

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**JUNE 13, 2019**

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

ABSENT COUNCILLORS: None.

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President Jon G. Turco.

Salute to the American Flag.

P384-19 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of May 23, 2019, and the special meeting of May 29, 2019. (Unanimous)

COUNCILLOR TURCO – 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.

P385-19 COUNCILLOR GOULD – MOVE TO receive, under suspension of the rules, late communication Item 1 from His Honor the Mayor regarding Various appointments. (Unanimous)

(MAYOR BETTENCOURT AND TAYLOR MACCALLUM APPEARED TO SPEAK REGARDING LATE COMMUNICATION ITEM 1.)

P386-19 COUNCILLOR MELVILLE – MOVE TO approve the appointment of Taylor MacCallum, 14 Bradford Road, Peabody, MA, as Superintendent of Cemetery for a three-year term to expire 12/31/2021. (Carried 11-0)

**HEARINGS**

A public hearing was duly held on the Special Permit application from Hatim Laalami, 119 Foster Street, Building 3, Peabody, MA. Mr. Hatim Laalami appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P387-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, late communication Item 2 from Scott Wyckoff, Wasatch Storage Partners, 119 Foster Street, regarding 119 Foster Street Bakery Agenda Item. (Unanimous)

P388-19 COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that the application from Hatim Laalami, 21 Cummings Park, Woburn, MA for a Special Permit seeking to allow for a bakery, wholesale at 119 Foster Street, Building 3, Peabody, MA, as filed in accordance with Sections 4.2.6, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons and subject to the following conditions:

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.

**CONDITIONS:**

- 1) Commercial kitchen equipment regulated by NFPA 96 shall be tested and inspected by the Peabody Fire Department.
- 2) The applicant shall pump their 3-compartment sink monthly for the first 9 months of operations and provide proof of pumping to the Public Services Department c/o of the Environmental Engineer. After the first 9 months, the applicant may request to modify the

pumping schedule and is to work with Public Services and the Health Department to do so. The applicant shall continue to provide proof of pumping to the Environmental Engineer until such time that Public Services no longer requires it.

- 3) An Integrated Pest Management Plan must be submitted to the Peabody Board of Health. Wholesale food operations must be licensed by the Massachusetts Department of Public Health.
- 4) Mechanical systems shall be in place to prevent the migration of noise, dust, odor or other nuisance impacts from the property.
- 5) In accordance with the Special Permit application, business hours of operation are 5:00 a.m. to 10:00 p.m. Monday through Sunday.
- 6) Alleged violations of Special Permit conditions may result in a show cause hearing by the City Council.

(Carried 11-0)

A public hearing was duly held on the application from D & D Auto Sales and Repair, 36 Walnut Street, Peabody, MA. Mr. Robinson Cruz appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P389-19 COUNCILLOR MOUTSOULAS – MOVE TO approve the application from D & D Auto Sales and Repair, 36 Walnut Street, Peabody, MA, to amend their Class 2 Motor Vehicle License by adding the name of Robinson Cruz, 78 Central Avenue, Lynn, MA, subject to all papers being in order.

(Carried 11-0)

## **REPORTS OF COMMITTEE**

### **HUMAN SERVICES COMMITTEE**

#### **JUNE 13, 2019**

P390-19 COUNCILLOR MANNING-MARTIN – Reporting for the Human Services Committee – The Human Services Committee met this evening with myself as chair, Councillor Melville, Councillor O'Neill, and Councillor Gould. On the committee as well sitting in for Councillor Moutsoulas was Councillor Charest. We had Steve Patten, the Veteran's Agent, join us to give us an overview of all the great work that he has been doing in his office. He really heaped a lot of praise on Lisa Levitt running a great program down there and he wouldn't be able to accomplish so much without her expertise and her caring ways. She's running the disability compensation claims and they've increased incredibly and they're doing great work down there. They're doing such good work that they've had a couple of volunteers come in that are doing numerous hours a week and it's come to light that the office that they're in in this building is much too tight and way too small for the amount of work that they're doing so the following motion was made by Councillor Melville. (Report received)

P391-19 COUNCILLOR MANNING-MARTIN – Reporting for the Human Services Committee – MOVE TO send a communication to His Honor the Mayor and Director Carolyn Wynn, Council on Aging, to see if there is office space at the Council on Aging for the Veteran's Office. Mr. Patten believes that it's the perfect location because he's got a great relationship there with the veterans and the surviving spouses frequent the Council on Aging; so it's very convenient. He's also got a great working relationship with the social workers down there as well. (Unanimous)

P392-19 COUNCILLOR MANNING-MARTIN – Reporting for the Human Services Committee - Also Mr. Patten highlighted the volunteer veterans driving program and indicated that the one vehicle that they do have really isn't enough and so the mayor, I believe, is looking to get another vehicle donated because the amount of veterans that are receiving this service is so much that the veterans that are providing the driving have to take their own vehicles and they're spending their entire tax break of \$500 on gas; so we'd like to take a look with the mayor and the Veteran's Agent on other ways we might be able to compensate the volunteers to save their benefit while they're volunteering and driving because it's a lot of gas money and mileage on their vehicles. So we're going to keep that in committee and work on that. Mr. Patten

also reported out that we are meeting a state law that requires that all veterans' graves are flagged. We have 31 cemeteries in the city and they have met that goal and that's quite an accomplishment. I thank Mr. Patten for joining us this evening and all the great work that they're doing. He's really turned that program around and they're doing wonderful work for our veterans and providing a lot of services; so I'd really just give them kudos. (Report received)

**AD HOC COMMITTEE ON DRUG EDUCATION & AWARENESS**  
**JUNE 13, 2019**

P393-19 COUNCILLOR MANNING-MARTIN – Reporting for the Committee on Drug Education & Awareness – The Ad Hoc Committee on Drug Education & Awareness met this evening. This year we created two scholarships for graduating seniors going to college, which is called the City Council Public Service Award. There were two seniors nominated. The recipients will be going to college and will major in public service, whether it be public safety, fire safety, drug counseling, or any type of public service. The recipients this year were Ryan Nagy, who is going to Jacksonville University studying law enforcement, and Angelina Hogue who was here this evening -- she presented at subcommittee -- and she will be attending Salem State -- she was actually the police chief on Student Government Day -- and she will be studying law or fire science. So those were the two recipients of \$500 scholarships and the following motions were made. (Report received)

P394-19 COUNCILLOR MANNING-MARTIN – Reporting for the Committee on Drug Education & Awareness – MOVE TO fund a \$500 scholarship to Angelina Hogue for the City Council Public Service Award. (Carried 10-0; Councillor Moutsoulas absent)

P395-19 COUNCILLOR MANNING-MARTIN – Reporting for the Committee on Drug Education & Awareness – MOVE TO fund a \$500 scholarship to Ryan Nagy for the City Council Public Service Award. (Carried 10-0; Councillor Moutsoulas absent)

P396-19 COUNCILLOR MANNING-MARTIN – Reporting for the Committee on Drug Education & Awareness – The City Council Drug Education & Awareness subcommittee will again be holding the long-drive fundraiser in memory of Firefighter Dan Pimenta on Saturday, June 22nd at 6:00 o'clock. We've also added a golf ball drop and all 500 tickets have been sold. So, folks, come on down. If you don't golf, you can enjoy the ball drop, ice cream, and the silent auction. Again, the funds go to a great cause to fund scholarships and other recovery initiatives that we donated to earlier this year. (Report received)

**AD HOC COMMITTEE ON ENERGY EFFICIENCY AND RENEWABLE ENERGY**  
**JUNE 13, 2019**

P397-19 COUNCILLOR MANNING-MARTIN – Reporting for the Committee on Energy Efficiency and Renewable Energy – The Ad Hoc Committee on Energy Efficiency and Renewable Energy met this evening and members present were myself as chair, Councillor McGinn, and Councillor O'Neill. Also joining us were members of Green Peabody with Ritamarie Cavicchio presenting on the curbside composting program. She gave a great presentation. Also joining her in presenting was Sharon Cameron of public health and the program was highly recommended by Sharon Cameron for various reasons, including cutting down on greenhouse gasses, rodents and also tipping fees. So this is a program that is completely voluntary. Ritamarie is looking to promote it to get folks to opt in. If you get 300 people from a community to opt in to curbside composting, then the rates go down. If you get 300 people to opt in, it's \$120 a year and they provide the canister and it is curbside pickup once a week. The company that she suggests we work with is Black Earth Company, which is a local waste management company in Manchester. What they do is they basically turn all types of waste, such as eggs, meat -- everything -- into soil. So all around it sounds like a pretty fascinating and interesting program. So we are going to get the word out to folks and assist Green Peabody in getting some people interested in joining the program. The following motions were made. (Report received)

P398-19 COUNCILLOR MANNING-MARTIN – Reporting for the Energy Efficiency and Renewable Energy Committee – MOVE TO request that His Honor the Mayor contact PMLP to see if we can put a notice regarding the curbside composting program in with the municipal light bills. (Unanimous)

P399-19 COUNCILLOR MANNING-MARTIN – Reporting for the Energy Efficiency and Renewable Energy Committee – MOVE TO request that the Collector’s Office put a notice regarding the curbside composting program in with the tax bills. (Unanimous)

P400-19 COUNCILLOR MANNING-MARTIN – Reporting for the Energy Efficiency and Renewable Energy Committee – MOVE TO request that the Information Technology Department place a notice of the curbside composting program on the Peabody web site. (Unanimous)

P401-19 COUNCILLOR MANNING-MARTIN – Reporting for the Energy Efficiency and Renewable Energy Committee – MOVE TO request that Peabody Access TV contact Health Director Sharon Cameron to do a PSA regarding the curbside composting program. (Unanimous)

P402-19 COUNCILLOR MANNING-MARTIN – Reporting for the Energy Efficiency and Renewable Energy Committee – MOVE TO request that Chief of Staff Chris Ryder make arrangements to post a notice regarding the curbside composting program on all billboards. (Unanimous)

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

P403-19 COUNCILLOR MELVILLE – MOVE TO schedule a meeting of the Ad Hoc Committee on Municipal Marijuana in August after the summer recess and request that we get an update from the two Special Permit holders for Medical Marijuana Facilities on their current progress; to also obtain the two signed host agreements; and to request that the City Solicitor attend said committee meeting. (Unanimous)

P404-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-B communication from Sina’s Kabob House, LLC, 150 Main Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P405-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 9-G Entertainment License from Sina’s Kabob House, LLC, 150 Main Street, and to set up a public hearing. (Unanimous)

P406-19 COUNCILLOR ROSSIGNOLL – MOVE TO receive and approve, under suspension of the rules, Item 9-D Block Party, subject to all papers being in order:

Alexandra Street & Travis Terrace – July 4, 2019  
Pzegeo Circle – July 4, 2019  
(Unanimous)

P407-19 COUNCILLOR ROSSIGNOLL – MOVE TO receive and approve, under suspension of the rules, late communication Item 3 Block Party at 14 Emily Lane – June 22, 2019, subject to all papers being in order. (Unanimous)

P408-19 COUNCILLOR MANNING-MARTIN (Co-motion with Councillor Charest) – MOVE TO request that the Public Services Department install signage in Ward 2 and Ward 4 directing people to the Police and Fire Memorial. (Unanimous)

P409-19 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-C communication from Nonna Cucina, LLC, Paolina Lepore, Manager, 535 Lowell Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P410-19 COUNCILLOR CHAREST – MOVE TO request that the Clerk set up a Public Services Committee meeting regarding covered trash receptacles. (Unanimous)

P411-19 COUNCILLOR CHAREST – MOVE TO request that the Public Services Department install a painted line denoting a single lane at all locations where there is a left-hand turn lane for at least 100 feet prior to the double lane starting. (Unanimous)

P412-19 COUNCILLOR GOULD (Co-motion with Councillor Moutsoulas) – MOVE TO request that the Public Services Department repair the sidewalk at 27 Lincoln Road. (Unanimous)

P413-19 COUNCILLOR GOULD (Co-motion with Councillor Charest) – MOVE TO request that the Public Services Department place a trash barrel in the vicinity of the Police and Fire Memorial. (Unanimous)

P414-19 COUNCILLOR GOULD (Co-motion with Councillor Moutsoulas) – MOVE TO request that the Park, Recreation & Forestry Department replace a tree that was taken down at 41 Margin Street. (Unanimous)

P415-19 COUNCILLOR GOULD – MOVE TO receive, under suspension of the rules, Item 8-A communication from Robert Labossiere, Dir., Public Services, regarding Council Motion P864-19. (Unanimous)

### **COMMUNICATIONS FROM HIS HONOR THE MAYOR**

P416-19 COUNCILLOR GRAVEL – MOVE TO receive a communication from His Honor the Mayor regarding Transfer of funds – Various Departments – Salaries \$619,385 and to refer to the Finance Committee. (Unanimous)

P417-19 COUNCILLOR GRAVEL – MOVE TO receive a communication from His Honor the Mayor regarding Transfer of funds – Various Departments – Expenses \$953,650 and Transfer of funds – Various Accounts - \$40,000 and to refer to the Finance Committee. (Unanimous)

P418-19 COUNCILLOR MCGINN – MOVE TO approve the following Various Appointments from His Honor the Mayor under date of June 7, 2019:

<b><u>NAME:</u></b>	<b><u>POSITION:</u></b>	<b><u>TERM TO EXPIRE:</u></b>
Joel Brenner, C.P.I.M. 5 Alexander Street Peabody, MA 01960	Board of Registrars	06/01/2022 (3-Year Term)
Audrey Gordon 17 Pine Street Peabody, MA 01960	Board of Registrars	06/01/2022 (3-Year Term)
Ross Richardson 45 Glenn Drive Peabody, MA 01960	Cable Commission	12/31/2020 (3-Year Term) (Unexpired Term)
Robyn Milbury 11 Wildwood Drive Peabody, MA 01960	Community Development Auth.	12/31/2020 (3-Year Term) (Unexpired Term)
Mary Martin 18 Conant Road Lynn, MA	City Auditor	06/01/2022 (3-Year Term)
Robert Caldwell 52 Catherine Drive Peabody, MA 01960	Commission on Disability	12/31/2019 (One-Year Term)
John Franciose 22 Dustin Street Peabody, MA 01960	Planning Board	05/31/2024 (5-Year Term)

Judy Otto  
82 Franklin Street  
Peabody, MA 01960  
(Carried 10-0; Councillor Moutsoulas absent)

Planning Board

05/31/2024  
(5-Year Term)

**COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

Previously received.

**PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

P419-19 COUNCILLOR GRAVEL – MOVE TO receive and approve Junk Dealers License (Renewal for 2019) Newbury Comics, 210 Andover Street, subject to all papers being in order. (Unanimous)

P420-19 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Taxi/Limousine Driver License, subject to all papers being in order:

- Paul Peterson – License 4
  - Anthony Rossino – License 6
  - Santo Ozoria – License 7
  - Juan Carlos Roman – License 8
  - David Labadini – License 9
- (Unanimous)

P421-19 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Use of the Wiggin Auditorium, subject to all papers being in order:

- Girls Scouts of Peabody – June 25, 2019
  - Gene Sticco/Corsara Artists – October 30th & 31st, 2019
- (Unanimous)

P422-19 COUNCILLOR GRAVEL – MOVE TO receive and approve Taxicab License (Transfer) Tri City, 55R Walnut Street, subject to all papers being in order. (Unanimous)

P423-19 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Taxicab License (Non-City), subject to all papers being in order:

- Americab Taxi, 92 Jackson Street, #204B, Salem – 2 Licenses
  - Salem Taxi Company, LLC, 30 Federal Street, #302, Salem – 2 Licenses
  - Witch City Taxi, 92 Jackson Street, Suite 206, Salem – 2 Licenses
- (Unanimous)

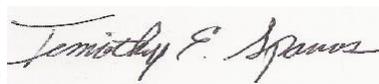
**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 10:40 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, JUNE 20, 2019  
RETURNED BY HIS HONOR THE MAYOR, JUNE 20, 2019

ATTEST



(Timothy E. Spanos, City Clerk)

**COMMUNICATIONS:**

His Honor the Mayor re: Transfer of Funds – Various Departments – Salaries \$619,385

His Honor the Mayor re: Transfer of Funds – Various Departments – Expenses \$953,650  
 Transfer of Funds – Various Accounts - \$40,000

His Honor the Mayor re: Various Appointments under date of June 7, 2019

Robert Labossiere, Dir., Public Service, re: Council Motion P864-18

Sina's Kabob House, LLC, 150 Main Street, re: Special Permit application

Nonna Cucina, LLC, Paolina Lepore, Manager, 535 Lowell Street, re: Special Permit application

**JUNK DEALERS LICENSE:** (2019 Renewal)

Newbury Comics, 210 Andover Street

**TAXI/LIMOUSINE DRIVER LICENSE:**

Paul Peterson – License 4

Anthony Rossino – License 6

Santo Ozoria – License 7

Juan Carlos Roman – License 8

David Labadini – License 9

**USE OF THE WIGGIN AUDITORIUM:**

Girls Scouts of Peabody – June 25, 2019

Gene Sticco/Corsara Artists – October 30th & 31st, 2019

**BLOCK PARTY:**

Alexandra Street & Travis Terrace – July 4, 2019

Pzegeo Circle – July 4, 2019

Emily Lane – June 22, 2019

**TAXICAB LICENSE:** (Transfer)

Tri City, 55R Walnut Street

**TAXICAB LICENSE:** (Non-City)

Americab Taxi, 92 Jackson Street, #204B, Salem – 2 Licenses

Salem Taxi Company, LLC, 30 Federal Street, #302, Salem – 2 Licenses

Witch City Taxi, 92 Jackson Street, Suite 206, Salem – 2 Licenses

**ENTERTAINMENT LICENSE:** (New)

Sina's Kabob House, LLC, 150 Main Street