

REGULAR MEETING OF THE PEABODY CITY COUNCIL
OCTOBER 10, 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.

P686-19 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of September 26, 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.

HEARINGS

P687-19 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, late communication Item 1 from Atty. John Keilty on behalf of Claiton Cruz, 58 Walnut Street, regarding Request to continue public hearing until Thursday, October 24, 2019. (Unanimous)

A public hearing was duly held on the application filed by Jean Machado, 110 Ferry Street, Everett, MA. Mr. Jean Machado appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P688-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-I communication from Jean Machado, 98 Foster Street, regarding Class 2 Motor Vehicle License – Parking Plan. (Unanimous)

P689-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, late communication Item 2 from Jean Machado, 98 Foster Street, regarding Revised parking plan. (Unanimous)

P690-19 COUNCILLOR MCGINN – MOVE TO approve the application from Jean Machado, 110 Ferry Street, Everett, MA, for the transfer of a Class 2 Motor Vehicle License from Palmetto Motor Sales at 98 Foster Street, Peabody, MA, subject to all papers being in order and with the following conditions:

CONDITIONS:

1. Limit of eighteen (18) 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. Hours of operation shall be 8:00 a.m. to 8:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sunday;
3. Parking shall be in accordance with the 98 Foster St. Peabody – MA plan dated 10/9/2019, as received by the City Council as a late communication on 10/10/2019;
4. There shall be no loading or unloading of vehicles on Foster Street; and
5. Any signage or façade changes shall comply with the “The Peabody Downtown Design Standards – Foster/Walnut Street Subdistrict.”

(Carried 11-0)

A public hearing was duly held on the application filed by CC Partnership, Inc. d/b/a Cash Call, 15 Elaine Avenue, Saugus, MA. Ms. Lora Mattered and Mr. Oleksandr Mattered appeared to speak on behalf of the application. Ms. Cidalia Schwartz, 148 Forest Street, Hamilton, MA, appeared to speak in favor. No one appeared to speak in opposition.

P691-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, late communication Item 3 from Fire Department regarding Departmental response; CC Partnership, Inc. d/b/a Cash Call. (Unanimous)

P692-19 COUNCILLOR MCGINN – MOVE TO approve the application filed by CC Partnership, Inc. d/b/a Cash Call, 15 Elaine Avenue, Saugus, MA, for a Junk Dealers License for the sale of secondhand merchandise at 161 Main Street, Peabody, MA, subject to all papers being in order. (Carried 11-0)

REPORTS OF COMMITTEE

Industrial & Community Development Committee October 10, 2019

P693-19 COUNCILLOR GOULD – Reporting for the Industrial & Community Development Committee – Tonight the subcommittee of Industrial & Community Development met. Present was Councillor McGinn, Councillor Manning-Martin sat in for Councillor Saslaw, Councillor Rossignoll, Councillor Charest, and myself as chair. We had one item and it was a very enlightening item. Curt Bellavance and Sharon Cameron both gave an overview of the proposed plastic bag ban as we'll call it and they gave us some very in-depth data about the neighboring communities. We had a recommendation and they are taking another look at the reusable bag portion of the ban. There was a presentation and there were some good words by Green Peabody. So we're going to meet again on the 24th of October and try to wrap up this issue. (Report received)

Ad Hoc Drug Education & Awareness Committee October 10, 2019

P694-19 COUNCILLOR MANNING-MARTIN – Reporting for the Drug Education & Awareness Committee – We did meet this evening with myself as chair, with members Councillor Charest and Councillor Rossignoll; and also the entire council was present. We had several people from the community come and speak about all the programs and initiatives that are going on in the city in the fight against the opioid crisis. We had Chief Thomas Griffin come to speak about the work that the police department is doing with the Healthy Peabody Collaborative and the positive youth development movement they've got going on in the schools. We had Chief Joe Daly come and speak about the outreach his department is doing with drug overdoses and he's hoping to increase the outreach to weekly, instead of biweekly. We also had the Buckley Family come to speak for the Colton Buckley Foundation and the work that they're doing. They've raised \$50,000 over the past several years, which is outstanding, and they've been donating that money to various programs that work with recovery and addiction. They are having their annual road race on November 10th at 10:00 a.m., which starts at City Hall. They're also having their free pasta party the night before from 3:00 to 7:00. There will also be a vigil on November 9th, which is the night before. We also had Robert Lowell, the executive director of the Peabody YMCA, talking about the many programs that they have going on there with families in recovery and the recovery yoga. They are also planning to expand the programming and are hoping to offer some programs downtown. So with that we had some money that we had raised this year with the Drug Education & Awareness Committee and the following votes were made to donate some money. (Report received)

P695-19 COUNCILLOR MANNING-MARTIN – Reporting for the Drug Education & Awareness Committee – MOVE TO donate \$1,000.00 from the Drug Education & Awareness Committee account to Citizens Inn Transition. (Carried 11-0)

P696-19 COUNCILLOR MANNING-MARTIN – Reporting for the Drug Education & Awareness Committee – MOVE TO donate \$1,000.00 from the Drug Education & Awareness Committee account to the Colton Buckley Foundation. (Carried 11-0)

P697-19 COUNCILLOR MANNING-MARTIN – Reporting for the Drug Education & Awareness Committee – MOVE TO donate \$1,000.00 from the Drug Education & Awareness Committee account to the Peabody YMCA recovery programming. (Carried 11-0)

P698-19 COUNCILLOR MANNING-MARTIN – Reporting for the Drug Education & Awareness Committee – MOVE TO donate \$2,000.00 from the Drug Education & Awareness Committee account to the Peabody Police Department. (Unanimous)

P699-19 COUNCILLOR MANNING-MARTIN – Reporting for the Drug Education & Awareness Committee – MOVE TO donate \$2,000.00 from the Drug Education & Awareness Committee account to the Peabody Fire Department. (Unanimous)

MOTIONS, ORDERS AND RESOLUTIONS

P700-19 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 8-B communication from Robert Labossiere, Dir., Public Services, regarding Council Motions: P737-18, P481-19, P525-19, P594-19, P638-19, P645-19, P649-19, P650-19. (Unanimous)

P701-19 COUNCILLOR ROSSIGNOLL – MOVE TO receive and approve Use of the Wiggin Auditorium – Department of Children & Families in partnership with Peabody Rotary – October 20, 2019, subject to all papers being in order. (Unanimous)

P702-19 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 8-F communication from Stacey Bernson, Asst. Community Development Director, regarding City of Peabody Housing Production Plan – August 2019 and refer to the Industrial & Community Development Committee, sitting as a Committee of the Whole. (Unanimous)

P703-19 COUNCILLOR SASLAW – MOVE TO receive and approve, under suspension of the rules, Item 8-C communication from Albert Talarico, Building Commissioner, regarding Special Permit Transfer 4-1981; Paula Zagorski from Aquacraft Pools, 484 Lowell Street, Suite 2B-1, subject to all papers being in order. (Unanimous)

P704-19 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-G communication from Jennifer Davis, Dir., Park Dept., regarding Council Motions: P644-19, P640-19, P639-19, P648-19, and to request that the Park, Recreation & Forestry Department use the same format that the Public Services Department uses for responding to City Council motions so that it is clearer which motions the department is responding to. (Unanimous)

P705-19 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-K communication from Atty. William J. Squires, 28 State Street, Boston, regarding AAA Northeast vs. The City of Peabody, et al; First Amended Complaint and refer to Executive Session. (Unanimous)

P706-19 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-H communication from Jennifer Davis, Dir., Park Dept., regarding Council Motion P646-19. (Unanimous)

P707-19 COUNCILLOR CHAREST – MOVE TO receive, under suspension of the rules, Item 8-J communication from Sousa Signs, LLC, 515 Lowell Street, regarding Special Permit application and set up a public hearing. (Unanimous)

(COUNCILLOR CHAREST: “I’d like to acknowledge Max Fialkowski, who is here to watch the City Council meeting. Max is a senior from Peabody High and is an Eagle Scout candidate.”)

(Max Fialkowski appeared to speak before the City Council.)

(COUNCILLOR CHAREST: “I would like to express my condolences to the family of Tim Barry, who passed away recently.”)

P708-19 COUNCILLOR GOULD – MOVE TO request that the Public Services Department place a berm at 25 Newcastle Road. (Unanimous)

P709-19 COUNCILLOR GOULD – MOVE TO receive, under suspension of the rules, Item 8-D communication from Curt T. Bellavance, Dir., Community Development, regarding Proposed zoning amendment: Commercial Kitchen and Catering Services and refer to Industrial & Community Development Committee. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

None.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

None.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P710-19 COUNCILLOR GRAVEL – MOVE TO receive and approve Taxi Driver License – John Minchell – License 45, subject to all papers being in order. (Unanimous)

P711-19 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Utility Contractor’s License, subject to all papers being in order:

Grasso Construction Co., Inc., 865 Turnpike Street, North Andover, MA
Parkside Utility, 37 Ayer Road, Littleton, MA
(Unanimous)

P712-19 COUNCILLOR MCGINN – MOVE TO receive a communication from Robert Labossiere, Dir., Public Services, regarding Council Motion P565-19. (Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

P713-19 COUNCILLOR GRAVEL – MOVE TO receive a communication from Curt T. Bellavance, Dir., Community Development, regarding Proposed City Ordinance: Regulation regarding plastic bags and refer to the Industrial & Community Development Committee. (Unanimous)

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 8:10 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, OCTOBER 15, 2019

RETURNED BY HIS HONOR THE MAYOR, OCTOBER 15, 2019

ATTEST 
(Timothy E. Spanos, City Clerk)

COMMUNICATIONS:

- Robert Labossiere, Dir., Public Services, re: Council Motion P565-19
- Robert Labossiere, Dir., Public Services, re: Council Motions: P737-18, P481-19, P525-19, P594-19, P638-19, P645-19, P649-19, P650-19
- Albert Talarico, Building Commissioner, re: Special Permit Transfer 4-1981; Paula Zagorski from Aquacraft Pools, 484 Lowell Street, Suite 2B-1
- Curt T. Bellavance, Dir., Community Development, re: Proposed zoning amendment: Commercial Kitchen and Catering Services
- Curt T. Bellavance, Dir., Community Development, re: Proposed City Ordinance: Regulation regarding plastic bags
- Stacey Bernson, Asst. Community Development Director, re: City of Peabody Housing Production Plan – August 2019
- Jennifer Davis, Dir., Park Dept., re: Council Motions: P644-19, P640-19, P639-19, P648-19
- Jennifer Davis, Dir., Park Dept., re: Council Motion P646-19

Jean Machado, 98 Foster Street, re: Class 2 Motor Vehicle License – Parking Plan
Sousa Signs, LLC, 515 Lowell Street, re: Special Permit application
Atty. William J. Squires, 28 State Street, Boston, re: AAA Northeast vs. The City of Peabody, et al; First Amended Complaint

USE OF THE WIGGIN AUDITORIUM:

Department of Children & Families in partnership with Peabody Rotary – October 20, 2019

TAXI DRIVERS LICENSE:

John Minchello – License 45

UTILITY CONTRACTOR'S LICENSE:

Grasso Construction Co., Inc., 865 Turnpike Street, North Andover, MA
Parkside Utility, 37 Ayer Road, Littleton, MA