

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JANUARY 10, 2008

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

ABSENT: NONE

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Arthur W. Athas.

Salute to the American Flag.

P01-08 COUNCILLOR GAMACHE – MOVE TO receive and approve the minutes from the last regular meeting of December 11, 2007. (Unanimous)

HEARINGS

A public hearing was duly held on the Special Permit application from Luciano P. Dinis, Maria A. Dinis, and Anna Maria Dinis, 102 & 104 Washington Street, Peabody, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P02-08 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, late communication Item 1 from Community Development Department regarding Updated Special Permit memo, 102-104 Washington Street. (Unanimous)

P03-08 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, late communication Item 4 from Attorney David L. Ankeles regarding 102-104 Washington Street. (Unanimous)

P04-08 COUNCILLOR GAMACHE - MOVE TO continue the public hearing on the Special Permit application from Luciano P. Dinis, Maria A. Dinis and Anna Maria Dinis, 102 & 104 Washington Street, Peabody, MA. (Unanimous)

A public hearing was duly held on the application from 194 Turnpike, LLC, 10 Bailey Terrace, Peabody, MA. Appearing to speak on behalf of said application was Attorney John R. Keilty, Ms. Carol Suleski, and Mr. Michael Trigilio. No one appeared to speak in favor. Mr. William A. Toomey, 33 Abington Avenue, Peabody, MA; Mr. Yakov Tseitlin, 18 Pine Street, Peabody, MA; Mr. Russell Donovan, 12 Quail Road, Peabody, MA and Mr. Ronald Christensen, 1 Roycroft Road, Peabody, MA appeared to speak in opposition.

P05-08 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, late communication Item 2 from Independent Living Center, 27 Congress Street, Salem regarding Letter in support of Special Permit, 190-194 Newbury Street. (Unanimous)

P06-08 COUNCILLOR GAMACHE - MOVE to receive, under suspension of the rules, Item 8-P communication from Community Development Department regarding Special Permit memo, 190-194 Newbury Street. (Unanimous)

P09-08 COUNCILLOR GAMACHE - MOVE TO continue the public hearing on the application from 194 Turnpike, LLC, 10 Bailey Terrace, Peabody, MA until the first City Council meeting in April. (Unanimous)

REPORTS OF COMMITTEE

None.

MOTIONS, ORDERS & RESOLUTIONS

P10-08 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-G communication from Patricia Davis Schaffer, Director of Finance, regarding Status of appropriations/city and to refer to the Finance Committee. (Unanimous)

P11-08 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-H communication from Patricia Davis Schaffer, Director of Finance, regarding Status of appropriations/schools and to refer to the Finance Committee. (Unanimous)

P12-08 COUNCILLOR BETTENCOURT - MOVE TO receive, under suspension of the rules, Item 8-I communication from Patricia Davis Schaffer, Director of Finance, regarding Summary of Fiscal '08 revenues and to refer to the Finance Committee. (Unanimous)

P13-08 COUNCILLOR SINEWITZ - MOVE TO request a communication be sent to Aggregate Industries requesting the status of the paving/regrading project of their front driveway and the status of the outer perimeter fences, as there are safety concerns with regard to open or broken fences. (Unanimous)

P14-08 COUNCILLOR SINEWITZ - MOVE TO schedule a meeting of the Ad Hoc Committee on Aggregate Industries for Thursday, January 31, 2008 at 6:30 p.m. to discuss the proposed expansion plan and to set dates for the monthly closure meetings. (Unanimous)

P15-08 COUNCILLOR GAMACHE - MOVE TO request an update from Community Development Department regarding the Crystal Lake project and to request Mr. Steve Wilcinski from Bioquatic Supply appear before the next Ad Hoc Committee on Crystal Lake meeting to explain to the committee exactly how he measured the depth of silt that was reduced in the area that he had used for a test site; and to also request an update from the Finance Director as to what we have spent and to whom we have spent it with regard to the Crystal Lake project. (Unanimous)

(MR. MICHAEL HOLLER, A REPRESENTATIVE OF AGGREGATE INDUSTRIES, APPEARED BEFORE THE CITY COUNCIL TO ADDRESS RECENT CONCERNS.)

P16-08 COUNCILLOR MELLO – MOVE, under suspension of the rules, to receive the late communication from Bob Barry, 49 North Central Street requesting to make North Central Street a dead end and request that the City Clerk inform the police department's traffic division and Mr. Barry and ask them if they could attend that subcommittee meeting for Municipal Safety. (Unanimous)

P17-08 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, Item 8-F communication from Harutjun Dermendjian, 145A Summit Street regarding Special Permit application and to set up a public hearing. (Unanimous)

P18-08 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, late communication Item 3 from Heather Scanlon, 27 East Main Street, Gloucester, MA regarding Junk Dealer License, 101 Lynn Street and to set up a public hearing. (Unanimous)

P19-08 COUNCILLOR OSBORNE - MOVE TO request a handicapped sign for 19 Rose Circle, and that an ordinance be drafted and advertised on the same. (Unanimous)

P20-08 COUNCILLOR OSBORNE - MOVE TO request a handicapped sign for 47A Bay State Road, and that an ordinance be drafted and advertised on the same. (Unanimous)

P21-08 COUNCILLOR ATHAS - MOVE TO request the Public Services Department for a sidewalk repair between the adjacent houses at 3 Milk Street and 21 Sutton Street. (Unanimous)

(COUNCILLOR GAMACHE NOMINATED COUNCILLOR GRAVEL TO THE POSITION OF ALTERNATE ON THE COMMUNITY PRESERVATION COMMITTEE)

P22-08 COUNCILLOR LIACOS - MOVE TO receive, under suspension of the rules, Item 8-M communication from Timothy Spanos, City Clerk, regarding Request for license fee increases and to refer to the Legal Affairs Committee. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

P23-08 COUNCILLOR OSBORNE - MOVE TO receive and approve the appointment of Eugene C. Bermani, 11 Daniel Terrace, Peabody, MA to the Rent Control Board (Regular Position) for a one-year term to expire 12/31/2008. (Unanimous)

P24-08 COUNCILLOR OSBORNE - MOVE THAT the City Council send a letter of appreciation to Ted Neary for the many years he served on the Rent Control Board. (Unanimous)

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P25-08 COUNCILLOR DRISCOLL - MOVE TO receive communication from Frank Nguyen, Office of Information Technology, regarding E-mails/city officials. (Unanimous)

P26-08 COUNCILLOR GAMACHE - MOVE TO receive communication from Bryan Howcroft, Peabody Municipal Light Plant, regarding 27 Emily Lane and to request that the City Clerk obtain an official appointment with the Planning Board on behalf of Mr. Polignone and myself to meet and speak with them concerning the issue of this light pole request. They did take it up in the meeting and I was notified that they denied the request, but I think there's more information needed for them to know the reason behind the request. (Unanimous)

P27-08 COUNCILLOR DRISCOLL - MOVE TO receive communication from Public Services Department regarding Work order/motion updates. (Unanimous)

P28-08 COUNCILLOR DRISCOLL - MOVE TO receive communication from Public Services Department regarding Streetlight requests. (Unanimous)

P29-08 COUNCILLOR DRISCOLL - MOVE TO receive communication from Public Services Department regarding Sidewalk repairs and to refer to the Municipal Safety Committee and to request Public Services Department appear at the next subcommittee meeting. (Unanimous)

P30-08 COUNCILLOR GRAVEL – MOVE TO request that with regards to the estimate of repair costs for sidewalks, move to further request that the Public Services Department provide to the City Council with an updated figure up to a 2007. (Unanimous)

P31-08 COUNCILLOR OSBORNE - MOVE TO receive communication from Mass Municipal Association regarding Revenue sharing partnership. (Unanimous)

P32-08 COUNCILLOR BETTENCOURT - MOVE TO receive communication from DHCD Assistance Unit regarding Working with local governments. (Unanimous)

P33-08 COUNCILLOR GAMACHE - MOVE TO receive communication from Timothy Spanos, City Clerk, regarding Presidential Primary warrant and request that said warrant be adopted and advertised as read. (Unanimous)

P34-08 COUNCILLOR GAMACHE - MOVE TO receive communication from Lt. Martin Cohan, Police Department, regarding Inspection report, 222 Newbury Street. (Unanimous)

P35-08 COUNCILLOR GAMACHE - MOVE TO receive communication from Kevin Goggin, Building Inspector, regarding Inspection report, 222 Newbury Street. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P36-08 COUNCILLOR BETTENCOURT - MOVE TO receive Pool & Billiard License (transfer) - Turnpike @ Winona, LLC, 128 Newbury Street and to set up a public hearing. (Unanimous)

P37-08 COUNCILLOR DRISCOLL - MOVE TO receive Lodging House License (transfer) - Skalkos Brothers, Inc., 12-14 Foster Street and to set up a public hearing. (Unanimous)

P38-08 COUNCILLOR BETTENCOURT - MOVE TO receive Class 2 Motor Vehicle License (transfer) - C & M Auto Motor of Peabody, Inc., 100 Foster Street and to set up a public hearing. (Unanimous)

P39-08 COUNCILLOR BETTENCOURT - MOVE TO receive Class 3 Motor Vehicle License (transfer) - C & M Auto Motor of Peabody, Inc., 100 Foster Street and to set up a public hearing. (Unanimous)

P40-08 COUNCILLOR BETTENCOURT - MOVE TO receive and approve Drainlayers License - Bedrock Contracting Corp., 389 Concord Road, Billerica, MA, subject to all papers being in order. (Unanimous)

P41-08 COUNCILLOR GAMACHE - MOVE TO receive and approve the following Taxi Cab License Transfers, subject to all papers being in order:

Community Taxi - License #17 Tri City Services - License #6 (Unanimous)

P42-08 COUNCILLOR GAMACHE - MOVE TO receive and approve the following Taxi/Limousine Driver Licenses, subject to all papers being in order:

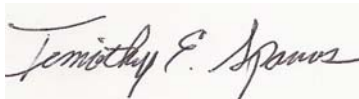
Andrew H. Thebeze, 7 Pauline Road, Danvers	Ruben Bocchetti, 12 Dobbs Road, Peabody
William Doucette, 9 Carlton Street, Peabody	Richard MacPherson, 6 Mount Vernon Street, Peabody
Bruce Devaney, 113 Broadway, Salem	Edwin Jodrie, 321 Cabot Street, Beverly
Kathleen Batchelder, 33 Greenway, Swampscott	Daniel Sirois, 16 ½ Chase Street, Salem
(Unanimous)	

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

P43-08 COUNCILLOR OSBORNE - MOVE TO receive late communication Item 3 from His Honor the Mayor regarding Vocational Merger update and to refer to the Finance Committee. (Unanimous)

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 9:55 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, JANUARY 17, 2007
RETURNED BY HIS HONOR THE MAYOR, JANUARY 17, 2007

ATTEST 
(Timothy E. Spanos, City Clerk)