

REGULAR MEETING OF THE PEABODY CITY COUNCIL
AUGUST 27, 2020

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

ABSENT COUNCILLORS: MOUTSOULAS

An in-person (City Council only) 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 Thomas J. Rossignoll.

Salute to the American Flag.

COUNCILLOR ROSSIGNOLL – 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.

P351-20 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the special meeting of July 2, 2020, the regular meeting of July 9, 2020, and the special meeting of August 13, 2020. (Carried 10-0; Councillor Moutsoulas absent)

HEARINGS

P352-20 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-A communication from Atty. John Keilty on behalf of S & S Consultants, 530 Lowell Street, regarding Request to continue public hearing to September 10, 2020. (Carried 10-0; Councillor Moutsoulas absent)

P353-20 COUNCILLOR SASLAW – MOVE TO receive and approve, under suspension of the rules, late communication Item 1 from Atty. John Keilty on behalf of S & S Consultants, 530 Lowell Street, regarding Request to continue until the Regular Meeting on September 24, 2020. (Carried 10-0; Councillor Moutsoulas absent)

REPORTS OF COMMITTEE

Committee of the Whole
August 13, 2020

P354-20 COUNCILLOR ROSSIGNOLL – Reporting for the Committee of the Whole – The Committee of the Whole met on August 13th with two agenda items. The first agenda item was approval of the State Primary Warrant. The purpose of the Special Meeting was to discuss public meetings in the Frank L. Wiggin Auditorium. There were two motions. Councillor Manning-Martin moved the question and that carried seven to four. Then there was a co-motion to move back into in-person meetings in the City Council chambers with any and all Council members that wanted to attend. That also carried seven to four. No other motions were made at that time. (Report received)

Industrial & Community Development Committee
August 27, 2020

P355-20 COUNCILLOR GOULD – Reporting for Industrial & Community Development Committee – We originally had scheduled this discussion on city-owned property to have the Mayor speak with us, but he had a conflict. We are going to reschedule that meeting during Motions, Orders, and Resolutions with the Clerk. We did discuss the L. Fine building. Councillor Turco took the initiative to invite Mr. Bellavance and Mr. Callahan and have them weigh in. We discussed having low-interest loans not made available to the Fine property because they are still in tax delinquency. A motion passed five to nothing to not offer them a loan, if they are still in tax delinquency. (Report received)

P356-20 COUNCILLOR GOULD – Reporting for the Industrial & Community Development Committee – MOVE THAT the City Council is not in favor of issuing any loans from the Brownfields Revolving Loan Fund for any site that is in arrears with their property taxes.
(Carried 10-0; Councillor Moutsoulas absent)

P357-20 COUNCILLOR GOULD – Reporting for the Industrial & Community Development Committee – The next item discussed was the Granite Road flooding and the effort by the City to help mitigate the flooding issue for the folks on Granite Road, but also other locations throughout South Peabody. Mr. Labossiere appeared to update us. Councillor Turco also took the initiative to question if we originally had \$600,000 slotted for that project, why wasn't that spent on Granite Road and Mr. Labossiere did not have the answer. Councillor Turco made a motion to ask Mr. Gingras what happened to the \$600,000 allotment. Mr. Labossiere volunteered to reach out to Mr. Delp, who was on Zoom, but couldn't straighten out his audio. (Report received)

P358-20 COUNCILLOR GOULD – Reporting for the Industrial & Community Development Committee – MOVE TO request that Finance Director Michael Gingras provide detail to the City Council on the expenditure in Account 300-00000-58244-2019-00-00-00-0000 in an amount of \$600,000 for water system improvements.
(Carried 10-0; Councillor Moutsoulas absent)

P359-20 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, the following late communications and refer to the Industrial & Community Development Committee:

Late 2 WPA Form 2 – Determination of Applicability – 143 Lynnfield Street
 Late 3 Peabody Conservation Commission Conditions – 143 Lynnfield Street
 Late 4 Community Development Dept. re: Memorandum; 143 Lynnfield Street
 Late 5 Christopher Morfis, Tax Collector, re: Email; 143 Lynnfield Street
 Late 6 Tax Title Balance Inquiry – 143 Lynnfield Street
 Late 7 Appropriations for Bond Order dated March 21, 2019
 Late 8 Darren Kelly, Community Preservation Committee, re: 10 Lowell Street
 (Carried 10-0; Councillor Moutsoulas absent)

MOTIONS, ORDERS AND RESOLUTIONS

{10-A Lynn Street}

P360-20 COUNCILLOR WELTON – BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 19-94 entitled "Parking Prohibited" of the Code of the City of Peabody be adopted as advertised and read.
(Carried 10-0; Councillor Moutsoulas absent)

P361-20 COUNCILLOR SASLAW – MOVE TO refer the discussion of city-owned property to the Industrial & Community Development Committee scheduled for Thursday, September 10, 2020.
(Carried 10-0; Councillor Moutsoulas absent)

P362-20 COUNCILLOR CHAREST – MOVE TO request that Captain Richards, Police Department, provide input to the City Council on the feasibility of adding a "No Truck Route," on Perkins Street from Lowell Street to the Higgins Middle School.
(Carried 10-0; Councillor Moutsoulas absent)

P363-20 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-E communication from Jennifer Davis, Dir., Park Department, regarding Council Motion P266-20.
(Carried 10-0; Councillor Moutsoulas absent)

P364-20 COUNCILLOR MANNING-MARTIN – MOVE TO request that Director Curt Bellavance, Community Development Department, present to the City Council our housing production plan and our current subsidized housing inventory and what our plan is in meeting our 40B requirement of 10 percent affordable housing and explain exactly what stages each of the current and active 40B applications are at, and when and if they will count toward our subsidized housing inventory.
(Carried 10-0; Councillor Moutsoulas absent)

P365-20 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, Item 8-B communication from Atty. John Keilty, 40 Lowell Street, regarding Request for Zone Change, 65 North Central Street; Request to withdraw.
(Carried 10-0; Councillor Moutsoulas absent)

P366-20 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, Item 8-D communication from Albert Talarico, Building Commissioner, regarding Transfer of Special Permits: 2-1981, 26-2003, 8-2018, 30-2019; BIV-WSL 3 Tech, LLC, 3 Technology Drive, subject to all papers being in order.
(Carried 10-0; Councillor Moutsoulas absent)

P367-20 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, Item 8-F communication from Jennifer Davis, Dir., Park Dept., regarding Council Motion P258-20.
(Carried 10-0; Councillor Moutsoulas absent)

P368-20 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, Item 9-A Utility Contractor's License – Super Service Today, Inc., 4 Jewel Drive, Unit 6, Wilmington, MA, subject to all papers being in order.
(Carried 10-0; Councillor Moutsoulas absent)

P369-20 COUNCILLOR O'NEILL – MOVE TO receive and approve, under suspension of the rules, Item 8-C communication from Albert Talarico, Building Commissioner, regarding Transfer of Special Permit 5-2005; Anthony Marmiani, 649 Lowell Street, subject to all papers being in order.
(Carried 10-0; Councillor Moutsoulas absent)

P370-20 COUNCILLOR O'NEILL – MOVE TO receive, under suspension of the rules, Item 8-G communication from DPS, 0 Winona Street, regarding Special Permit application and set up a public hearing.
(Carried 10-0; Councillor Moutsoulas absent)

P371-20 COUNCILLOR O'NEILL – MOVE TO request that the Public Services Department repaint the school crosswalk on Shannon Road with yellow paint on the inside.
(Carried 10-0; Councillor Moutsoulas absent)

P372-20 COUNCILLOR O'NEILL – MOVE TO request that the Public Services Department install a berm in front of 55 Perley Avenue.
(Carried 10-0; Councillor Moutsoulas absent)

P373-20 COUNCILLOR MELVILLE – MOVE TO request that the clerks for various boards and/or commissions provide the City Council their procedures for legal advertisements and for the sections of law that require such advertisements.
(Carried 10-0; Councillor Moutsoulas absent)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

P374-20 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, the following communications from His Honor the Mayor and refer to the Finance Committee:

Item 7-A Transfer of Funds – General Fund Cable Revenue; \$128,000.00
 Transfer of Funds – Cable Fund Expense; \$120,000.00
 Item 7-B Transfer of Funds – Cable Fund Expense; \$9,600.00
 Item 7-C Transfer of Funds – Cable Fund Expense; \$218,288.39
 Item 7-D Transfer of Funds – CPC – Housing Critical Care Repair; \$40,000.00
 Item 7-E Transfer of Funds – Various Department Accounts; \$385,293.00
 Item 7-F Transfer of Funds – CPC – Bikeway Independence Greenway Extension Project; \$341,384.245
 (Carried 10-0; Councillor Moutsoulas absent)

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P375-20 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-I communication from Jessica D. Capellan, 149 Washington Street, regarding Special Permit application and set up a public hearing.

(Carried 10-0; Councillor Moutsoulas absent)

P376-20 COUNCILLOR TURCO – MOVE TO receive Item 8-H from Allyson M. Danforth, City Clerk, regarding Release of Executive Session Minutes dated November 8, 2018.

(Carried 10-0; Councillor Moutsoulas absent)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

Previously received.

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

P377-20 COUNCILLOR ROSSIGNOLL – MOVE TO request that the City Clerk set up a photographer to take the official City Council photograph.

(Carried 10-0; Councillor Moutsoulas absent)

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:00 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, SEPTEMBER 10, 2020

RETURNED BY HIS HONOR THE MAYOR, SEPTEMBER 10, 2020



ATTEST: _____

(Allyson M. Danforth, City Clerk)

COMMUNICATIONS:

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His Honor the Mayor re: Transfer of Funds – Cable Fund Expense; \$120,000.00

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His Honor the Mayor re: Transfer of Funds – Cable Fund Expense; \$218,288.39

His Honor the Mayor re: Transfer of Funds – CPC – Housing Critical Care Repair; \$40,000.00

His Honor the Mayor re: Transfer of Funds – Various Department Accounts; \$385,293.00

His Honor the Mayor re: Transfer of Funds – CPC – Bikeway Independence Greenway Extension Project; \$341,384.245

Atty. John Keilty on behalf of S & S Consultants, 530 Lowell Street, re: Request to continue to September 10, 2020

Atty. John Keilty, 40 Lowell Street, re: Request for Zone Change, 65 North Central Street; Request to withdraw

Albert Talarico, Building Commissioner, re: Transfer of Special Permit 5-2005; Anthony Marmiani, 649 Lowell Street

Albert Talarico, Building Commissioner, re: Transfer of Special Permits: 2-1981, 26-2003, 8-2018, 30-2019; BIV-WSL 3 Tech, LLC, 3 Technology Drive

Jennifer Davis, Dir., Park Dept., re: Council Motion P266-20

Jennifer Davis, Dir., Park Dept., re: Council Motion P258-20

Peabody DPS, 0 Winona Street, re: Special Permit application

Allyson M. Danforth, City Clerk, re: Release of Executive Session Minutes

Jessica D. Capellan, 149 Washington Street, re: Special Permit application

UTILITY CONTRACTOR'S LICENSE:

Super Service Today, Inc., 4 Jewel Drive, Unit 6, Wilmington, MA