

REGULAR MEETING OF THE PEABODY CITY COUNCIL
JUNE 14, 2007

PRESENT: COUNCILLORS GARABEDIAN, MURTAGH, BETTENCOURT, SELESNICK, DRISCOLL, OSBORNE, GAMACHE, ATHAS, LIACOS, ZELLEN AND MELLO

ABSENT: NO COUNCILLORS WERE ABSENT

Meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President, Rico E. Mello.

Salute to the American Flag.

P566-07 COUNCILLOR OSBORNE – MOVE TO receive and approve the minutes from the last regular meeting of May 24, 2007. (Unanimous)

P567-07 COUNCILLOR MURTAGH - MOVE TO receive, under suspension of the rules, Item 7-D communication from His Honor the Mayor regarding Tannery Apartment Complex. (Unanimous)

(MR. SYDNEY KAPLAN, 12 CROWNINSHIELD STREET; STATE REP. JOYCE SPILIOTIS; AND MR. WILLIAM LUSTER SPOKE TO THE CITY COUNCIL REGARDING ITEM 8-D)

P568-07 COUNCILLOR MURTAGH - MOVE TO refer the matter of Item 7-D communication from His Honor the Mayor regarding Tannery Apartment Complex to the Industrial & Community Development Committee. (Unanimous)

P569-07 COUNCILLOR ZELLEN - MOVE TO go to Item B regarding Request the appearance of Verizon regarding Temporary trailer parked on Russell Street. (Unanimous)

(MR. WILLIAM MCENANEY, VERIZON RIGHT OF WAY AGENT, ADDRESSED THE CITY COUNCIL REGARDING ITEM B)

P570-07 COUNCILLOR SELESNICK - MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Appointments to the Board of Appeals. (Unanimous)

P571-07 COUNCILLOR SELESNICK - MOVE TO approve the following appointments, as submitted by His Honor the Mayor, under date of May 31, 2007:

<u>NAME</u>	<u>POSITION</u>	<u>TERM TO EXPIRE</u>
Peter A. Marcaurelle 51 Emerson Avenue Peabody, MA 01960	Board of Appeals	12/31/2007 (Five-Year Term)
Jason A. Panos, Esq. 30 Reed Road Peabody, MA 01960	Board of Appeals (Alternate Position) (Carried 11-0)	12/31/2008 (Two-Year Term)

(MR. JASON A. PANOS, 30 REED ROAD, INTRODUCED HIMSELF TO THE CITY COUNCIL)

(MR. MARK RICHARDS OF TIGHE & BOND APPEARED BEFORE THE CITY COUNCIL REGARDING ITEM A)

P572-07 COUNCILLOR SELESNICK - MOVE TO accept the discussion regarding Item A as a report of progress. (Unanimous)

HEARINGS

A public hearing was duly held on the Special Permit application from Anthony & Cheryl Antonelli, 107 Birch Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Anthony Antonelli, 107 Birch Street, Peabody, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P573-07 COUNCILLOR ZELLEN – BE IT ORDERED by the City Council of the City of Peabody that the application from Anthony & Cheryl Antonelli, 107 Birch Street, Peabody, MA for a Special Permit to allow for a family accessory living area at 107 Birch Street, as filed in accordance with Section 4.7 of the Peabody Zoning Ordinance, be approved based on the following reasons:

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. (Carried 11-0)

A public hearing was duly held on the Special Permit application from Jose F. Viana, 187 Lynnfield Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Jose F. Viana, 187 Lynnfield Street, Peabody, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P574-07 COUNCILLOR OSBORNE – BE IT ORDERED by the City Council of the City of Peabody that the application from Jose F. Viana, 187 Lynnfield Street, Peabody, MA for a Special Permit to allow for a family accessory living area at 187 Lynnfield Street, as filed in accordance with Section 4.7 of the Peabody Zoning Ordinance, be approved based on the following reasons:

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. (Carried 11-0)

A public hearing was duly held on the Special Permit application from Francis & Judith Compagnone, 54 Birch Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Francis Compagnone and Mrs. Judith Compagnone, 54 Birch Street, Peabody, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P575-07 COUNCILLOR ZELLEN – BE IT ORDERED by the City Council of the City of Peabody that the application from Francis & Judith Compagnone, 54 Birch Street, Peabody, MA for a Special Permit to allow for a family accessory living area at 54 Birch Street, as filed in accordance with Section 4.7 of the Peabody Zoning Ordinance, be approved based on the following reasons:

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. (Carried 11-0)

A public hearing was duly held on the Special Permit application from Liberato & Carol Ann Addorisio, 1 Samos Circle, Peabody, MA. Appearing to speak on behalf of said application was Mrs. Carol Ann Addorisio, 1 Samos Circle, Peabody, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P576-07 COUNCILLOR ZELLEN – BE IT ORDERED by the City Council of the City of Peabody that the application from Liberato & Carol Ann Addorisio, 1 Samos Circle, Peabody, MA for a Special Permit to allow for a family accessory living area at 1 Samos Circle, as filed in accordance with Section 4.7 of the Peabody Zoning Ordinance, be approved based on the following reasons:

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. (Carried 11-0)

A public hearing was duly held on the Special Permit application from Robert Godjikian, 7 Flynn Road, Peabody, MA. Appearing to speak on behalf of said application was Mr. Robert Godjikian, 7 Flynn Road, Peabody, MA. No one appeared to speak in favor. No one appeared to speak in opposition.

P577-07 COUNCILLOR ZELLEN – BE IT ORDERED by the City Council of the City of Peabody that the application from Robert Godjikian, 7 Flynn Road, Peabody, MA for a Special Permit to allow for a family accessory living area at 7 Flynn Road, as filed in accordance with Section 4.7 of the Peabody Zoning Ordinance, be approved based on the following reasons:

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. (Carried 11-0)

The City Council reconvened the recessed public hearing on the application from Road House Limousine, 55 Pulaski Street, Peabody, MA to amend Special Permit 6-2003 requesting to delete condition #7 at said 55 Pulaski Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Dennis Giannias, 40 Sabino Farm Road, Peabody, MA. Officer Patrick Berardino appeared to speak on behalf of the City. Mr. Richard Aikins, 65 Abington Avenue, Peabody, MA appeared to speak in favor. No one appeared to speak opposed.

P578-07 COUNCILLOR SELESNICK - MOVE TO receive and make part of the record letters from the abutters at 22 Westview Circle, 53 Pulaski Street, 19 Westview Circle and 17 Westview Circle. (Unanimous)

P579-07 COUNCILLOR GARABEDIAN – BE IT ORDERED by the City Council of the City of Peabody that the application from Road House Limousine, 55 Pulaski Street, Peabody, MA to amend Special Permit 6-2003 requesting to delete Condition #7 at said 55 Pulaski Street, Peabody, MA, as filed in accordance with Section 1.5 of the Peabody Zoning Ordinance, be approved based on the following reasons:

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. (Carried 10-1; Councillor Selesnick opposed)

A public hearing was duly held on the application from Road House Limousine, 55 Pulaski Street, Peabody, MA to amend a Limousine License seeking to add one additional vehicle for use at said 55 Pulaski Street, Peabody, MA. Appearing to speak on behalf of said application was Mr. Dennis Giannias, 40 Sabino Farm Road, Peabody, MA. Officer Patrick Berardino appeared on behalf of the City. No one appeared to speak in favor. No one appeared to speak in opposition.

P580-07 COUNCILLOR ZELLEN – MOVE TO approve the application from Road House Limousine, 55 Pulaski Street, Peabody, MA to amend a Limousine License seeking to add one additional vehicle for use at said 55 Pulaski Street, Peabody, MA, subject to the following conditions:

1. That the Special Permit be reviewed in four and a half months;
 2. That there be no storage overnight in the garage;
 3. That the garage doors are not to be opened at night;
 4. That all parking is to be towards the Danvers side of the parking lot facing Pulaski Street side by side.
- (Carried 10-1; Councillor Selesnick opposed)

A public hearing was duly held on the application from Carol Barbarossa, 3 Overlook Avenue, Woburn, MA for a Special Permit to operate a custom exhaust repair and installation business at 258-A Newbury Street, Peabody, MA. Appearing to speak on behalf of said application was Ms. Carol Barbarossa, 3 Overlook Avenue, Woburn, MA. No one appeared to speak in favor. No one appeared to speak opposed.

P581-07 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, Item 8-C communication from Community Development Department regarding Special Permit memorandum. (Unanimous)

P582-07 COUNCILLOR GAMACHE - BE IT ORDERED by the City Council of the City of Peabody that the application from Carol Barbarossa, 3 Overlook Avenue, Woburn, MA for a Special Permit to operate a custom exhaust repair and installation business at 258-A Newbury 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 satisfied 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: The hours of operation shall be Monday through Saturday 8:00 a.m. to 5:00 p.m. (Carried 11-0)

The City Council reconvened the recessed public hearing on the application from Turnpike @ Winona, LLC, 128 Newbury Street, Peabody, MA for a Special Permit to allow a sports bar with restaurant/billiard parlor with alcohol for consumption on the premises at said 128 Newbury Street, Peabody, MA. Appearing to speak on behalf of said application was Attorney John R. Keilty. No one appeared to speak in favor. No one appeared to speak opposed.

P583-07 COUNCILLOR GAMACHE - BE IT ORDERED by the City Council of the City of Peabody that the application from Turnpike @ Winona, LLC, 128 Newbury Street, Peabody, MA for a Special Permit to allow a sports bar with restaurant/billiard parlor with alcoholic beverages for consumption on the premises at said 128 Newbury 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 subject to the following conditions:

REASON: Owing to the fact that the use as approved satisfied 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 hours of operation shall be Monday through Sunday 10:00 a.m. to 1:00 a.m.;
 2. That there be no casino-type games;
 3. That some type of identification bracelet and/or control mechanism program be established for underage people and those who are eligible to purchase alcohol;
 4. That the fence remains until the retail establishment is completed and until that time no access/egress on to Winona Street.
- (Carried 10-1; Councillor Liacos opposed)

A public hearing was duly held on the Entertainment License application from Turnpike @ Winona, LLC, 128 Newbury Street, Peabody, MA. Appearing to speak on behalf of said application was Attorney John R. Keilty. No one appeared to speak in favor. No one appeared to speak in opposition.

P584-07 COUNCILLOR GAMACHE – BE IT ORDERED by the City Council of the City of Peabody that the application from Turnpike @ Winona, LLC, 128 Newbury Street, Peabody, MA for an Entertainment License for the use of a radio, electric phonograph/CD player and television be approved and that all references to live entertainment from the original application be eliminated. (Carried 11-0)

REPORTS OF COMMITTEE

Ad Hoc Committee on Aggregate Industries June 14, 2007

P585-07 COUNCILLOR ZELLEN - Reporting for the Ad Hoc Committee on Aggregate Industries - The Aggregate Committee met this evening at 6:30. In addition to myself, committee members Bettencourt and Garabedian were there and also Councillor Murtagh. Aggregate Industries presented a synopsis of their annual report. It was noted that there were no violations. We had Chief Pasdon representing the Fire Department; Frank Lee, Chairman of the ConCom; and Sharon Cameron of the Public Health Department also come before the Committee and indicate that they were satisfied with all of the operations there with regard to compliance with the Special Permit. Some neighbors came and basically didn't have too much of a concern, other than some heavy trucks that are going on side streets where no heavy trucking is allowed and they said they would address that. Also under late communications -- and you'll be getting this -- and maybe what I would do is just ask if we can suspend the rules and take that item, so I can talk about Item 3 under late communications. And you recall, those of you that were on the Council or are familiar with the Special Permit, one of the provisions is that Aggregate Industries has to present a closure plan by October 30 of this year. What they're basically asking for is a two-year extension to provide that closure plan. Ordinarily the neighbors or myself representing them would be opposed to that, however, we want to be sure if there's a closure plan done, we want it done correctly. And also there is a move by Aggregate Industries -- and I'm sure you'll all be happy to hear this -- that they are going to come before the City Council for a new Special Permit, so they can double the size of their operation. So rather than have them go through a closure plan that doesn't really make any sense, given what their plans are, that we would entertain that. My only hang-up with it was that they were asking the City Council to just go ahead and make that modification to the Special Permit. I felt that that Special Permit, like any Special Permit, if there's a modification, it requires a notice and a new public hearing, so that all interested parties could come. They disagree with that, however, they've always disagreed with everything we talk about. But what I'd like to do is send this communication or request from them to our City Solicitor to get his opinion on whether or not that is required, but at the same time refer this matter to the Legal Affairs Committee. (Report received)

P586-07 COUNCILLOR ZELLEN - MOVE TO receive, under suspension of the rules, late communication Item 3 from Aggregate Industries regarding Request to extend October 30th deadline for filing quarry closure plan and to refer to the Legal Affairs Committee. (Unanimous)

P587-07 COUNCILLOR ZELLEN - Reporting for the Ad Hoc Committee on Aggregate Industries - There was one other motion that we should do for housekeeping and that is for the City Council to accept the annual report, as submitted by Aggregate Industries. (Report received)

P588-07 COUNCILLOR ZELLEN - MOVE TO receive the Annual Report, as submitted by Aggregate Industries. (Unanimous)

Finance Committee May 31, 2007

P589-07 COUNCILLOR LIACOS - Reporting for the Finance Committee - On May 31 we met as a Committee of Whole under the auspices of the Finance Committee for the purpose of reviewing the budget. At this time we covered the city side of the budget. And there are a number of motions that are attached to this. In talking with the City Clerk, we thought that we would present those motions on the 19, following the meeting. And there's a Special Meeting to approve the budget. So if everybody's in agreement, I'll do the motions then. And secondly, I've had a number of requests and, under suspension of the rules, I'd like to receive Item 7-C. And there's one here that is asked to replace with 7-C. And although these are not properly before the subcommittee on Finance, a number of them are transfers. Ms. Schaffer sent me an e-mail and requested that if we could take care of these transfers, that it would be of help to her. And I've also had a request from a number of City Councillors to take care of the Fourth of July Celebration transfer as well. So if there are any objections, we can just push them off to the 19. (Report received)

P590-07 COUNCILLOR LIACOS - MOVE TO receive, under suspension of the rules, Item 7-C communication from His Honor the Mayor regarding various transfers of funds and to refer to the Finance Committee. (Unanimous)

P591-07 COUNCILLOR LIACOS – MOVE, under suspension of the rules, to approve the transfer of funds from **Reserve Fund \$12,000.00 to 4th of July Celebration \$12,000.00** as submitted by His Honor the Mayor. (Unanimous)

Committee of the Whole May 31, 2007

P592-07 COUNCILLOR MELLO - Reporting for the Committee of the Whole - I would like to report out of Committee of the Whole regarding the water and sewer increases. The Committee of the Whole met May 31, 2007. Present were chairperson Councillor Liacos, Councillor Garabedian, Councillor Murtagh, Councillor Bettencourt, Councillor Selesnick, Councillor Driscoll, Councillor Gamache, Councillor Athas, Councillor Zellen and myself. And absent was Councillor Osborne. Also present was the Mayor Michael Bonfanti; Patricia Davis Schaffer, Director of Finance; Michael Gingras, City Auditor; Richard Carnevale, Director of Public Services Department, and Tighe & Bond, the consultants. The Committee of the Whole continued its discussion from May 24 on the proposed sewer and water rate increases. After lengthy discussion, the Committee recommended the following motions. (Report received)

P593-07 COUNCILLOR MELLO - MOVE THAT an Ordinance Amending the Ordinance entitled, "Sewer and Water Rates of the City of Peabody, Massachusetts," be amended, as submitted, to reflect only an increase for Fiscal Year 2008 and that said ordinance be advertised as read. (Carried 9-2; Councillors Murtagh and Mello opposed)

P594-07 COUNCILLOR MELLO - MOVE THAT an Ordinance Amending Chapter 28 - Utilities of the Code of City of Peabody regarding "Turn on/Shut off fees" be advertised as read. (Carried 10-0; Councillor Mello opposed)

MOTIONS, ORDERS & RESOLUTIONS

P595-07 COUNCILLOR GARABEDIAN - MOVE TO request the Public Services Department check out the sidewalks that are broken at 26 Glendale Avenue. (Unanimous)

P596-07 COUNCILLOR MURTAGH - MOVE TO request the Director of Finance forward to the City Council the most recent expenditure reports for each department in the City. (Unanimous)

P597-07 COUNCILLOR MURTAGH - MOVE TO request Mayor Michael Bonfanti and the Director of Finance to study the possibility of combining the business operation of both City Hall and the Peabody School Department. (Unanimous)

P598-07 COUNCILLOR BETTENCOURT - MOVE TO receive and approve, under suspension of the rules, late communication Item 4 Block Party request from Raymond Circle to hold a block party on July 14, 2007, subject to all papers being in order. (Unanimous)

P599-07 COUNCILLOR SELESNICK - MOVE TO request the Police Department place the electronic radar sign in the Brooksby Farm area at the corner of Felton and Baldwin Streets. (Unanimous)

P600-07 COUNCILLOR SELESNICK - MOVE TO request the Finance Director kindly provide the City Council with a list of all reserve fund requests or expenditures for FY '07, together with a current balance and to also please provide a list of all police and fire funding requests, not in the originally approved FY '07 budget, including the retros and to further request that this information be provided prior to next week's Finance Committee meeting. (Unanimous)

P601-07 COUNCILLOR SELESNICK (Co-motion with Councillor Driscoll) - MOVE TO request that Attorney David Ankeles, the attorney for the Northshore Mall, be invited to the next City Council regular meeting to update the City Council on the mall expansion, the timing of disruptions, traffic patterns and mitigation information and to further request that the City Clerk notify Mr. Paul O'Connor of this meeting when it has been set up. (Unanimous)

P602-07 COUNCILLOR SELESNICK - MOVE TO request the Director of Community Development Department meet with the resident counsel at the Tannery to explain the process that is going on and how the City Council would handle this and what the requirements are to come before the City Council. (Unanimous)

P603-07 COUNCILLOR SELESNICK - MOVE TO receive and approve, under suspension of the rules, late communication Item 2 Banner requests: International Festival - July 1st through September 9th and St. Vasilios Church - June 15 through June 25, subject to all papers being in order. (Unanimous)

P604-07 COUNCILLOR DRISCOLL - MOVE TO receive, under suspension of the rules, Item 8-H communication from Lahey Clinic Foundation, 1 Essex Center Drive, regarding Special Permit application and to set up a public hearing. (Unanimous)

P605-07 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, late communication Item 1 from Jean Delios, Director, Community Development Department, regarding Brown's Pond algae, and to request that the Community Development Department develop a schedule for the testing of the water at Brown's Pond, whether it be yearly or every two years, just to make sure that that condition remains the same and that any action that needs to be done be done early. (Unanimous)

P606-07 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, communication Item 8-E from Sharon Cameron, Director, Health & Human Services, regarding Algae Brown's Pond. (Unanimous)

P607-07 COUNCILLOR OSBORNE - MOVE TO request the Public Services Department address the situation at the corner of John and Sandra Road, where there is a property there that is in disrepair and has been unkempt for quite a long time, by cutting the brush back to the property line where it overlaps the sidewalk. (Unanimous)

P608-07 COUNCILLOR OSBORNE - MOVE TO request the Park, Recreation & Forestry Department investigate the tree on Lynn Street across from Brown's Pond that is leaning at about a 45 degree angle across Lynn Street. (Unanimous)

P609-07 COUNCILLOR OSBORNE - MOVE TO receive, under suspension of the rules, Item 8-G communication from Walpole Board of Selectmen regarding Chapter 40B projects. (Unanimous)

P610-07 COUNCILLOR GAMACHE - MOVE TO receive, under suspension of the rules, Item 8-B communication from Richard Carnevale, Director, Public Services Department, regarding proposed amendment to the White Goods Collection & Fee Ordinance and to refer to the Public Services Committee. (Unanimous)

P611-07 COUNCILLOR ATHAS - MOVE TO request the Public Services Department provide an additional crosswalk sign and pointing arrows at the intersection of Sutton Street and Berkley Street. (Unanimous)

P612-07 COUNCILLOR ATHAS - MOVE TO receive, under suspension of the rules, Item 8-J communication from Ralph Gandolfo, Building Inspector, regarding Transfer of Special Permit 3-1999 from EPC Corporation to Linear Retail Peabody #1, LLC. (Unanimous)

P613-07 COUNCILLOR ATHAS - MOVE TO receive, under suspension of the rules, Item 8-K communication from Attorney Daniel Kulak, Assistant City Solicitor, regarding Restricted Parking, Caller Street and the said ordinance be advertised as read. (Unanimous)

P614-07 COUNCILLOR ZELLEN (Co-motion with Councillor Gamache) - MOVE TO request that a representative of Community Development Department appear before the subcommittee on Crystal Lake to give the City Council an update on the progress of the bio-dredging of Crystal Lake and to update the City Council on the use of the proceeds of the \$400,000 state grant. (Unanimous)

P615-07 COUNCILLOR MELLO - MOVE TO request the Public Services Department erect a raised pedestrian crosswalk in front of St. Vasilios Church, in order to slow traffic and make it a lot safer for the children. (Unanimous)

P616-07 COUNCILLOR MELLO - MOVE TO request the Public Services Department repair the sidewalk in front of 6 and 8 Gardner Street. (Unanimous)

P617-07 COUNCILLOR MELLO - MOVE TO request the Building Inspector to inspect 27 Tremont Street regarding an illegal third floor apartment that only has one means of egress and to report back to the City Council on that finding. (Unanimous)

P618-07 COUNCILLOR MELLO - MOVE TO request the Police Department monitor the property at 27 Tremont Street, third floor, regarding late parties until 4 in the morning. (Unanimous)

P619-07 COUNCILLOR MELLO - MOVE TO thank the Department of Community Development for the information regarding money available for housing from the Community Preservation Act, but I was also looking for the balance of the monies that we have, as part of the buyout for Inclusionary Zoning. So what money we have in our accounts for Inclusionary Zoning and also for that to go to the Community Development Department." (Unanimous)

P620-07 COUNCILLOR MELLO - MOVE TO receive, under suspension of the rules, Item 8-A communication from Richard Carnevale, Director, Public Services Department, regarding Loris Road; high water pressure/leaks and to request the Public Services Department contact the homeowners of 20, 22, 24, and 26 Loris Road regarding the same. (Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

P621-07 COUNCILLOR MURTAGH - MOVE TO receive and approve a communication from His Honor the Mayor regarding Copy of communication to Senator Frederick Berry regarding Drinking Water Equity Grant amendment Gov 154, as outlined in that letter by the mayor. (Unanimous)

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

P622-07 COUNCILLOR SELESNICK - MOVE TO receive communication from Community Development Department regarding Peabody Crossing update and to request Community Development Department forward to the City Council another update before the next Industrial & Community Development Committee meeting. (Unanimous)

P623-07 COUNCILLOR GAMACHE - MOVE TO receive and approve communication from Higgins Middle School, regarding Banner request, subject to all papers being in order. (Unanimous)

P624-07 COUNCILLOR GAMACHE - MOVE TO receive and approve communication from We Are America Productions, 52 Samoset Road, regarding Banner request, subject to all papers being in order. (Unanimous)

P625-07 COUNCILLOR GAMACHE - MOVE TO receive communication from Tanner City Auto, 4 Lake Street, regarding Special Permit application and to set up a public hearing. (Unanimous)

P626-07 COUNCILLOR GAMACHE - MOVE TO receive communication from Jean Delios, Director, Community Development Department, regarding proposed agreement with MBTA regarding flood mitigation work and to refer to the Public Services Committee. (Unanimous)

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

P627-07 COUNCILLOR GAMACHE - MOVE to receive and approve the following Block Party communications, subject to all papers being in order:

June 30, 2007 - Upham Street	July 7, 2007 - Allen Road	
July 21, 2007 - 45 Benevento Circle	July 22, 2007 - Clark Road	(Unanimous)

P628-07 COUNCILLOR GAMACHE - MOVE TO receive Petition - Verizon 8-2007 regarding Essex Center Drive and to set up a public hearing. (Unanimous)

P629-07 COUNCILLOR GAMACHE - MOVE TO receive Flammables License - Rescind various licenses as requested by the City Clerk and to set up public hearings. (Unanimous)

P630-07 COUNCILLOR GAMACHE - MOVE TO receive and approve Limousine License (Transfer License #135 and 136) - Fox Run Limousine, 134 Newbury Street, Suite 6F, subject to all papers being in order. (Unanimous)

P631-07 COUNCILLOR GAMACHE - MOVE TO receive and approve the following Limousine/Taxi Driver Licenses, subject to all papers being in order:

Robert Dylengoski, 14 Jordan Street, Beverly	Lamont Chisholm, 126 Union Street, Lynn	
Shane Kieran, 45 Folly Pond Road, Beverly	Juan Gomez, 1 Chester Road, Derry, NH	(Unanimous)

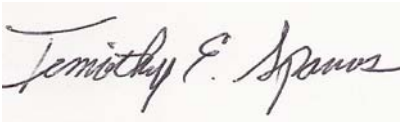
P632-07 COUNCILLOR GAMACHE - MOVE TO receive and approve the Utility Contractors Licenses for Joseph Cardillo & Son, Inc., 1 Melvin Street, Wakefield, MA, subject to all papers being in order. (Unanimous)

P633-07 – COUNCILLOR GAMACHE – MOVE TO receive and approve the Taxi Cab License transfer from Community Taxi, 27R Caller Street (License #20) subject to all papers being in order. (Unanimous)

UNFINISHED BUSINESS FROM THE PRECEDING MATTER

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

SUBMITTED TO HIS HONOR THE MAYOR, JUNE 21, 2007
RETURNED BY HIS HONOR THE MAYOR, JUNE 21, 2007

ATTEST 
(Timothy E. Spanos, City Clerk)