ongoing violations of condition 8 of Special Permit 24-2017 shall be subject to additional fines.
(10-0; Councillor Gamache absent)

REPORTS OF COMMITTEE

Committee of the Whole
September 26, 2024

P430-24 COUNCILLOR PEACH – Reporting for the Committee of the Whole – We met this evening as a Committee of the Whole. We convened in order to hold an Executive Session. There was a motion to adjourn to Executive Session. We did so. In that Executive Session we discussed potential litigation relative to the traffic issues at the intersection of Casco Road and Lynnfield Street. There were no votes or motions made during that Executive Session. I will note that all councillors were present aside from Councillor Gamache. (Report received)

Finance Committee
September 26, 2024

P431-24 COUNCILLOR MCGINN – Reporting for the Finance Committee – The Finance Committee of the Peabody City Council met earlier this evening. Present for the committee were Councillors: Gould, Manning-Martin, Turco, and sitting in for Councillor Gamache was Councillor Melville. I was there as chair of the committee. All other councillors, with the exception of Councillor Gamache, were present. There were two items on the agenda. The first item was transfer of funds, School Health Salaries in an amount of \$31,098.84, Police Dispatch Salaries in an amount of \$60,866.25, and Police Dispatch Overtime in an amount of \$34,146.88. That item was presented to us by His Honor the Mayor. It's a pretty straightforward matter as necessitated out of agreements that have been put in place with the unions. The following motion was made. (Report received)

P432-24 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfers, as submitted by His Honor the Mayor, under date of September 5, 2024:

<u>FROM:</u>		<u>TO:</u>	
Salary Reserve Account		School Health - Salaries	
100-01320-51925-2024	\$107,700.00	100-5030-51110	\$31,098.84
Budgeted Reserve 2024		Police Dispatch Salaries	
100-1320-57410-2024	\$18,411.97	100-02100-51110	\$60,866.25
		Police Dispatch OT	
		100-02100-51137	<u>\$34,146.88</u>
	\$126,111.97		\$126,111.97

(10-0; Councillor Gamache absent)

P433-24 COUNCILLOR MCGINN – Reporting for the Finance Committee – Next item on the agenda was again presented to us by His Honor the Mayor, transfer of fund Retained Earnings Project PFAS Removal in the amount of \$250,000.00. There to support the Mayor were the Auditor, Mary Martin, and Director of DPS, Mr. Paulitz. The Mayor explained that the funds are being positioned to allow us to pursue application for a pilot study. There was a question with a pilot study relative to these forever chemicals, PFAS chemicals. With respect to the funding mechanism, Councillor Turco raised a question to the Mayor that the funds would be coming from the stabilization fund. The Mayor explained that the intent would be to pay back stabilization after free cash is certified, which it currently is not. The following motion was made. (Report received)

P434-24 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfers and language, as submitted by His Honor the Mayor, under date of September 6, 2024:

<u>FROM:</u>		<u>TO:</u>	
Water Asset GIS Program 300-0000-35883-2023	\$100,000.00	Retained Earnings - Projects PFAS Removal 460-0000-31214	\$250,000.00
Stabilization 500-0000-32150	\$150,000.00		

The Mayor is hereby authorized on behalf of the City of Peabody to file applications and execute agreements for grant and/or loan assistance as well as furnishing such information, data, and documents pertaining to the applicant for a grant(s) and/or loan(s) as may be required; and otherwise to act as the authorized representative of the City of Peabody in connection with this application; that the purpose of said loan(s), as awarded, shall be to fund planning activities; that if said award is made the City of Peabody, agrees to pay those costs, which constitute the required applicant's share of the project cost.

(10-0; Councillor Gamache absent)

MOTIONS, ORDERS AND RESOLUTIONS

P435-24 COUNCILLOR HIGGINS – MOVE TO receive, under suspension of the rules, Item 8-A communication from Andrew Cacciola, 82 Birch Street, regarding Application for purchase of city-owned land - 0 Birch Street (004-051A) refer to the Legal Affairs Committee and City Clerk to solicit comments from all department heads.
(Unanimous)

P436-24 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules Item 9-B Banner Request Bishop Fenwick High School, 99 Margin Street, subject to all papers being in order.
(Unanimous)

P437-24 COUNCILLOR WELTON – MOVE TO receive, under suspension of the rules, Item 8-C communication from Councillor Manning-Martin regarding Traffic safety issues at the intersections of Lynn Street/Bartholomew Street and Lynn Street/Fairview Avenue and refer to the Municipal Safety Committee.
(Unanimous)

P438-24 COUNCILLOR WELTON – MOVE TO request that the Police Department address two broken speed radar signs one on Lynn Street directly across the street from 195 Lynn Street and the other on Bartholomew Street.
(Unanimous)

P439-24 COUNCILLOR MELVILLE – MOVE TO amend, draft, and advertise Section 19-93 Restricted Parking-Generally by deleting No parking in front of 1 Nancy Avenue and 2 Nancy Avenue and inserting 2A Raylen Avenue from April 15th to July 1st.
(Unanimous)

P440-24 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-B communication from Andy Brito, 288 Washington Street, regarding Special Permit application and set up a public hearing.
(Unanimous)

P441-24 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Ride Share Transportation Enhancement Trust \$68,387.30 and refer to the Finance Committee.
(Unanimous)

P442-24 COUNCILLOR MCGINN – MOVE THAT the Class 2 Motor Vehicle License application from Liz Matta and Argelia Matta d/b/a Xpress Motor Group Inc., 98 Foster Street, received on August 22, 2024, be allowed to be withdrawn without prejudice.
(Unanimous)

P443-24 COUNCILLOR MCGINN – MOVE TO withdraw the following motion:

“P387-24 COUNCILLOR MCGINN - MOVE TO receive, under suspension of the rules, Item 9-8 Class 2 Motor Vehicle License (Transfer) Xpress Motor Group, Inc., 98 Foster Street, and refer to the City Solicitor for a legal opinion regarding the applicant’s invalid social security number.
(Unanimous)”

(Unanimous)

P444-24 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 9-A Class 2 Motor Vehicle License (Transfer) Argelia Matta d/b/a Xpress Motor Group, 98 Foster Street, and set up a public hearing.
(Unanimous)

P445-24 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, late communication Item 2 from Michael Wheeler and all other residents of Tree Top Lane, Lynnfield, regarding Opposition to ban left-hand turns from Casco Road, and refer to the Committee of the Whole.
(Unanimous)

P446-24 COUNCILLOR HIGGINS – MOVE TO receive, under suspension of the rules, late communication Item 1 from Atty. John J. Vasapolli, 320 Central Street, Saugus, MA, regarding Notice of Sale: 165-169 Newbury Street, Little Trailer Park, Peabody, MA, and refer to the City Solicitor.
(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 9:00 p.m.

SUBMITTED TO HIS HONOR THE OCTOBER 2, 2024
RETURNED BY HIS HONOR THE OCTOBER 2, 2024



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

COMMUNICATIONS:

His Honor the Mayor re: Ride Share Transportation Enhancement Trust \$68,387.30

Andrew Cacciola, 82 Birch Street, re: Application for purchase of city-owned land – 0 Birch Street (004-051A)

Andy Brito, 288 Washington Street, re: Special Permit application

Councillor Manning-Martin re: Traffic safety issues at the intersections of Lynn Street/Bartholomew Street and Lynn Street/Fairview Avenue

CLASS 2 MOTOR VEHICLE LICENSE: (Transfer)

Xpress Motor Group, 98 Foster Street

BANNER REQUEST:

Bishop Fenwick High School, 99 Margin Street