

REGULAR MEETING OF THE PEABODY CITY COUNCIL
MARCH 10, 2016

PRESENT: COUNCILLORS: WALSH, MANNING-MARTIN, CHAREST, SASLAW, TURCO, GRAVEL, GARABEDIAN, GOULD, AND MCGINN

ABSENT: COUNCILLORS: MOUTSOULAS AND SINEWITZ

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Peter M. McGinn.

Salute to the American Flag.

P155-16 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of February 25, 2016. (Unanimous)

COUNCILLOR MCGINN - 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.

(COUNCIL PRESIDENT MCGINN WELCOMED STUDENT GOVERNMENT DAY REPRESENTATIVE JOSHUA RIZZO, WARD 2 COUNCILLOR (MCGINN))

HEARINGS

None.

REPORTS OF COMMITTEE

None.

MOTIONS, ORDERS AND RESOLUTIONS

P156-16 COUNCILLOR MANNING-MARTIN – MOVE to respectfully request that His Honor the Mayor review and address the City Council regarding Peabody's potential in joining the Community Compact Program with the Baker/Polito administration. (Unanimous)

P157-16 COUNCILLOR MANNING-MARTIN – MOVE TO request that Chief Griffin advise the City Council the status of any action that he's taken regarding the FY17 budget that included \$1.4 million in state aid to local police in their fight against drug traffickers, particularly geared for gateway cities such as Peabody. (Unanimous)

P158-16 COUNCILLOR MANNING-MARTIN – MOVE TO request that State Representative Thomas Walsh investigate to ascertain whether the City of Peabody can access any of the \$18.6 million in the FY17 budget that has been redesigned for the quality kindergarten grant program to assist communities, which may help to offset the cost that the City of Peabody has been locally paying for the past 12 to 14 years. (Unanimous)

P159-16 COUNCILLOR CHAREST – MOVE TO request that the Police Department look at the intersection of Lowell Street at Forest Street where cars making a left to Jennifer Lane are queueing too early and to refer to the Municipal Safety Committee. (Unanimous)

P160-16 COUNCILLOR CHAREST – MOVE TO request that the Police Department investigate the intersection of Lowell Street and King Street to see if there is a timing issue with the traffic lights and to refer to the Municipal Safety Committee. (Unanimous)

P161-16 COUNCILLOR CHAREST (Co-motion with Councillor McGinn) – MOVE TO request that the Police Department investigate the intersection of Chestnut Street and Franklin Street and to consider adding a "Stop" sign for vehicles heading down Franklin and to refer to the Municipal Safety Committee. (Unanimous)

P162-16 COUNCILLOR CHAREST – MOVE TO request that the Public Services Department repair the road at Augustus Street and James Street. (Unanimous)

P163-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-A communication from Aggregate Industries, 55 Russell Street, regarding 2015 compliance studies – Peabody Special Permit 33-2002 and to refer to the Ad Hoc Committee on Aggregate Industries. (Unanimous)

P164-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-B communication from Aggregate Industries, 55 Russell Street, regarding 2015 annual report and to refer to the Committee of the Whole. (Unanimous)

P165-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-C communication from Aggregate Industries, 55 Russell Street, regarding Use of office building on future holidays and to refer to the Ad Hoc Committee on Aggregate Industries. (Unanimous)

P166-16 COUNCILLOR SASLAW – MOVE TO receive and approve, under suspension of the rules, Item 8-G communication from Albert Talarico, Building Commissioner, regarding Special Permit transfer; 4-1981; Joel Salvatore d/b/a Bay State Exteriors, 484 Lowell Street, subject to all papers being in order. (Unanimous)

P167-16 COUNCILLOR SASLAW – MOVE TO request that the Public Services Department remove the curbing that is on the sidewalk at 44 Goodale Street. It looks like a plow pushed it up during the last snowstorm. (Unanimous)

P168-16 COUNCILLOR SASLAW – MOVE TO request that Peabody Municipal Light Plant and the commissioners come before the Committee of the Whole to discuss the reasons why the City of Peabody is not looking into having our own cable service. (Unanimous)

P169-16 COUNCILLOR SASLAW – MOVE TO request that a letter of thanks be sent to the Public Services Department for repairing potholes in an expeditious manner in Ward 5. (Unanimous)

P170-16 COUNCILLOR TURCO - MOVE TO receive, under suspension of the rules, late communication Item 1 from myself to the Planning Board regarding Litchfield Project, Bartholomew Street, and to refer to the Planning Board. (Unanimous)

P171-16 COUNCILLOR TURCO – MOVE TO request that Captain Richards, Police Department, in conjunction with the MassDOT, take the necessary steps to enforce the heavy truck restriction on Bartholomew Street. (Unanimous)

P172-16 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-H communication from Eva's Pastries, Inc., 3 Newton Street, Belmont, MA, regarding Special Permit application for 139 Lynnfield Street and to set up a public hearing. (Unanimous)

P173-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Statement of Interest – Burke School and to refer to the Finance Committee. (Unanimous)

P174-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Statement of Interest – Center School and to refer to the Finance Committee. (Unanimous)

P175-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-C communication from His Honor the Mayor regarding Statement of Interest – Welch School and to refer to the Finance Committee. (Unanimous)

P176-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-E communication from His Honor the Mayor regarding Transfer of funds from Unreserved Fund Balance to Police Salaries; \$459,200.00 and to refer to the Finance Committee. (Unanimous)

P177-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-F communication from His Honor the Mayor regarding Transfer of funds from Unreserved Fund Balance to Various Department Salaries (AFSCME) - \$142,120.00 and to refer to the Finance Committee. (Unanimous)

P178-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-G communication from His Honor the Mayor regarding Transfer of funds from Unreserved Fund Balance to Library Salaries - \$18,000.00 and to refer to the Finance Committee. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

P179-16 COUNCILLOR WALSH - MOVE TO receive and approve a communication from His Honor the Mayor regarding the following Appointments to the Board of Appeals:

<u>NAME:</u>	<u>POSITION:</u>	<u>TERM TO EXPIRE:</u>
Kevin McHugh 4102 Woodbridge Road Peabody, MA 01960	Board of Appeals	12/31/2017 Unexpired term of John Olimpio
Barry Osborne 3 Calas Circle Peabody, MA 01960	Board of Appeals Alternate Member	12/31/2016 Unexpired term of Kevin McHugh

(Carried 9-0; Councillor Moutsoulas and Councillor Sinewitz absent)

(MAYOR BETTENCOURT; MR. CHRIS TIGHE, VETERANS AGENT/EMERGENCY MANAGEMENT; AND MR. SAM CLEAVES, REGIONAL PLANNER FROM THE METROPOLITAN AREA PLANNING COUNCIL; APPEARED BEFORE TH CITY COUNCIL TO SPEAK REGARDING ITEM 7-H)

P180-16 COUNCLLOR MANNING-MARTIN – MOVE TO receive the communication from His Honor the Mayor submitting a resolution to adopt the Peabody Hazard Mitigation Plan 2015 Update. (Unanimous)

P180A-16 COUNCILLOR MANNING-MARTIN – BE IT ORDERD by the City Council of the City of Peabody to approve the Resolution adopting the Federal Emergency Management Agency Peabody Hazard Mitigation Plan 2015 Update 2002 as follows:

WHEREAS, the City of Peabody established a Committee to prepare the City of Peabody Hazard Mitigation Plan 2015 Update; and

WHEREAS, the City of Peabody Hazard Mitigation Plan 2015 Update contains several potential future projects to mitigate potential impacts from natural hazards in the City of Peabody; and

WHEREAS, duly-noticed public meetings were held by the Planning Board on June 2, 2011, and by the City Council on June 9, 2011; and

WHEREAS, the City of Peabody authorizes responsible departments and/or agencies to execute their responsibilities demonstrated in the plan; and

WHEREAS, NOW, THEREFORE BE IT RESOLVED that the City of Peabody City Council adopts the City of Peabody Hazard Mitigation Plan 2015 Update, in accordance with MGL Chapter 40, Section 4 or the charter and bylaws of the City of Peabody

(Carried 9-0; Councillor Moutsoulas and Councillor Sinewitz absent)

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P181-16 COUNCILLOR CHAREST – MOVE TO receive and approve a communication from Attorney Athan Vontzalides, 246 Andover Street, regarding Continue zoning amendment; Group 1 Realty, Inc., to May 12, 2016. (Unanimous)

P182-16 COUNCILLOR TURCO – MOVE TO receive and approve a communication from Peabody Municipal Light Plant regarding Banner request, subject to all papers being in order. (Unanimous)

P183-16 COUNCILLOR MANNING-MARTIN – MOVE TO receive a communication from Bryan Howcroft, Peabody Municipal Light Plant, regarding PMLP solar project RFP documents and to refer to the public hearing. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P184-16 COUNCILLOR GRAVEL – MOVE TO receive and approve Use of the Wiggin Auditorium, Peabody Education Foundation, Inc., - May 29, 2016, subject to all papers being in order. (Unanimous)

P185-16 COUNCILLOR GRAVEL – MOVE TO receive and approve Utility Contractors License – I.W. Harding Construction Co., Inc., 354 Pleasant Street, West Bridgewater, MA, subject to all papers being in order. (Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:15 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, MARCH 18, 2016

RETURNED BY HIS HONOR THE MAYOR, MARCH 18, 2016



ATTEST

(Timothy E. Spanos, City Clerk)

COMMUNICATIONS:

His Honor the Mayor re: Statement of Interest – Burke School

His Honor the Mayor re: Statement of Interest – Center School

His Honor the Mayor re: Statement of Interest – Welch School

His Honor the Mayor re: Appointments to the Board of Appeals

His Honor the Mayor re: Transfer of funds from Unreserved Fund Balance to Police Salaries; \$459,200.00

His Honor the Mayor re: Transfer of funds from Unreserved Fund Balance to Various Department Salaries (AFSCME) - \$142,120.0 Retained Earnings Skating Rink to Skating Rink Salaries - \$620.00

His Honor the Mayor re: Transfer of funds from Unreserved Fund Balance to Library Salaries - \$18,000.00

His Honor the Mayor re: Federal Emergency Management Agency Peabody Hazard Mitigation Plan 2015 Update 2002

Aggregate Industries, 55 Russell Street re: 2015 compliance studies – Peabody Special Permit 33-2002

Aggregate Industries, 55 Russell Street re: 2015 annual report

Aggregate Industries, 55 Russell Street re: Use of office building on future holidays

Attorney Athan Vontzalides, 246 Andover Street re: Continue zoning amendment; Group 1Realty, Inc. to May 12, 2016

Peabody Municipal Light Plant re: Banner request

Bryan Howcroft, Peabody Municipal Light Plant re: PMLP solar project; RFP documents

Albert Talarico, Building Commissioner re: Special Permit transfer; 4-1981; Joel Salvatore d/b/a Bay State Exteriors, 484 Lowell Street

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Eva's Pastries, Inc., 3 Newton Street, Belmont, MA re: Special Permit application for 139 Lynnfield Street

USE OF THE WIGGIN AUDITORIUM:

Peabody Education Foundation, Inc. – May 19, 2016

UTILITY CONTRATORS LICENSE:

I.W. Harding Construction Co., Inc., 354 Pleasant Street, West Bridgewater, MA