

REGULAR MEETING OF THE PEABODY CITY COUNCIL
APRIL 28, 2011

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

ABSENT: COUNCILLOR OSBORNE

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Anne M. Manning-Martin.

Salute to the American Flag.

P247-11 COUNCILLOR GAMACHE - MOVE TO receive and approve the minutes from the last regular meeting of March 24, 2011. (Unanimous)

COUNCILLOR MANNING-MARTIN - 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.

(THE 2010-2011 ST. ADELAIDE'S CYO GIRL'S BASKETBALL TEAM WAS INTRODUCED AND AWARDED CERTIFICATE OF ACHIEVEMENT FROM THE CITY COUNCIL)

HEARINGS

A public hearing was duly held on the Zoning Ordinance and Zoning Map of the City of Peabody. Appearing to speak on behalf of the City of Peabody was Ms. Karen Sawyer, Director of Community Development Department. Mr. Terrence Murphy, 26 Patricia Road, Peabody, MA; Ms. Michelle Talisman, Chair of the Government Affairs Committee for the Peabody Area Chamber of Commerce; and Mr. Peter McGinn, 8 Park Street, Peabody, MA appeared to speak in favor. Ms. Caroline Busta, 44 Pulaski Street, Peabody, MA; Mr. Arthur Gordon, 65 Main Street, Peabody, MA; Ms. Deborah Ferreras, 8 Little's Lane, Peabody, MA; Mr. George O'Brine, 24 Main Street, Peabody, MA; Attorney John Keilty on behalf of Mr. William Colletti and Mr. Paul Ferragamo, 40 Lowell Street, Peabody, MA; Mr. Mark Mahoney and Mr. Joseph Mahoney, 103 Foster Street, Peabody, MA; Ms. Kathy Wells, 22 Westview Circle, Peabody, MA; Mr. Richard Medina, 1B Laurel Street, Peabody, MA; Mr. John Surman, 53 Pulaski Street, Peabody, MA; Mr. James Ozuski, 18 Peabody Square, Peabody, MA; and Mr. Russell Donovan, 12 Quail Road, Peabody, MA appeared to speak in opposition.

P248-11 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, late communication Item 6 from Nelson Gagnon, Peabody property owner, regarding Opposed to Little's Lane/Sprint Street/Park Street area from B-C to R-2. (Unanimous)

P249-11 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, Item 8-V communication from Planning Board regarding Recommendations regarding proposed amendments to the Zoning Ordinance and Zoning Map. (Unanimous)

P250-11 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, Item 8-AA communication from John J. Surman, 53 Pulaski Street, regarding Request amendments to proposed zoning revision package. (Unanimous)

P251-11 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, Item 8-X communication from Arthur Gordon, Gordon Realty, 65 Main Street, regarding Opposed to proposed rezoning in the downtown area. (Unanimous)

P252-11 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, late communication Item 2 from Wendy Thomas, 10 Westview Circle, regarding I-L zone, Pulaski Street. (Unanimous)

P253-11 COUNCILLOR LIACOS - MOVE TO defer the issue of the Pulaski Street zoning district to the Industrial & Community Development Committee for further discussion. (Carried 10-0; Councillor Osborne absent)

P254-11 COUNCILLOR SINEWITZ - MOVE THAT industries associated with recycling and green jobs be allowed by right in the I-P District and the DDD District and be allowed in the I-L District by Special Permit. (Carried 10-0; Councillor Osborne absent)

P255-11 COUNCILLOR GRAVEL- BE IT ORDERED by the City Council of the City of Peabody that the Zoning Ordinance entitled, City of Peabody Zoning Ordinance-1978, as amended, and the Zoning Map of the City of Peabody entitled, City of Peabody Zoning Map 2006, Scale 1" = 800', as amended, are hereby further amended by approving and adopting the zoning ordinance entitled "City of Peabody Zoning Ordinance – 2011" which ordinance is comprised of the following sections:

SECTION 1: General
 SECTION 2: Definitions
 SECTION 3: Establishment of Zoning Districts
 SECTION 4: Use Regulations
 SECTION 5: B-C/GBD Downtown Districts
 SECTION 6: Special Regulations
 SECTION 7: Dimensional Regulations
 SECTION 8: Flood Boundary and Wetlands Conservancy District
 SECTION 9: Parking
 SECTION 10: Landscaping
 SECTION 11: Signs
 SECTION 12: Site Plan Review
 SECTION 13: Development Impact Review
 SECTION 14: Removal of Earth Products
 SECTION 15: Administration

Said ordinance shall also include each and every zoning district as set forth on a Zoning Map of the City of Peabody entitled "City of Peabody Zoning Map – 2011" which has designated thereon the following districts:

| | |
|---|-------|
| RESIDENCE | R-1 |
| RESIDENCE | R-1A |
| RESIDENCE | R-1B |
| RESIDENCE | R-2 |
| RESIDENCE | R-3 |
| RESIDENCE | R-4 |
| RESIDENCE | R-5 |
| GENERAL BUSINESS | GB |
| GENERAL BUSINESS DOWNTOWN | GBD |
| MOBILE HOMES | MH |
| REGIONAL BUSINESS | BR |
| CENTRAL BUSINESS | B-C |
| NEIGHBORHOOD CONVENIENCE BUSINESS | B-N |
| NEIGHBORHOOD CONVENIENCE BUSINESS 2 | B-N2 |
| LIGHT INDUSTRIAL | I-L |
| INDUSTRIAL PARK | I-P |
| DESIGNATED DEVELOPMENT DISTRICT | DDD |
| FLOOD PLAIN/WETLANDS DISTRICT | FPWD |
| SURFACE AND GROUND WATER PROTECTION DISTRICTS | SGWPD |

And further that The City of Peabody Zoning Map 2011 shall include conservancy districts as set forth on a map entitled "Wetlands Conservancy Map" and "Surface and Ground Water Protection Districts" which is a part hereof:

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

SECTION THREE: This ordinance shall take effect as provided by law.

BE IT ORDAINED THAT SAID ZONING ORDINANCE AND ZONING MAP BE ADOPTED AS AMENDED AND READ. (Carried 10-0, Councillor Osborne absent)

RECONSIDERATION BY COUNCILLOR GRAVEL - Immediate reconsideration hoping same shall not prevail. (Failed 10-0, Councillor Osborne absent)

P256-11 COUNCILLOR DRISCOLL - MOVE TO receive and approve, under suspension of the rules, Item 8-N communication from T-Mobile Northeast LLC for 0 Fairview Avenue regarding Request to withdraw without prejudice; Special permit application. (Unanimous)

The City Council reconvened the recessed public hearing on the application from DC Trust, LLC, 134-R Newbury Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Dean Collins. No one appeared to speak in favor. No one appeared to speak in opposition.

P257-11 COUNCILLOR GAMACHE - MOVE TO approve the application to amend a Class 2 Motor Vehicle License from DC Trust, LLC, 134-R Newbury Street, Peabody, MA to define the number of vehicles allowed for sale at any one time to indicate nine (9) vehicles stored indoors and three (3) vehicles stored outdoors for sale. (Carried 10-0; Councillor Osborne absent)

The City Council reconvened the recessed public hearing on the application from Northshore Automotive, 100 Birney Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Dana Roby. No one appeared to speak in favor. No one appeared to speak in opposition.

P258-11 COUNCILLOR ATHAS - MOVE TO approve the application for a Class 2 Motor Vehicle License from Northshore Automotive, 100 Birney Street, Peabody, MA with the condition that there be a maximum of ten (10) vehicles with indoor storage of vehicles only. (Carried 10-0; Councillor Osborne absent)

A public hearing was duly held on the Special Permit application from James A. Kekeisen, 42 Walker Road, Manchester, MA. Appearing to speak on behalf of said application was Mr. James A. Kekeisen. No one appeared to speak in favor. No one appeared to speak in opposition.

P259-11 COUNCILLOR GAMACHE - BE IT ORDERED by the City Council of the City of Peabody that the application from James A. Kekeisen, 42 Walker Road, Manchester, MA for a Special Permit to operate an automobile service station for the repair and maintenance of automobiles and light trucks at 147 Summit Street, Building 3C, 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. The hours of operation shall be 7 a.m. to 8 p.m. Monday through Saturday; 10 a.m. to 5 p.m. on Sunday. (Carried 10-0; Councillor Osborne absent)

A public hearing was duly held on the Special Permit application from Shree Sairam Corp., 18 Johnson Avenue, Peabody, MA. Appearing to speak on behalf of said application was Attorney John Keilty. No one appeared to speak in favor. No one appeared to speak in opposition.

P260-11 COUNCILLOR GAMACHE - BE IT ORDERED by the City Council of the City of Peabody that the application from Shree Sairam Corp., 18 Johnson Avenue, Peabody, MA for a Special Permit to operate a retail establishment selling general merchandise only at 672 Lowell 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. The hours of operation shall be 6 a.m. to 10 p.m. seven days a week.
(Carried 10-0; Councillor Osborne absent)

A public hearing was duly held on Petition 09-117 for the installation of three (3) poles for street lighting on the northeasterly side of Bartholomew Street from Lynnfield Street to 233 Bartholomew Street, Peabody, MA from Peabody Municipal Light Plant, 201 Warren Street Extension, Peabody, MA. Mr. Roy Simoes appeared to speak on behalf of said application. No one appeared to speak in favor. No one appeared to speak in opposition.

P261-11 COUNCILLOR GAMACHE - MOVE TO approve Petition 09-117, as submitted by Peabody Municipal Light Plant, 201 Warren Street Extension, Peabody, MA for the installation of three (3) poles for street lighting on the northeasterly side of Bartholomew Street from Lynnfield Street to 233 Bartholomew Street, Peabody, MA.
(Carried 10-0; Councillor Osborne absent)

P262-11 COUNCILLOR GAMACHE - MOVE TO request that the Public Services Department forward their approval to the Peabody Municipal Light Plant for the installation of street lights as approved in Petition 09-117.
(Carried 10-0; Councillor Osborne absent)

REPORTS OF COMMITTEE**FINANCE COMMITTEE
APRIL 28, 2011**

P263-11 COUNCILLOR GAMACHE - Reporting for the Finance Committee - This evening the Finance Committee met. Present were myself, Councillor Gravel and Councillor Athas. The first request was to increase the White Good Sticker fees from \$10 to \$20 and that was approved unanimously. (Report received)

P264-11 COUNCILLOR GAMACHE - MOVE TO increase the White Good Sticker fee from \$10 to \$20, and that ordinance on the same be advertised as read..
(Carried 7-3; Councillors Liacos, Mello and Sinewitz opposed; Councillor Osborne absent)

P265-11 COUNCILLOR GAMACHE - Reporting for the Finance Committee - The other item on the agenda was a transfer of funds and it was from CPC open space to CPC purchase of 0 May Street, \$10,000. This is a piece of property located at the cul de sac end of May Street located near the golf course to allow for the eventual ownership for the city to create a walking area so that you can go into the property. We've purchased adjacent to the golf course and the Cedar Grove Cemetery. (Report received)

P266-11 COUNCILLOR GAMACHE - MOVE TO approve the following appropriation, as submitted by His Honor the Mayor, under date of March 11, 2011:

| | | | |
|---|-------------|--------------------------------|-------------|
| <u>FROM:</u> | | <u>TO:</u> | |
| CPC - Open Space | \$10,000.00 | CPC - Purchase of 0 May Street | \$10,000.00 |
| (Carried 10-0; Councillor Osborne absent) | | | |

**COMMITTEE OF THE WHOLE
APRIL 28, 2011**

P267-11 COUNCILLOR MANNING-MARTIN - Reporting for the Committee of the Whole - The Committee of the Whole met this evening to go over a flood mitigation presentation. Present were Councillors: Gravel, Bettencourt, Liacos, Gamache, Garabedian, Mello, Driscoll, Athas and myself; presenting for the city was Community Development director Ms. Karen Sawyer; and folks from JLA, the city's project team; AECOM, the engineering firm chosen for the design of project 1; and Bob Langley, director of the department of Public Services. They gave a presentation from the flood events dating back to 1996. They gave an overview of the studies completed on flooding dating back to 1956. The mitigation projects identified with the downtown project number 1: Goldthwaite Brook culvert through Peabody Square to the North River; project 2: Widen the North River Wallis Street to Howley Street; and project 3: Widen the North River Howley Street to Grove Street in Salem. They went over the completed projects thus far dating back to 2006 to the present. They reviewed

project 1 objective, which was to invest in flood mitigation to reduce flood frequency and duration. They went over the many benefits of project 1. There is a \$15 million investment which we'll hear more on that matter in August when they return with an update regarding the mitigation, which will provide a return on our investment. Again they'll be back in August and keep the council apprised of their progress. The time line for this project is May 2011. They will be beginning posting the project information on the Peabody Web site. August of 2011 they will present technical findings back to the council. September 2011 they will present construction costs and time line. December 2011 they will complete design project 1, pending funds available. And spring 2012 they will begin construction of project 1, again pending funds available. (Report of progress)

MOTIONS, ORDERS & RESOLUTIONS

P268-11 COUNCILLOR BETTENCOURT - MOVE TO request that the Community Development Department provide the City Council with the PowerPoint presentation that was presented tonight regarding the flood mitigation project. (Unanimous)

P269-11 COUNCILLOR BETTENCOURT - MOVE TO request that the Public Services Department provide the City Council with an update on the drainage project occurring at Emerson Park. (Unanimous)

P270-11 COUNCILLOR LIACOS - MOVE TO request that the City Solicitor provide information as to whether the City Council or His Honey the Mayor can do anything about the exorbitant pay raises doled out at the Electric Light Department. (Carried 10-0; Councillor Osborne absent)

P271-11 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, Item 7-C communication from His Honor the Mayor regarding Transfer of funds - Golf Course Equipment \$40,000.00 and to refer to the Finance Committee. (Unanimous)

P272-11 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, Item 7-D communication from His Honor the Mayor regarding Transfer of funds - Skating Rink Repairs \$55,000.00 and to refer to the Finance Committee. (Unanimous)

P273-11 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, Item 7-E communication from His Honor the Mayor regarding Transfer of funds - Cemetery Capital Projects \$42,000.00 and to refer to the Finance Committee. (Unanimous)

P274-11 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, Item 7-F communication from His Honor the Mayor regarding Transfer of funds - Brooksby Farm-PT Wages \$36,200.00 and to refer to the Finance Committee. (Unanimous)

P275-11 COUNCILLOR MELLO - MOVE TO request that the Health Department notify all companies operating dumpsters within the City of the hours for dumpster pickups and deliveries and to refer that issue and the issue of licensure and enforcement into the Legal Affairs Committee. (Unanimous)

P276-11 COUNCILLOR MELLO – MOVE TO refer the issue of Special Permit and zoning violations at the Pulaski Street industrial park to the Industrial & Community Development Committee. (Unanimous)

P277-11 COUNCILLOR MELLO – MOVE TO receive, under suspension of the rules, Item 8-M communication from Public Services Department regarding New JRM hauling contract. (Unanimous)

P278-11 COUNCILLOR SINEWITZ – MOVE TO request that the Public Services Department clarify the rules on trash pickups for FALA's. (Unanimous)

P279-11 COUNCILLOR SINEWITZ – MOVE TO receive, under suspension of the rules, late communication Item 7 from Councillor Barry Sinewitz regarding Police incident report, Aggregate Industries, 55 Russell Street and to refer to the Ad Hoc Committee on Aggregate Industries. (Unanimous)

P280-11 COUNCILLOR SINEWITZ – MOVE TO receive, under suspension of the rules, Item 8-Y communication from Scott Colby, Aggregate Industries, regarding Maintenance incident on April 16, 2011 and to refer to the Ad Hoc Committee on Aggregate Industries. (Unanimous)

P281-11 COUNCILLOR SINEWITZ – MOVE TO receive, under suspension of the rules, late communication Item 5 from Christopher Hemsey, 682 Lowell Street, regarding Notice to file Special Permit application and to set up a public hearing. (Unanimous)

P282-11 COUNCILLOR SINEWITZ – MOVE TO receive, under suspension of the rules, Item 8-A communication from Public Services Department regarding Winona Street @ Donegal Road; install mirror. (Unanimous)

P283-11 COUNCILLOR SINEWITZ – MOVE TO request that the Public Services Department install a “Slow” sign between 5 and 7 Clinton Road. (Unanimous)

P284-11 COUNCILLOR SINEWITZ – MOVE TO request that the Community Development Department include the Zoning Board of Appeals Minutes in the City Council’s regular meeting packets. (Unanimous)

P285-11 COUNCILLOR SINEWITZ (Co-motion with Councillor Gamache) - MOVE TO request that the Public Services Department repair the "dip" in the road at Hannaford Plaza by Crystal Lake. (Unanimous)

P286-11 COUNCILLOR SINEWITZ - MOVE TO request that the Public Services Department to pave the sidewalk on the right side of Herrick Road from the beginning of Herrick Road to Bow Street. (Unanimous)

P287-11 COUNCILLOR SINEWITZ – MOVE TO request that the Mayor contact the IT Department to add the name, address and phone number of all members of appointed boards to the City’s Web site. (Carried 8-2; Councillors Liacos and Driscoll opposed; Councillor Osborne absent)

P288-11 COUNCILLOR DRISCOLL – MOVE TO receive, under suspension of the rules, Item 8-B communication from Nancy Moore, 303 Brooksby Village Drive, Peabody, MA regarding Letter of complaint; Tri City Taxi and to forward said letter to Tri City Taxi. (Unanimous)

P289-11 COUNCILLOR ATHAS – MOVE TO receive, under suspension of the rules, Item 8-P communication from Public Services and Peabody Municipal Light regarding Donation of property to City on Arnold Avenue and to refer to the Legal Affairs Committee. (Unanimous)

P290-11 COUNCILLOR ATHAS – MOVE TO receive, under suspension of the rules, Item 8-R communication from Timothy Spanos, City Clerk, regarding Status of Entertainment Licenses and to refer to the Legal Affairs Committee. (Unanimous)

P291-11 COUNCILLOR ATHAS – MOVE TO request that the Community Development Department make available a recycling bin in the Frank L. Wiggin Auditorium. (Unanimous)

P292-11 COUNCILLOR ATHAS – MOVE TO request that the Public Services Department repair the curb at 2 Howard Street. (Unanimous)

P293-11 COUNCILLOR ATHAS – MOVE TO request that the Public Services Department remove the boulders at the end of Wagner Street. (Unanimous)

P294-11 COUNCILLOR MANNING-MARTIN (Co-motion with Councillor Driscoll) - MOVE TO request that the Park, Recreation & Forestry Department inform the City Council as to what their plans are for the former recreation office site on Perkins Street opposite Emerson Park. (Unanimous)

P295-11 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, late communication Item 1 from Timothy E. Spanos, City Clerk, regarding Proposed re-districting map as submitted by the Secretary of State, and be referred to the Committee of the Whole. (Unanimous)

P296-11 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, late communication Item 3 from Peabody Alpha Realty, 130 Newbury Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P297-11 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, late communication Item 4 from Kantorosinski of Reading, 246-248 Newbury Street, regarding Notice to file Special Permit application and to set up a public hearing. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

P298-11 COUNCILLOR GAMACHE - MOVE TO receive and approve a communication from His Honor the Mayor regarding Appointments to the Rent Control Board:

| <u>NAME:</u> | <u>POSITION:</u> | <u>TERM TO EXPIRE:</u> |
|---|--|-------------------------------|
| Paul Ricci 22 Bristol Road Peabody, MA 01960 | Rent Control Board | 12/31/2013 (5-Year Term) |
| Scott M. L'Italien 34 Proctor Circle Peabody, MA 01960 (Carried 10-0; Councillor Osborne absent) | Rent Control Board (Alternate Member) | 12/31/2011 (One-Year Term) |

P299-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from His Honor the Mayor regarding Report regarding municipal health plans. (Unanimous)

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P300-11 COUNCILLOR GAMACHE - MOVE TO receive a communication from Captain David Sampson, Fire Department, regarding Bus fueling at 60 Pulaski Street and to refer to the Industrial & Community Development Committee. (Unanimous)

P301-11 COUNCILLOR GAMACHE – MOVE TO receive and approve a communication from Peabody Pop Warner, Peabody, MA, regarding Banner request, subject to all papers being in order. (Unanimous)

P302-11 COUNCILLOR GAMACHE – MOVE TO receive and approve a communication from HAWC, 27 Congress Street, Salem, regarding Banner request, subject to all papers being in order. (Unanimous)

P303-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Chief Robert Champagne, Police Department, regarding 2010 annual report. (Unanimous)

P304-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Patricia Davis Schaffer, Director of Finance, regarding School budget status. (Unanimous)

P305-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Patricia Davis Schaffer, Director of Finance, regarding City budget status. (Unanimous)

P306-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Patricia Davis Schaffer, Director of Finance, regarding General fund summary. (Unanimous)

P307-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Planning Board regarding 2010 annual report. (Unanimous)

P308-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Planning Board regarding Agenda (4/7) and Minutes (3/17). (Unanimous)

P309-11 COUNCILLOR GAMACHE – MOVE TO receive and approve a communication from Kevin Goggin, Building Commissioner, regarding Special Permit transfer; 37-1988 to Elite Design & Consign Two, 101 Lynn Street, subject to all papers being in order. (Unanimous)

P310-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Kenneth McCue, Social Studies Department Head, regarding 2011 student government day program. (Unanimous)

P311-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Barry Connell, Newburyport City Council, regarding MBTA service. (Unanimous)

P312-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from 47 Newbury World Realty Trust, 47 Newbury Street, regarding Special Permit and to set up a public hearing. (Unanimous)

P313-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Patricia Davis Schaffer, Finance Director, regarding Information requested by Consolidation & Efficiency Committee and to refer to the Ad Hoc Committee on Municipal Consolidation & Efficiency. (Unanimous)

P314-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Kathy Wells, 22 Westview Circle, regarding 60 Pulaski Street and to refer to the Industrial & Community Development Committee. (Unanimous)

P315-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Planning Board regarding Agenda (4/21) and (4/7). (Unanimous)

P316-11 COUNCILLOR GAMACHE – MOVE TO receive a communication from Chief Steven Pasdon, Fire Department, regarding Temporary closing of Engine 4 and to refer to the Municipal Safety Committee. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P317-11 COUNCILLOR GAMACHE – MOVE TO receive Junk Dealers License – (New) Elite Design & Consign II, 101 Lynn Street and (Transfer) Goldrush, MA, LLC, 210 Andover Street and to set up public hearings. (Unanimous)

P318-11 COUNCILLOR GAMACHE – MOVE TO receive and approve the following Junk Dealers License (Renewals for 2011), subject to all papers being in order:

A-1 Restaurant Traders, 119-R Foster Street
Newbury Comics, Inc., 240 Andover Street
GoldRush MA, LLC, 210 Andover Street, Pushcarts #3 and #19
(Unanimous)

P319-11 COUNCILLOR GAMACHE – MOVE TO receive and approve the following Use of the Wiggin Auditorium, subject to all papers being in order:

Peabody Institute Library – Various dates
Young Opera Company of New England – May 14, 2011
(Unanimous)

P320-11 COUNCILLOR GAMACHE - MOVE TO receive and approve the following Entertainment License (Renewals for 2011), subject to all papers being in order:

Brothers Kouzina, 25 Newbury Street
Jade's Restaurant, Inc., 4 Bourbon Street
(Unanimous)

P321-11 COUNCILLOR GAMACHE – MOVE TO receive and approve Innholders License (Renewal for 2011) Homestead Studio Suites, 200 Jubilee Drive, subject to all papers being in order. (Unanimous)

P322-11 COUNCILLOR GAMACHE – MOVE TO receive and approve Lodging House License (Renewal for 2011) John Skouras Realty Trust, 59 Walnut Street, subject to all papers being in order. (Unanimous)

P323-11 COUNCILLOR GAMACHE - MOVE TO receive and approve the following Taxi/Limousine Driver License (Renewal for 2011), subject to all papers being in order:

Lamont Chisholm – License 135
Justin Sharpe – License 136

Robert C. Phillips – License 105
Anthony Johnston – License 137
Charles Herbeck - License 138
Ann Marie Stickney – License 140
George Zuk – License 142
Lisa A. Mainville – License 143
Shane Davis – License 144
(Unanimous)

P324-11 COUNCILLOR GAMACHE - MOVE TO receive and approve Class 3 Motor Vehicle License (Renewal for 2011) C & M Auto Body, Inc., 9B Rear Caller Street, subject to all papers being in order. (Unanimous)

P325-11 COUNCILLOR GAMACHE - MOVE TO receive Inflammables License – Stahl USA, 13 Corwin Street, and to set up a public hearing. (Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 11:00 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, MAY 6, 2011
RETURNED BY HIS HONOR THE MAYOR, MAY 6, 2011

ATTEST



(Timothy E. Spanos, City Clerk)

COMMUNICATIONS:

His Honor the Mayor: Appointments to the Rent Control Board
His Honor the Mayor: Report regarding municipal health plans
His Honor the Mayor: Transfer of funds - Golf Course Equipment \$40,000.00
His Honor the Mayor: Transfer of funds - Skating Rink Repairs \$55,000.00
His Honor the Mayor: Transfer of funds - Cemetery Capital Projects \$42,000.00
His Honor the Mayor: Transfer of funds - Brooksby Farm-PT Wages \$36,200.00
Public Services Department re: Winona Street @ Donegal Road; install mirror
Nancy Moore, 303 Brooksby Village Drive, Peabody, MA re: Letter of complaint; Tri City Taxi
Capt. David Sampson, Fire Department re: Bus fueling at 60 Pulaski Street
Peabody Pop Warner, Peabody, MA re: Banner request
HAWC, 27 Congress Street, Salem re: Banner request
Chief Robert Champagne, Police Department re: 2010 annual report
Patricia Davis Schaffer, Director of Finance re: School budget status
Patricia Davis Schaffer, Director of Finance re: City budget status
Patricia Davis Schaffer, Director of Finance re: General fund summary
Planning Board re: 2010 annual report
Planning Board re: Agenda (4/7) and Minutes (3/17)
Kevin Goggin, Building Commissioner re: Special Permit transfer;
37-1988 to Elite Design & Consign Two, 101 Lynn Street
Public Services Department re: New JRM hauling contract
T-Mobile Northeast LLC for 0 Fairview Avenue re: Request to withdraw without prejudice; Special permit application
Kenneth McCue, Social Studies Department Head re: 2011 student government day program
Public Services and Peabody Municipal Light re: Donation of property to City on Arnold Avenue
Barry Connell, Newburyport City Council re: MBTA service

Timothy Spanos, City Clerk re: Status of Entertainment Licenses
47 Newbury World Realty Trust, 47 Newbury Street re: Special Permit

Patricia Davis Schaffer, Finance Director re: Information requested by Consolidation & Efficiency Committee
Kathy Wells, 22 Westview Circle re: 60 Pulaski Street
Planning Board re: Recommendations regarding proposed amendments to the Zoning Ordinance and Zoning Map
Planning Board re: Agenda (4/21) and Minutes 4/7)
Arthur Gordon, Gordon Realty, 65 Main Street, Peabody re: Opposed to proposed rezoning in the downtown area
Scott Colby, Aggregate Industries re: Maintenance incident on April 16, 2011
Chief Steven Pasdon, Fire Department re: Temporary closing of Engine 4
John J. Surman, 53 Pulaski Street re: Request amendments to proposed zoning revision package

JUNK DEALERS LICENSE

(New) Elite Design & Consign II, 101 Lynn Street
(Transfer)- Goldrush, MA LLC, 210 Andover Street

JUNK DEALER LICENSE (Renewal for 2011)

A-1 Restaurant Traders, 119-R Foster Street
Newbury Comics, Inc., 240 Andover Street
GoldRush MA, LLC, 210 Andover Street, Pushcarts #3 & #19

USE OF THE WIGGIN AUDITORIUM

Peabody Institute Library - Various dates
Young Opera Company of New England - May 14, 2011

ENTERTAINMENT LICENSE (Renewal for 2011)

Brothers Kouzina, 25 Newbury Street
Jade's Restaurant, Inc., 4 Bourbon Street

INNOLDERS LICENSE (Renewal for 2011)

Homestead Studio Suites, 200 Jubilee Drive

LODGING HOUSE LICENSE (Renewal for 2011)

John Skouras Realty Trust, 59 Walnut Street

TAXI/LIMOUSINE DRIVER LICENSE

Lamont Chisholm - License 135
Justin Sharpe - License 136
Robert C. Phillips - License 105
Anthony Johnston - License 137
Charles Herbeck - License 138
Ann Marie Stickney - License 140
George Zuk - License 142
Lisa A. Mainville - License 143
Shane Davis - License 144

CLASS 3 MOTOR VEHICLE LICENSE (Renewal for 2011)

C & M Auto Body, Inc., 9B Rear Caller Street

INFLAMMABLES LICENSE - Stahl USA, 13 Corwin Street