

**REGULAR MEETING OF THE PEABODY CITY COUNCIL**  
**MARCH 31, 2016**

PRESENT: COUNCILLORS: MOUTSOULAS, WALSH, MANNING-MARTIN, CHAREST, SASLAW, TURCO, GRAVEL, GARABEDIAN, GOULD, AND MCGINN

ABSENT: COUNCILLOR: SINEWITZ

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Peter M. McGinn.

Salute to the American Flag.

P186-16 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the regular meeting of March 10, 2016. (Unanimous)

COUNCILLOR MCGINN - 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**

A public hearing was duly held on the Special Permit application from John P. Marrotta, Jr., 25 Sheffield Drive, Peabody, MA. Attorney John Keilty appeared to speak on behalf of the application. Ms. Irene Tsouvalas, Georgetown, MA; and Ms. Darryl Ann McCarthy, 47 Pulaski Street, Peabody, MA, appeared to speak in favor. Ms. Jean Souza, 12 Dobbs Road, Peabody, MA, appeared to speak in opposition.

P187-16 COUNCILLOR MOUTSOULAS – BE IT ORDERED by the City Council of the City of Peabody that the application from John P. Marrotta, Jr., 25 Sheffield Drive, Peabody, MA, for a Special Permit to continue use of basement of the premises as a hair salon/applicants will reside on the ground floor of ranch at 9 Dobbs Road, Peabody, MA, as filed in accordance with Sections 1.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reasons:

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.  
(Carried 9-0, Councillor Sinewitz and Councillor Turco absent)

P188-16 COUNCILLOR MOUTSOULAS – MOVE TO continue the public hearing on the Entertainment License application from Peabody Tipico Corporation, 80 Walnut Street. (Carried 10-0; Councillor Sinewitz absent)

A public hearing was duly held on the Special Permit application from NHR Realty, LLC, 39 West Water Street, Wakefield, MA. Attorney John Keilty appeared to speak on behalf of the application. Ms. Elizabeth Silveira, 13 Sawyer Lane, Middleton, MA, appeared to speak in favor. No one appeared to speak in opposition.

P189-16 COUNCILLOR MCGINN – BE IT ORDERED by the City Council of the City of Peabody that the application from NHR Realty, LLC, 39 West Water Street, Wakefield, MA, for a Special Permit to ratify addition of second floor space to preexisting, nonconforming commercial structure in R-2 zoning district and to allow the continued use of the premises as the office and shop of a mechanical contractor at 22 Stevens Street (R), Peabody, MA, as filed in accordance with Sections 1.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason 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. That the specific type of mechanical contractor be that of a heating ventilation and air conditioning contractor;
2. In accordance with the special permit application, business hours of operation shall be from 7:00 a.m. to 6:00 p.m. Monday through Friday excluding public holidays for normal operations and seven (7) days per week, twenty-four (24) hours per day exclusively to access needed tools and materials on the premises to support emergency service calls;
3. That vehicles used to support normal operations not exceed the size of a commercial van;
4. That the number of vehicles stored on the premises outside hours of normal operations not exceed six (6) vehicles;
5. No pickup or delivery of supplies utilizing trucks shall occur on Saturday or Sunday or on public holidays or between the hours of 5:00 p.m. and 7:00 a.m. on any other day of the week;
6. No apparatus, including, but not limited to, antennas or satellite receiving devices, shall be placed on any roof or any façade of the structure where visible from Stevens Street;
7. Any sign shall comply with the Zoning Ordinance of the City of Peabody and be limited in size so as to not be objectionable to abutters;
8. All trash and recycling shall be contained such that it is not visible from Stevens Street and adequately screened such that it is not visible to abutters;
9. Trash and recycling materials shall be removed by a private trash removal service and no municipal trash pickup shall be provided. For the avoidance of doubt, trash collection shall be in accordance with the ordinances of the City of Peabody and no trash or refuse or recycling collections shall occur between the hours of 7:00 p.m. and 7:00 a.m. of any day of the week;
10. In accordance with the special permit application, construction hours of operation shall be from 8:00 a.m. to 5:00 p.m. Monday through Saturday;
11. In proportion with the petitioner's interest in the right of way to the premises, petitioner shall make reasonable commercial effort to work with abutters to undertake maintenance of such right of way including improvements and snow removal; and
12. Alleged violations of special permit conditions may result in a show cause hearing at the City Council.

(Carried 10-0; Councillor Sinewitz absent)

A public hearing was duly held on the Special Permit application from Onyx Renewable Partners, 125 E 56<sup>th</sup> Street, New York, NY. Attorney John Keilty appeared to speak on behalf of the application. Mayor Bettencourt appeared to speak on behalf of the City. Mr. Glenn Trueira appeared to speak on behalf of the Peabody Municipal Light Plant. No one appeared to speak in favor. Mr. Paul Aiello, 154 Newbury Street #8, Peabody, MA, and Mr. John Cox, 11 Jill's Way, Peabody, MA, appeared to speak in opposition.

P190-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-B communication from Robert Langley, Director of Engineering, regarding Special Permit memo; 201 Warren Street Extension. (Unanimous)

P191-16 COUNCILLOR CHAREST – BE IT ORDERED by the City Council of the City of Peabody that the application from Onyx Renewable Partners, 125 E 56th Street, New York, NY, for a Special Permit to install ground-mounted photovoltaic solar panels on city-owned property located at 201 Warren Street Extension, Assessors Map 63, Parcel 95, Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason 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. The developer shall provide a screen of trees or shrubs on abutters' land;
2. No trees on private property shall be removed;
3. The developer shall employ a tagging system on trees to be removed;
4. Any damage to private property to be made whole.
5. The applicant shall work with a licensed soil evaluator to confirm soil textures and determine the seasonal high groundwater table in the areas of the infiltration basins. The applicant's representative shall contact the Department of Public Services to setup an agreeable time for soil testing.
6. Both the northerly and southerly solar array installations calls for areas of 8 foot cuts into the existing slope. Preliminary soil testing is to be conducted to determine if seasonal groundwater will be encountered.
7. The site plan shall clearly define the top of the northerly basin, it appears to be between elevation 81 and 82. The Hydro-CAD calls for the top of the basin to be at elevation 82;
8. The site plan shall clearly define the top of the southerly basin, it appears to be between elevation 80 and 81. The Hydro-CAD calls for the top of the basin to be at elevation 81;
9. An emergency spillway shall be designed for both basins in order to prevent basin overtopping;
10. A detail for both basin outlet control structure shall be included on the site plan;
11. The engineer shall design a means to reduce potential scouring of the soil at the basin outlet. Currently the outlet pipe is set at a 16% slope.
12. Erosion control shall be shown on the site plan at the limits of the construction, to reduce the potential of sediment entering the riparian zone.
13. The applicant's engineer is utilizing a CN of 61 and 74 for post construction grass cover of greater than 75% under the solar arrays. The engineer shall verify what the expected percentage of grass cover under the solar arrays is to be.

(Carried 10-0; Councillor Sinewitz absent)

P192-16 COUNCILLOR MOUTSOULAS – MOVE THAT the Special Permit application from Onyx Renewable Partners, 125 E 56<sup>th</sup> Street, New York, NY, for property at 0 Old County Road, Peabody, MA, be allowed to be withdrawn, without prejudice. (Carried 10-0; Councillor Sinewitz absent)

A public hearing was duly held on the Special Permit application from Detour Cars, LLC, Michael G. Markos, 241 Newbury Street, Danvers, MA. Attorney Athan Vontzalides appeared to speak on behalf of the application. Ms. Lorraine Hutchins, 154 Newbury Street #33, Peabody, MA; and Mr. Liberato Ricci, 154 Newbury Street #20, Peabody, MA, appeared to speak in favor. No one appeared to speak in opposition.

P193-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, late communication Item1 from Attorney Athan Vontzalides, 246 Andover Street submitting a revised site plan for 154 Newbury Street. (Unanimous)

P194-16 COUNCILLOR SASLAW – BE IT ORDERED by the City Council of the City of Peabody that the application from Detour Cars, LLC, Michael G. Markos, 241 Newbury Street, Danvers, MA, for a Special Permit to use the premises for automotive sales at 154 Newbury Street (A), Peabody, MA, as filed in accordance with Sections 4.2.5, 6.1, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason 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. The Special Permit is nontransferable. The Special Permit is nontransferable as granted only to Detour Cars, LLC, Michael G. Markos.  
Any change in ownership shall require a new public hearing for said use.
2. No hours of operation until a Class 2 Motor Vehicle License is obtained; and
3. Construction hours shall be 7:00 a.m. to 7:00 p.m. Monday through Friday and from 8:00 a.m. to 6:00 p.m. Saturday, and no Sunday hours.

(Carried 10-0; Councillor Sinewitz absent)

**REPORTS OF COMMITTEE**

**LEGAL AFFAIRS COMMITTEE**  
**MARCH 24, 2016**

P195-16 COUNCILLOR WALSH – Reporting for the Legal Affairs Committee - On March 24th the Legal Affairs Committee met. There were a couple of items before us: One being the revised Special Permit application. Councillors, you had a chance to review that. Probably a couple of the things that are a little bit different from the way we have been conducting business is that the fee for filing has increased \$25 from \$75 to \$100, that there'll be 20 copies required as opposed to 18, and the signature pages are to be notarized. And then there is also an effort that all the plans be no larger than 11 by 17 and the reason for that is that the capacity for storage of these plans is becoming very limited. So those are the highlights of this application. As you know, this really stems from the issues we had when P.K. Motors was before us. So that was adopted. We had Councillors: Turco, Garabedian and Gould present, with myself that evening. (Report received)

P196-16 COUNCILLOR WALSH – Reporting for the Legal Affairs Committee – MOVE TO revise the Special Permit application to include a \$100 filing fee, an increase to 20 copies, that the signature page be notarized, and that all plans filed be no larger than 11 inches by 17 inches. (Unanimous)

P197-16 COUNCILLOR WALSH – Reporting for the Legal Affairs Committee - The other item that we had in Committee was a discussion on the linkage of council salary to the mayor's salary and a motion was made to have a legal opinion from the City Solicitor regarding whether an individual Councillor can decide not to accept an increase or whether the salary of the Councillor has to be the same for everybody and then they choose what they want to do. (Report received)

P198-16 COUNCILLOR WALSH – Reporting for the Legal Affairs Committee – MOVE TO request that the City Solicitor provide a legal opinion to the City Council regarding whether a City Councillor must take a pay increase. (Unanimous)

**MUNICIPAL SAFETY COMMITTEE**  
**MARCH 31, 2016**

P199-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee - The Municipal Safety Committee met tonight; present were Councillor Gravel, Councillor Charest, Councillor Walsh, Councillor McGinn, Councillor Manning, and Councillor Saslaw. There were several items, several

motions. Basically there was a discussion about an alternative route for bus service, rather than using Forest Street. (Report received)

P200-16 COUNCILLOR GARABEDIAN –Reporting for the Municipal Safety Committee – MOVE TO request that our City Representative Mr. Ryder investigate searching for an alternative route for bus service on Forest Street. (Unanimous)

P201-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee – The motion to consider changing to a one-way traffic flow on Little's Lane, which Councillor Gravel made, was withdrawn and Councillor Gravel made the following motion. (Report received)

P202-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee - MOVE TO request that the Community Development Department investigate placing warning lights on the buildings that abut Little's Lane to warn pedestrians when vehicles are approaching Main Street. (Unanimous)

P203-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee - Councillor Charest made a motion to investigate Lowell Street eastbound where vehicles are queuing too early for Jennifer Lane. Councillor Charest made the following motion. (Report received)

P204-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee - MOVE TO request that the Public Services Department paint fog lines and install signage on Lowell Street approaching Jennifer Lane to prohibit vehicles from queuing too early. (Unanimous)

P205-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee – MOVE TO request that Fire Alarm, in conjunction with the Police Department, investigate the timing of the traffic lights on Lowell Street at King Street and Lowell Street at Forest Street. (Unanimous)

P206-16 COUNCILLOR GARABEDIAN – Reporting for the Municipal Safety Committee - Councillor Charest requested that the Police Department investigate adding a three-way "Stop" sign for the intersection of Franklin Street at Chestnut Street and we will keep that in Committee until Captain Richards has time to investigate. (Report received)

## **FINANCE COMMITTEE**

### **MARCH 31, 2016**

P207-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee - There was a Finance Committee meeting held this evening and in attendance were myself as chair, Councillor Gould, Councillor Manning-Martin, Councillor Saslaw, Councillor Walsh representing the Committee, as well as Councillor McGinn who played the role of the substitute committee member twice, and Councillor Charest. There were several items on the agenda: Three of the items were statements of interest that are looking to be submitted to the MSBA; they were for the Burke School, the Center School, and the Welch School. We were given an update by the mayor as to the priority, the priority being number 1, the Welch School; number 2, the Burke school; number 3, the Center School. Two of these were for HVAC improvements; one of them was for HVAC and window improvements; the third -- the Center School -- was for a feasibility study. There's no guarantee that we ever get these from the MSBA, but clearly the only way we can get in there is to put in our statement of interest. With that being said, the following motions were made. (Report received)

P208-16 COUNCILLOR GRAVEL - COUNCILLOR GRAVEL – Reporting for the Finance Committee – BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEABODY: Having convened in an open meeting on March 31, 2016, prior to the closing date, the City Council of the City of Peabody, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority as **Priority #1** the Statement of Interest Form dated April 8, 2016, for the **Welch School, located at 50 Swampscott Avenue**, Peabody, Massachusetts, which describes and explains the following deficiencies and the priority category (s) for which an application may be submitted to the Massachusetts School Building Authority in the future.

The MSBA Priority selected is Priority #5, "Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy related costs in a school facility."

The specific objective of this SOI is to seek MSBA support for building repair including conversion of this all electrically heated school to natural gas, replacement of the existing, obsolete and no longer serviceable HVAC system and controls and replacement of windows and exterior doors throughout the school.

And...The City Council hereby further specifically acknowledges that by submitting this Statement of Interest Form the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.  
(Carried 10-0; Councillor Sinewitz absent)

P209-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEABODY: Having convened in an open meeting on March 31, 2016, prior to the closing date, the City Council of the City of Peabody, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority as **Priority #2** the Statement of Interest Form dated April 8, 2016, for the **Burke School, located at 127 Birch Street**, Peabody, Massachusetts, which describes and explains the following deficiencies and the priority category (s) for which an application may be submitted to the Massachusetts School Building Authority in the future.

The MSBA Priority selected is Priority #5, "Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy related costs in a school facility."

The specific objective of this SOI is to partner with the MSBA to replace obsolete unit ventilators, cabinet heaters and gym and cafeteria air handling units with modern HVAC equipment and controls. In addition, this SOI includes the restoration of casework along the classroom window walls interfacing with the new unit ventilators. The preliminary design for the unit ventilator and control portion of this work has already been accomplished and part of our successful Green Repair work. Repair of the heating distribution system and controls is necessary as HV equipment at the Burke has reached the end of its useful life.

And...The City Council hereby further specifically acknowledges that by submitting this Statement of Interest Form the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.  
(Carried 10-0; Councillor Sinewitz absent)

P210-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEABODY: Having convened in an open meeting on March 31, 2016, prior to the closing date, the City Council of the City of Peabody, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority, as **Priority #3**, the Statement of Interest Form dated April 8, 2016, for the **Center School located at 18 Irving Street**, Peabody, Massachusetts, which describes and explains the following deficiencies and the priority category (s) for which an application may be submitted to the Massachusetts School Building Authority in the future.

The MSBA Priority selection is Priority #7, "Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements".

The specific objective of this SOI is to seek MSBA support for a feasibility study for the replacement of the Center School. The educational deficits of the Center School are articulated in the Center School SOI and include the need for gym space, cafeteria space, food service server and kitchen space, much needed upgrades to classrooms, meeting rooms, electrical, plumbing and HVAC systems.

And...The City Council hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.  
(Carried 10-0; Councillor Sinewitz absent)

P211-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – MOVE TO approve the following transfer of funds submitted by His Honor the Mayor under date of March 3, 2016:

**FROM:**

Unreserved Fund Balance - \$18,000.00  
100-1320-57410  
(Carried 10-0; Councillor Sinewitz absent)

**TO:**

Library Salaries - \$18,000.00  
100-6010-51110

P212-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – MOVE TO approve the following transfer of funds submitted by His Honor the Mayor under date of March 3, 2016:

**FROM:**

Unreserved Fund Balance - \$459,200.00  
100-1320-57410  
(Carried 10-0; Councillor Sinewitz absent)

**TO:**

Police Salaries - \$459,200.00  
100-2100-51110

P213-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – MOVE TO approve the following transfer of funds submitted by His Honor the Mayor under date of March 3, 2016:

**FROM:**

Unreserved Fund Balance - \$142,120.00  
100-0000-35901  
(Carried 10-0; Councillor Sinewitz absent)

**TO:**

Various Departments Salaries - \$142,120.00  
(AFSCME)

P214-16 COUNCILLOR GRAVEL – Reporting for the Finance Committee – MOVE TO approve the following transfer of funds submitted by His Honor the Mayor under date of March 3, 2016:

**FROM:**

Unreserved Fund Balance - \$620.00  
430-33101  
(Carried 10-0; Councillor Sinewitz absent)

**TO:**

Skating Rink Salaries - \$620.00  
430-6990-51119

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

P215-16 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, Item 8-D communication from Vasilios Stephanides, St. Val's Men's Club, 5 Paleologos Street, Peabody, MA, requesting approval of a Carnival Permit and location of a banner. (Unanimous)

P216-16 COUNCILLOR MOUTSOULAS – MOVE TO approve the application from the St. Val's Men's Club, 5 Paleologos Street, Peabody, MA, for a Carnival Permit to operate a carnival in the church parking lot across from the church at the corner of Paleologos Street and Walnut Street on Thursday, June 9, 2016, from 6:00 p.m. to 10:00 p.m.; Friday, June 10, 2016, from 6:00 p.m. to 10:00 p.m.; and Saturday, June 11, 2016, from 11:00 a.m. to 11:00 p.m. The carnival operator will be Cushing Amusements of Wilmington, MA. Approval is subject to all papers being in order. (Unanimous)

P217-16 COUNCILLOR MOUTSOULAS – MOVE TO approve a banner request from the St. Val's Men's Club, 5 Paleologos Street, Peabody, MA, to hang a banner on Central Street @ Wilson Square, subject to all papers being in order. (Unanimous)

P218-16 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, Item 8-F communication from CPR Auto Refinishing, Inc., 23 Upton Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P219-16 COUNCILLOR MOUTSOULAS – MOVE TO receive, under suspension of the rules, Item 8-H communication from Dennis Feld and Reeda Michele Feld, 54 Endicott Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

{10-B regarding 9 Oakland Street}

P220-16 COUNCILLOR MOUTSOULAS – 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 Zone be adopted as amended and read. (Carried 10-0; Councillor Sinewitz absent)

P221-16 COUNCILLOR MANNING-MARTIN – MOVE TO request that the Public Services Department and Mike Shue, Superintendent of Treatment, to attend the next Public Services Committee to discuss the City's interest in applying for the interest-free loans that the MWRA is offering cities and towns to replace lead pipes. (Unanimous)

P222-16 COUNCILLOR MANNING-MARTIN – MOVE TO request that Bob Langley, Public Services Department, appear before the Public Services Committee to discuss the sidewalk repair list and the road surface management plan. (Unanimous)

P223-16 COUNCILLOR MANNING-MARTIN: "The 6th Annual Greenfest will be held on Saturday, April 30th, at the Brown School."

P224-16 COUNCILLOR CHAREST – MOVE TO request that the Peabody Municipal Light Plant provide the City Council with the status of the removal and replacement of all the double poles throughout the City. (Unanimous)

P225-16 COUNCILLOR CHAREST: "I'd like to recognize the recent loss of Mr. Tsapatsaris, a retired Peabody Police Officer and long-time resident of Ward 4."

P226-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-C communication from Planning Board regarding Minutes and agenda. (Unanimous)

P227-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-I communication from Planning Board regarding Zoning recommendation; 274 Newbury Street. (Unanimous)

P228-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-L communication from 535 Lowell Street Peabody, LLC, 535 Lowell Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P229-16 COUNCILLOR SASLAW – MOVE TO receive, under suspension of the rules, Item 8-J communication from James Kaloutas, 34 Railroad Avenue, regarding Special Permit application and to set up a public hearing. (Unanimous)

P230-16 COUNCILLOR TURCO – MOVE TO request a handicapped sign for 1 Krochmal Road, excluding the property line on the Lynnfield Street side, and that an ordinance be drafted and advertised on the same. (Unanimous)

P231-16 COUNCILLOR TURCO – Whereas an emergency condition exists affecting the health, safety and welfare of citizens of the City of Peabody; therefore be it ordered by the City Council of the City of Peabody that the Public Services Department repair a sinking sewer cover at the end of Blair Terrace. (Emergency Preamble - Carried 10-0; Councillor Sinewitz absent)  
(Motion to adopt - Carried 10-0; Councillor Sinewitz absent)

P232-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding General Obligation Bonds and Refunding Bonds and to refer to the Finance Committee. (Unanimous)

P233-16 COUNCILLOR GRAVEL – MOVE TO request that the Community Development Director provide the City Council with the status of purchasing a new sound system for the Wiggin Auditorium. (Unanimous)

P234-16 COUNCILLOR GRAVEL – MOVE TO request that the Community Development Director provide the City Council with the status of repairs to the ceilings in the Wiggin Auditorium. (Unanimous)

P235-16 COUNCILLOR GRAVEL – MOVE TO receive, under suspension of the rules, Item 8-G communication from Maria Torres, 10 Lowell Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P236-16 COUNCILLOR MCGINN – MOVE TO request a handicapped sign for 45 Washington Street, and that an ordinance be drafted and advertised on the same. (Unanimous)

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

Previously received.

### **COMMUNICATIONS FROM CITY OFFICERS AND OTHERS**

P237-16 COUNCILLOR GRAVEL – MOVE TO receive a communication from Robert Langley, Director of Engineering, regarding Special Permit memo; 0 Old County Road, and to refer to the public hearing. (Unanimous)

P238-16 COUNCILLOR WALSH – MOVE TO receive a communication from Chief Thomas Griffin, Police Department, regarding Letter of thanks. (Unanimous)

### **PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES**

P239-16 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Use of the Wiggin Auditorium, subject to all papers being in order:

North Shore Community Action Program – June 20<sup>th</sup>  
 Jaclyn Tomaselli and Joel Nicotera – September 23<sup>rd</sup> and 24<sup>th</sup>  
 (Unanimous)

P240-16 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Taxi/Limousine Driver License, subject to all papers being in order:

Wayne Swiggard – License 91  
 Michael Denis – License 93  
 (Unanimous)

P241-16 COUNCILLOR GRAVEL – MOVE TO receive and approve the following Junk Dealer License (Renewal for 2016), subject to all papers being in order:

Bill's Salem Music and Fofos, 136 Main Street  
 Kay Jewelers #1244, 210 Andover Street  
 (Unanimous)

**UNFINISHED BUSINESS FROM THE PRECEDING MATTER**

P242-16 COUNCILLOR GRAVEL – BE IT ORDERED by the City Council of the City of Peabody that an Ordinance Amending Section 2-13 of the Code entitled Salary of the Mayor of the City of Peabody be adopted as advertised and read. (Carried 6-0; Councillor Manning-Martin voting present; Councillor Moutsoulas, Councillor Walsh, Councillor Sinewitz, and Councillor Garabedian absent)

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 10:00 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, APRIL 8, 2016

RETURNED BY HIS HONOR THE MAYOR, APRIL 8, 2016



ATTEST

(Timothy E. Spanos, City Clerk)

**COMMUNICATIONS:**

His Honor the Mayor re: General Obligation Bonds and Refunding Bonds  
 Robert Langley, Director of Engineering re: Special Permit memo; 0 Old County Road  
 Robert Langley, Director of Engineering re: Special Permit memo; 201 Warren Street Extension  
 Planning Board re: Minutes and agenda  
 Vasilios Stephanides, St. Val's Men's Club, 5 Paleologos Street re: Request for Carnival Permit and banner  
 Chief Thomas Griffin, Police Department re: Letter of thanks  
 CPR Auto Refinishing, Inc., 23 Upton Street re: Special permit application  
 Maria Torres, 10 Lowell Street r: Special permit application  
 Dennis Feld and Reeda Michele Feld, 54 Endicott Street re: Special permit application  
 Planning Board re: Zoning recommendation/ 274 Newbury Street  
 James Kaloutas, 34 Railroad Avenue re: Special permit application  
 Cellco Partnership d/b/a Verizon Wireless c/o McLane Middleton, PA for 38 Coolidge Avenue re: Special permit application  
 535 Lowell Street Peabody LLC, 535 Lowell Street re: Special permit application

**USE OF THE WIGGIN AUDITORIUM:**

North Shore Community Action Program – June 20<sup>th</sup>  
 Jaclyn Tomaselli and Joel Nicotera – September 23<sup>rd</sup> and 24<sup>th</sup>

**TAXI/LIMOUSINE DRIVER LICENSE:**

Wayne Swiggard – License 91  
 Michael Denis – License 93

**JUNK DEALER LICENSE:** (Renewal for 2016)

Bill's Salem Music and Fofos, 136 Main Street  
 Kay Jewelers #1244, 210 Andover Street