

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JANUARY 22, 2009

PRESENT: COUNCILLORS: BETTENCOURT, GRAVEL, DRISCOLL, MELLO, GAMACHE, OSBORNE, ATHAS, MANNING, GARABEDIAN, LIACOS AND SINEWITZ

ABSENT: NONE.

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Barry C. Sinewitz.

Salute to the American Flag.

P79A-09 COUNCILLOR GAMACHE - MOVE TO receive and approve the minutes from the last regular meeting of January 8, 2009. (Unanimous)

HEARINGS

A public hearing was duly held on the application to amend a Class 2 Motor Vehicle License from New England Auto Alliance, 153 Newbury Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Gary Lattime, 27 Main Street, Salisbury, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P80-09 COUNCILLOR GAMACHE - MOVE TO approve the application from New England Auto Alliance, 153 Newbury Street, Peabody, MA by amending a Class 2 Motor Vehicle License by adding the name of Gary Lattime, 27 Main Street, Salisbury, Mass. to said license, as issued to New England Auto Alliance, LLC, 153 Newbury Street, Peabody, MA, subject to all papers being in order. (Carried 11-0)

A public hearing was duly held on the application from Sempre, Ltd., 41 Cross Street, Peabody, MA. Appearing to speak on behalf of said application was Ms. Nancy Pantano and Mr. Paul Pantano, 5 Waldemar Avenue, Beverly, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P81-09 COUNCILLOR DRISCOLL - MOVE TO approve the application from Sempre, Ltd., 41 Cross Street, Peabody, MA for a Junk Dealers License at said 41 Cross Street, Peabody, MA, subject to all papers being in order. (Carried 11-0)

A public hearing was duly held on the application from Edward J. Muise, 5-B Elginwood Road, Peabody, MA. Appearing to speak on behalf of said application was Mr. Edward J. Muise. No one appeared to speak in favor. Ms. Mary Vieira, 6 Endicott Street, Peabody, MA appeared to speak in opposition.

P82-09 COUNCILLOR MELLO - BE IT ORDERED by the City Council of the City of Peabody that the application from Edward J. Muise, 5-B Elginwood Road, Peabody, MA for a Special Permit to allow for a florist shop at 118 Central Street, Peabody, MA, as filed in accordance with Section 4.2.5 and 4.4 of the Peabody Zoning Ordinance, be approved based on the following reasons and condition:

REASON: Owing to the fact that the use as approved 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.

CONDITION:

1. That there shall be no loose trash at any time, all trash shall be covered and stored in rubbish containers, and that all trash be removed from the property on a daily basis. (Carried 10-0; Councillor Bettencourt voting present)

A public hearing was duly held on the Zoning Amendment - Multiple family dwellings and Rooming houses. Appearing to speak on behalf of said application was Councillor Arthur W. Athas. No one appeared to speak in favor. No one appeared to speak in opposition.

P83-09 COUNCILLOR ATHAS - MOVE TO receive, under suspension of the rules, Item 8-O communication from Nate Jones, Community Development Department, regarding Zoning amendment, multifamily dwellings and rooming houses. (Unanimous)

P84-09 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, Item 8-D communication from Planning Board regarding Zoning recommendation, multifamily dwellings and rooming houses. (Unanimous)

P85-09 COUNCILLOR ATHAS - BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending the Zoning Ordinance of the City of Peabody entitled Zoning Ordinance-1978, adopted June 27, 1978, as amended, is hereby further amended as follows:

SECTION ONE: That the revised zoning ordinance of the city of Peabody-1978, adopted June 27, 1978, as heretofore amended, be further amended as follows: By adding to Section 4.2.1 under the column marked "Districts," the following use shall be permitted by Special Permit:

<u>4.2.1 Residential</u>	<u>B-C</u>
Multiple-family dwellings	A

SECTION TWO: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION THREE: This ordinance shall take effect as provided by law.
(Carried 11-0)

P86-09 COUNCILLOR ATHAS - BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending the Zoning Ordinance of the City of Peabody entitled Zoning Ordinance-1978, adopted June 27, 1978, as amended, is hereby further amended as follows:

SECTION ONE: That the revised zoning ordinance of the city of Peabody-1978, adopted June 27, 1978, as heretofore amended, be further amended as follows: By adding to Section 4.2.1 under the column marked "Districts," the following use shall be permitted by Special Permit:

<u>4.2.1 Residential</u>	<u>R-3</u>	<u>R-4</u>	<u>B-C</u>
Rooming Houses	A	A	A

SECTION TWO: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION THREE: This ordinance shall take effect as provided by law.
(Carried 11-0)

REPORTS OF COMMITTEE

Finance Committee
January 22, 2009

P87-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 7-D communication from His Honor the Mayor regarding Duties and responsibilities of Assistant City Solicitor/Negotiator and to refer to the Legal Affairs Committee. (Unanimous)

P88-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-S communication from Heidi Henson, Director of Human Resources, regarding Employment Contract, Daniel Cocuzzo. (Unanimous)

P89-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-T communication from Sharon Cameron, Director, Human Services Department, regarding City Physician. (Unanimous)

P90-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-U communication from Patricia Davis Schaffer, Director of Finance, regarding City status of appropriations. (Unanimous)

P91-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-V communication from Patricia Davis Schaffer, Director of Finance, regarding General fund summary of 2009 revenues. (Unanimous)

P92-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-W communication from Patricia Davis Schaffer, Director of Finance, regarding School status of appropriations. (Unanimous)

P93-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-X communication from Patricia Davis Schaffer, Director of Finance, regarding Police Union detailed list of salaries. (Unanimous)

P94-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-Y communication from Patricia Davis Schaffer, Director of Finance, regarding AFSCME Union detailed list of salaries. (Unanimous)

P95-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-Z communication from Patricia Davis Schaffer, Director of Finance, regarding Fire Union detailed list of salaries. (Unanimous)

P96-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-AA communication from Patricia Davis Schaffer, Director of Finance, regarding Ordinance Non Union detailed list of salaries. (Unanimous)

P97-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-AB communication from John Christopher, City Solicitor, regarding Legal Department responsibilities and to refer to the Legal Affairs Committee. (Unanimous)

P98-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - A lengthy Finance Committee meeting was held prior to the beginning of this meeting. All councillors were present and all spoke. The five voting members were myself as chairman, Councillor Athas, Gravel, Liacos and Mello. There were a number of items on the agenda. First was a motion to transfer funds from the Community Preservation Commission unreserved account to historic preservations for the purpose of obtaining documents, microfilming equipment. That was in the amount of \$6,485 and that was unanimously approved by the committee five to zero. (Report received)

P99-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of December 18, 2008:

FROM:
Community Preservation Act - Unreserved - \$6,485.00

TO:
**Historic Preservations – Documents
Microfilming Equipment - \$6,485.00
(Carried 11-0)**

P100-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - Item B was a transfer of funds request from the Community Preservation Commission unreserved account to historic preservations for the purpose of documents, converting "Leather Soul," tapes to DVD. The purpose was just to upgrade the equipment and make it more in line with modern times. The amount was for \$2,460 and that was unanimously approved five to zero. (Report received)

P101-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of December 18, 2008:

FROM:
Community Preservation Act – Unreserved - \$2,460.00

TO:
**Historic Preservation – Documents
Converting “Leather Soul” Tapes to DVD -
\$2,460.00**

(Carried 10-0; Councillor Garabedian absent)

P102-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - The next item, Item C, was a transfer of funds request from the salary reserve \$625,000 to the fire department salaries \$603,000 and fire alarm salaries of \$22,000. There was a presentation made by Patti Schaffer, our Finance Director, and comments from a variety of council members. The motion was approved four to one. (Report received)

(COUNCILLOR MANNING RECUSED HERSELF FROM THE FOLLOWING VOTE)

P103-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of January 8, 2009:

<u>FROM:</u>	<u>TO:</u>
Salary Reserve Fund- \$625,000.00	Fire Salaries - \$603,000.00
	Fire Alarm Salaries - 22,000.00

(Carried 8-2; Councillors Athas and Sinewitz opposed; Councillor Manning absent)

P104-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - Item D was a transfer of funds request from the salary reserve to the police salaries in the amount of \$575,000.00. Again there was a presentation made by Patti Schaffer, our Finance Director, as well as comments made by the mayor. It was discussed by the Council and the vote was three to two approving the transfer. (Report received)

P105-09 COUNCILLOR GAMACHE - MOVE THE question [Police Salaries transfer]. (Carried 11-0)

P106-09 COUNCILLOR BETTENCOURT – Reporting for the Finance Committee - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of December 29, 2008:

<u>FROM:</u>	<u>TO:</u>
Salary Reserve Fund - \$575,000.00	Police Salaries - \$575,000.00

(Carried 7-4; Councillors Mello, Athas, Manning and Sinewitz opposed)

RECONSIDERATION BY COUNCILLOR GRAVEL – Immediate reconsideration hoping same shall not prevail. (Failed 10-1; Councillor Athas in favor)

P107-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - The next item in Committee was a transfer of funds from salary reserve 2009 to various city department salaries for the AFSCME union in the amount of \$459,940. It was also discussed and debated. There was a presentation made by Patti Schaffer, our city Finance Director, and the motion was approved in committee four to one. (Report received)

P108-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of January 8, 2008:

<u>FROM:</u>	<u>TO:</u>
Salary Reserve – 2009 - \$459,940.00	Various Departments (AFSCME) – Salaries \$459,940.00

(Carried 8-3; Councillors Mello, Manning and Sinewitz opposed)

P109-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - The next item was a transfer of funds request from the skating rink retained earnings to skating rink salaries in the amount of \$4,220. The motion was approved four to one. (Report received)

P110-09 COUNCILLOR BETTENCOURT - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of January 8, 2008:

<u>FROM:</u>	<u>TO:</u>
Skating Rink - Retained Earnings - \$4,220.00	Skating Rink – Salaries \$4,220.00

(Carried 8-3; Councillors Mello, Manning and Sinewitz opposed)

P111-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - The next item was ordinance a schedule of compensation for part-time city employees, positions not subject to collective bargaining. The motion made was to approve the schedule of compensation for part-time city employees, excluding the position of Assistant City Solicitor/Negotiator, and that was approved five to zero. (Report received).

P112-09 COUNCILLOR BETTENCOURT - MOVE TO amend Section 18-20 entitled Schedule of Compensation for Part-time Positions to exclude the position of Assistant City Solicitor/Negotiator. (Carried 8-3; Councillors Mello, Manning and Sinewitz opposed)

P113-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - That issue of the Assistant City Solicitor/Negotiator was deferred to a future Finance Committee meeting. The other item was to exclude from the ordinance for part-time positions the Board of Registrars, Board of Health and Licensing Board members, not subject to collective bargaining, and that was approved to exclude those groups four to one. (Report received).

P114-09 COUNCILLOR BETENCOURT - MOVE TO amend Section 18-20 entitled Schedule of Compensation for Part-time Positions to exclude the positions of Chairman Board of Health, Chairman Board of Registrars, Chairman Licensing Board, Member Board of Health, Member Board of Registrars, Member Licensing Board, and be advertised as amended. (Carried 6-5; Councillors Gravel, Gamache, Osborne, Manning and Garabedian opposed)

P115-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - A motion was made to approve the ordinance for full-time positions, not subject to collective bargaining, and that was approved four to one. (Report received)

P116-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee- MOVE TO approve Section 18-21 entitled Schedule of Compensation for Full Time Positions not subjected to Collective Bargaining and be advertised as read. (Carried 8-3; Councillors Mello, Manning and Sinewitz opposed)

P117-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - Then there was a request for ordinance for rates of compensation for police and fire personnel: Police chief, deputy police chief, fire chief. That motion was discussed and approved by the Committee four to one. (Report received).

P118-09 COUNCILOR BETTENCOURT - MOVE THAT An Ordinance Amending Section 18-18C Which Establishes the Rates of Compensation for Police and Fire Personnel and Amending the Ordinance Establishing the Fringe Benefits for the Police and Fire Department of the code of the City of Peabody be advertised as read. (Carried 8-3; Councillors Mello, Manning and Sinewitz opposed)

P119-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - There were a couple of motions made: Transfer of funds from salary reserve to various department salaries ordinance positions. In the previous two items we created the ordinances to set up the salary and these next three were to transfer the funds so we have the ability to pay for those salaries. There was a motion to defer the salary increase for the Assistant City Solicitor/Negotiator until a future Finance Committee meeting and that was approved five to zero. (Report received)

P120-09 COUNCILLOR BETTENCOURT- Reporting for the Finance Committee - MOVE TO refer the salary ordinance for the Assistant City Solicitor/Negotiator to a future meeting of the Finance Committee. (Carried 11-0)

P121-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee - Now there was a motion made to approve the transfer of funds in that amount of \$343,295. There was an amendment made to that motion to exclude the Director of Community Development thereby reducing the transfer amount to \$336,317.00. There was a vote on that motion to amend and that was approved four to one to exclude that position. (Report received)

COUNCILLOR BETTENCOURT – Reporting for the Finance Committee – MOVE TO approve the transfer of funds from Salary Reserve to Various Department-Salaries (Non-Union Positions) excluding the Director of Community Development.

P122-09 COUNCILLOR GAMACHE – MOVE TO divide the vote regarding the previous Finance Committee motion to approve the transfer of funds from Salary Reserve to Various Departments-Salaries (Non-Union Positions) to include the Director of Community Development. (Carried 7-4; Councillors Gravel, Mello, Manning and Sinewitz opposed)

P123-09 COUNCILLOR BETTENCOURT - That makes our next motion moot because the next motion in Committee was to approve the transfer of funds for those ordinance positions from salary reserve to various department salaries. So there was a motion at that time to fund \$336,317.00, which was that amount requested minus the Community Development Director. (Report received)

P124-09 COUNCILLOR BETTENCOURT – Reporting for the Finance Committee – MOVE TO approve the transfer from Salary Reserve \$336,317.00 to Various Departments-Salaries \$336,317.00.

AMENDMENT BY COUNCILLOR GAMACHE – MOVE TO amend the motion to approve the transfer from **Salary Reserve \$343,295.00 to Various Departments-Salaries \$343,295.00.**
(Carried 7-3; Councillors Mello, Manning and Sinewitz opposed; Councillor Garabedian absent)

P125-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee – The next is a transfer of funds request for retained earnings skating rink to skating rink salaries in the amount of \$9,510. It was approved by the committee four to one. (Report received).

P126-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee – MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of December 29, 2008:

FROM:	TO:
Skating Rink - Retained Earnings - \$9,510.00	Skating Rink Salaries - \$9,510.00
(Carried 8-3; Councillors Mello, Manning and Sinewitz opposed)	

P127-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee – The last item was a transfer of funds request from retained earnings golf course to golf course salaries in the amount of \$20,300.00 and it was approved by the committee four to one. (Report received)

P128-09 COUNCILLOR BETTENCOURT - Reporting for the Finance Committee – MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of December 29, 2008:

FROM:	TO:
Golf Course - Retained Earnings - \$20,300.00	Golf Course Salaries - \$20,300.00
(Carried 8-3; Councillors Mello, Manning and Sinewitz opposed)	

Ad Hoc Committee on Energy Efficiency and Renewable Energy January 22, 2009

P129-09 COUNCILLOR MANNING - Reporting for the Ad Hoc Committee on Energy Efficiency and Renewable Energy - The Energy Efficiency and Renewable Energy Committee met this evening. In attendance were all five members: Councillors: Bettencourt, Gravel, Osborne, Garabedian and myself. Also in attendance were Mr. Robert Langley, acting Director of Public Services; Ms. Jean Delios, Director of Community Development; Ms. Martha Holden, Director of Library; Ms. Carolyn Wynn, Director of Council on Aging. Also in attendance was School Committee member Brandi Carpenter. The Committee met to prepare itself for the Green Communities Act, so that we could position ourselves to be in the running for portions of \$15 million from the state that's available under the Green Communities Act. There were three motions made. The first being that we officially asked the Mayor to formulate an Energy Committee consisting of various department heads and community representatives, and that motion passed five to zero. (Report received)

P130-09 COUNCILLOR MANNING - Reporting for the Ad Hoc Committee on Energy Efficiency and Renewable Energy - MOVE TO request that His Honor the Mayor appoint members to the Energy Committee consisting of various department heads and community representatives. (Unanimous)

P131-09 COUNCILLOR MANNING - Reporting for the Ad Hoc Committee on Energy Efficiency and Renewable Energy - Reporting for the Ad Hoc Committee on Energy Efficiency and Renewable Energy - The second motion also passed five to zero to have the City, effectively immediately, purchase only fuel-efficient municipal vehicles, when practical. (Report received)

P132-09 COUNCILLOR MANNING - Reporting for the Ad Hoc Committee on Energy Efficiency and Renewable Energy - MOVE TO request that the Purchasing Agent, effective immediately, purchase only fuel-efficient vehicles, when practical. (Unanimous)

P133-09 COUNCILLOR MANNING - Reporting for the Ad Hoc Committee on Energy Efficiency and Renewable Energy -The third motion was to have the City explore partnering with the state in utilizing the Department of Energy Resources Energy Audit Program. This program benchmarks and then audits municipally owned and operated buildings where energy savings could be made. That motion passed five to zero. (Report received).

P134-09 COUNCILLOR MANNING - MOVE TO request that the City of Peabody through the Mayor explore the possibility of partnering with the state in utilizing the Department of Energy Resources Energy Audit Program. (Unanimous)

MOTIONS, ORDERS & RESOLUTIONS

P135-09 COUNCILLOR BETTENCOURT - MOVE, under suspension of the rules, to go to Items 10-B and 10-C – appointments held over from January 8, 2009. (Unanimous)

P136-09 COUNCILLOR MANNING - MOVE TO defer, under suspension of the rules, Item 10-B Appointment - Daniel Cocuzzo, Assistant City Solicitor, until the next regularly scheduled City Council meeting and to refer the appointment to the Legal Affairs Committee. (Unanimous)

P137-09 COUNCILLOR GAMACHE - MOVE TO defer, under suspension of the rules, Item 10-C Appointment - Dr. Michael Woods, City Physician, until the next regularly scheduled City Council meeting and to refer the appointment to the Legal Affairs Committee. (Unanimous)

P138-09 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-M communication from Blair Haney, Community Development Department, regarding bikeway construction update and to refer to the Municipal Safety Committee. (Unanimous)

P139-09 COUNCILLOR DRISCOLL - MOVE TO receive and approve, under suspension of the rules, Item 9-B communication Use of the Wiggan Auditorium - Peabody Recreation Department for June 19th, subject to all papers being in order. (Unanimous)

P140-09 COUNCILLOR GAMACHE - MOVE TO send a communication thanking Kevin Kelley of the Public Services Department for the information regarding the patching of potholes. (Unanimous)

P141-09 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, late communication Item 1 from Timothy Spanos, City Clerk regarding 2009 Renewal - Class 1 Motor Vehicle Licenses. (Unanimous)

P142-09 COUNCILLOR GAMACHE - MOVE TO approve the following 2009 renewal applications for Class 1 Motor Vehicle Licenses, subject to all papers being in order:

Acura of Peabody, 209 Andover Street	BMW of Peabody, 221 Andover Street
Ira Audi, 252 Andover Street	Lamborghini of Boston, 215 Andover Street
Land Rover Peabody, 247 Newbury Street	Mini of Peabody, 246 Newbury Street
North Shore Lincoln Mercury, 1 Cross Street	(Unanimous)

P143-09 COUNCILLOR OSBORNE - MOVE TO request that Section 27-71 entitled "Removal Required on Certain Streets (Article V Snow Removal) of the City Code be amended to include the northerly side of Summit Street from the corner of Lynnfield Street to Summit Plaza parking lot. That's the ordinance requiring that snow be removed from sidewalks. (Unanimous)

P144-09 COUNCILLOR OSBORNE - MOVE TO request that the City Solicitor draft language for an ordinance requiring that the clearing of snow from any commercial property or parking lot not block any public sidewalk or access to the public sidewalk and that the sidewalk be clear and kept clear of snow at all times. The language in the ordinance shall also include that the ordinance be enforced by the Peabody Police Department and I request that the proposed language be submitted to the Municipal Safety Committee. (Unanimous)

P145-09 COUNCILLOR OSBORNE - MOVE TO request that the Peabody Municipal Light Plant investigate the area from the intersection of Lynnfield Street and Bartholomew Street to the area adjacent to number 231 Bartholomew Street to see if lighting improvements can be made in that area. That's the section that goes up the hill. There's no light at all from Lynnfield Street all the way up to the top of the hill. (Unanimous)

P146-09 COUNCILLOR ATHAS - MOVE TO receive and approve, under suspension of the rules, Item 8-A communication from Kevin Goggin, Building Commissioner, regarding the transfer of Special Permit 03-2000, Metro PCS, 192 Washington Street, subject to all papers being in order. (Unanimous)

P147-09 COUNCILLOR ATHAS - MOVE TO receive, under suspension of the rules, Item 8-J communication from Habitat for Humanity regarding balance sheet/profit & loss statement and to refer to the Industrial & Community Development Committee. (Unanimous)

P148-09 COUNCILLOR ATHAS - MOVE TO receive, under suspension of the rules, Item 8-P communication from Nate Jones, Community Development Department, regarding status of downtown post office and to refer to the Industrial & Community Development Committee. (Unanimous)

P149-09 COUNCILLOR SINEWITZ - MOVE TO request that the Public Services Department set up a resident hotline for pothole repair where people would call in to the Public Services Department, they'd get a prompt and they would leave their name and the location of the pothole. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

P150-09 COUNCILLOR GAMACHE - MOVE TO receive the communication from His Honor the Mayor submitting the appointment of Arthur Holden to the Cemetery Commission. (Unanimous)

P151-09 COUNCILLOR GAMACHE – MOVE TO approve the appointment of Arthur Holden, Jr., 19 Tara Ann Road, Peabody, MA to the Cemetery Commission for a three-year term to expire 02/01/2012. (Unanimous)

P152-09 COUNCILLOR GAMACHE - MOVE TO receive the communication from His Honor the Mayor submitting various appointments to the Historical Commission. (Unanimous)

P153-09 COUNCILLOR GAMACHE – MOVE TO approve the following appointments to the Historical Commission as submitted by His Honor the Mayor, under date of December 11, 2008:

<u>NAME:</u>	<u>POSITION:</u>	<u>TERM TO EXPIRE:</u>
John E. Brennan 3 Dexter Street Peabody, MA 01960	Historical Commission	12/31/2011 (2-Year Term)
Gerald P. Bellew 88 Washington Street Peabody, MA 01960	Historical Commission	12/31/2011 (2-Year Term)
Francis X. Hardy One Danforth Street Peabody, MA 01960	Historical Commission (Alternate Member)	12/31/2009 (1-Year Term)

(Carried 11-0)

P154-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from His Honor the Mayor regarding MMA State budget update. (Unanimous)

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P155-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Planning Board regarding Election of officers for 2009. (Unanimous)

P156-09 COUNCILLOR GAMACHE - MOVE TO receive and approve a communication from Kevin Goggin, Building Commissioner, regarding the transfer of Special Permit 4-1981 to Charles Halepakis, 484 Lowell Street, subject to all papers being in order. (Unanimous)

P157-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Scott Colby, Aggregate Industries, regarding January quarry closure meeting and be referred to the Ad Hoc Aggregate Closure Plan Committee. (Unanimous)

P158-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Mayor John F. Moak, Newburyport sending a letter of thanks regarding the transfer of surplus lamp heads at no cost. (Unanimous)

P159-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Richard Reeves, Treasurer, regarding Drug Prevention Fund account and to refer to the Ad Hoc Committee on Drug Education & Awareness. (Unanimous)

P160-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Massachusetts Association of Conservation Commissions regarding Brendan Callahan completing the MACC's Fundamentals for Conservation Commissioners training course. (Unanimous)

P161-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Board of Assessors regarding Nonprofit agencies/in lieu of payments and to refer to the Finance Committee. (Unanimous)

P162-09 COUNCILLOR GAMACHE - MOVE TO receive and approve a communication from Relay for Life c/o 32 Nancy Avenue, Peabody, regarding Banner request, subject to all papers being in order. (Unanimous)

P163-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Ahmad M. Farhat, 5 Warren Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P164-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Blair Haney, Community Development Department, regarding Crystal Lake update on dredging and to refer to the Ad Hoc Committee on Crystal Lake. (Unanimous)

P165-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Patricia Davis Schaffer, Finance Director, regarding 10 Centennial Drive, Children's Hospital and to refer to the Finance Committee. (Unanimous)

P166-09 COUNCILLOR GAMACHE - MOVE TO receive a communication from Jean Delios, Director, Community Development Department, regarding RFP, 103 Tremont Street and to refer to the Legal Affairs Committee. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P167-09 COUNCILLOR GAMACHE - MOVE TO receive and approve Taxi Cab License #7 Transfer - Tri City Services, Inc., subject to all papers being in order. (Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

{10-A regarding 19 Washington Street}

P168-09 COUNCILLOR GAMACHE - BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 19-81 of the City Code entitled Handicap Parking be adopted as advertised and read. (Carried 9-0; Councillors Driscoll and Liacos absent)

