

REGULAR MEETING OF THE PEABODY CITY COUNCIL
OCTOBER 12, 2023

PRESENT COUNCILLORS: TURCO, DAIGLE, O'NEILL, PEACH, MANNING-MARTIN, GOULD, ROSSIGNOLL, GAMACHE, MELVILLE, MCGINN, AND WELTON

ABSENT COUNCILLORS: None

An in-person and remotely held meeting of the Peabody City Council opened with a moment of silent prayer after being called to order by City Council President Craig S. Welton.

Salute to the American Flag.

COUNCILLOR WELTON – 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.

P682-23 COUNCILLOR GOULD – MOVE TO receive and approve, under suspension of the rules, the minutes from the Regular Meeting of September 28, 2023.
(Unanimous)

(MAYOR BETTENCOURT PRESENTED THE TORIGIAN FAMILY COMMUNITY SERVICE AWARD TO JACKY ANKELES)

HEARINGS

A public hearing was duly held on the application submitted by MAG Retail Holdings-LRP, LLC d/b/a Jaguar Land Rover Peabody, 247 Andover Street, Peabody, MA. Mr. Mark Walker appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P683-23 COUNCILLOR GAMACHE – MOVE TO approve the application submitted by MAG Retail Holdings-LRP, LLC d/b/a Jaguar Land Rover Peabody, 247 Andover Street, Peabody, MA, for the transfer of a Class 1 Motor Vehicle License at said 247 Andover Street, Peabody, MA, with the following condition and subject to all papers being in order:

CONDITION:

1. The hours of operation shall be 7:00 a.m. to 8:00 p.m. Monday through Friday; 7:00 a.m. to 6:00 p.m. on Saturday; and 8:00 a.m. to 6:00 p.m. on Sunday.

(Carried 11-0)

P684-23 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, late communication Item 1 from Sharon Cameron, Director of Health and Human Services, regarding Various departmental responses.
(Unanimous)

A public hearing was duly held on the application submitted by Cassia's Elegant Spa, LLC, 3 Lawrence Road, Reading, MA. Appearing to speak on behalf of the application was Ms. Cassia McMillan. No one appeared to speak in favor. No one appeared to speak in opposition.

P685-23 COUNCILLOR WELTON – BE IT ORDERED by the City Council of the City of Peabody that the application submitted by Cassia's Elegant Spa, LLC, 3 Lawrence Road, Reading, MA, for a Special Permit to operate a massage therapy business consisting of, but not limited to, lymphatic drainage massage, modeling massage, deep tissue massage, Swedish massage, reflexology massage, pregnancy massage, facial massage, and sports massage at 145A Summit Street, Suite 204, 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 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 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 application submitted by AGA Foster, LLC, 47 Tremont Street, Peabody, MA. Appearing to speak on behalf of the application was Atty. John Keilty. No one appeared to speak in favor. No one appeared to speak in opposition.

P686-23 COUNCILLOR PEACH – MOVE TO recess the public hearing on AGA Foster, LLC, 47 Tremont Street, Peabody, MA, until Tuesday, November 21, 2023. The petitioner will be responsible for re-noticing all abutters.

(Carried 11-0)

(COUNCILLOR MELVILLE RECUSED HIMSELF FROM THE FOLLOWING HEARING 4-D)

A public hearing was duly held on the application submitted by Saint Bishoy, Inc., 598 Lowell Street, Peabody, MA. Appearing to speak on behalf of the application was Atty. John Keilty and Ms. Nermeen Shaker. Mr. Lawrence McGee, 7 Videtta Street, Peabody, MA; Mr. Thomas D'Amato, 14 Samoset Road, Peabody, MA; Ms. Cheryl Toohey and Ms. Denise Swift, 41 Pine Street #18, Peabody, MA; Ms. Paula Quaresma, 4 Johnson Street, Peabody, MA; Mr. Joe Selinger, 11 Belfast Road, Peabody, MA; Mr. Scott Gadbois, 20 Brookwood Lane, Danvers, MA; and Mr. Joel Saslaw, 21 Benevento Circle, Peabody, MA, appeared to speak in favor. No one appeared to speak in opposition.

P687-23 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, Item 8-E communication from Atty. John Keilty on behalf of Saint Bishoy, Inc., 598 Lowell Street, regarding Various letters of support.

(Unanimous)

P688-23 COUNCILLOR GAMACHE – BE IT ORDERED by the City Council of the City of Peabody that the application submitted by Saint Bishoy, Inc., 598 Lowell Street, Peabody, MA, for a Special Permit to allow for a retail store for packaged alcoholic beverages (beer & wine) in a BN Zoning District at 598 Lowell Street, 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 reasons 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 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. Alcohol sales hours of operation are Monday to Saturday from 8:00 a.m. to 11:00 p.m. and Sunday from 10:00 a.m. to 8:00 p.m. and
2. Alleged violations of the special permit may result in a Show Cause hearing.

(Carried 9-1; Councillor O'Neill opposed; Councillor Melville recused)

P689-23 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, Item 8-B communication from Atty. John Keilty on behalf of 180 Newbury Street, LLC, regarding 180 Newbury Street, Special Permit Request Automotive Repair Shop.

(Unanimous)

P690-23 COUNCILLOR GAMACHE – MOVE TO continue the public hearing on the application submitted by 180 Newbury, LLC, 180 Newbury Street, to Thursday, December 14, 2023. The petitioner will be responsible for re-noticing all abutters.

(Carried 11-0)

P691-23 COUNCILLOR GAMACHE – MOVE TO receive, under suspension of the rules, Item 8-C communication from Atty. John Keilty on behalf of 180 Newbury Street, LLC, regarding 180 Newbury Street, Special Permit, Sale of Automobiles.

(Unanimous)

P692-23 COUNCILLOR GAMACHE – MOVE TO continue the public hearing on the application submitted by 180 Newbury, LLC, 180 Newbury Street, to Thursday, December 14, 2023. The petitioner will be responsible for re-noticing all abutters.

(Carried 11-0)

P693-23 COUNCILLOR TURCO – MOVE TO go to Item 10-A Motion P544-23.

(Unanimous)

P694-23 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, late communication Item 3 from Councillor John Turco regarding Responsible Employer Ordinance.

(Unanimous)

(Mayor Bettencourt; Mr. Jeff Saliba, Business Manager for the Heat and Frost Insulators Union Local 6; State Representative Sally Kerans; State Representative Thomas Walsh; Mr. Yousef Abdullah, Director North Shore Labor Council; and Mr. Daniel Doucette, Purchase Agent, appeared to speak regarding Item 10-A.)

P695-23 COUNCILLOR TURCO – MOVE TO receive, under suspension of the rules, late communication Item 4 from Daniel Doucette, Purchasing Agent, regarding Responsible Employer Ordinance.

(Unanimous)

P696-23 COUNCILLOR TURCO (Tri-motion with Councillor Gould and Councillor Gamache) – MOVE TO draft and advertise Section 11-140 under Article IV Purchasing Responsible Employer Ordinance as follows:

BE IT ORDERED that the City Council of the City of Peabody hereby establish the “Responsible Employer Ordinance” by adopting the following language under Article IV Purchasing Section 11-140:

Responsible Employer Ordinance pertaining to projects with a total cost of \$250,000 or more as follows:

(a) The City Council hereby finds and determines that taxpayer money is most efficiently and productively spent by awarding construction contracts to firms that include and enforce provisions requiring compliance with state laws governing the payment of prevailing wages, the provision of workers compensation coverage, and the proper classification of individuals as employees and not as independent contractors, as well as state law concerning health insurance coverage and state certified apprenticeship programs. The City Council hereby further finds and determines that it is appropriate for it to exercise entrepreneurial discretion by requiring firms that are awarded such contracts to comply with this ordinance because a failure to comply is injurious to the life, health and happiness of individuals employed by such firms and is deleterious to the quality of life in the City where most of such individuals reside.

(b) Whenever the City of Peabody is procuring construction services subject to the provisions of G.L. chapter 149 and chapter 149A the following shall be incorporated into the procurement documents and made part of the specifications and contract. Any person, company or corporation shall acknowledge, in writing, receipt of said requirements with their bid or proposal.

(c) All bidders or proposers and all subcontractors and trade contractors, including subcontractors that are not subject to G.L. c. 149, §44F, under the bidder for projects subject to G.L. c. 149, §44A(2), and proposers under G.L. c. 149A, shall as a condition for bidding or subcontracting verify under oath and in writing at the time of bidding or submittal in response to an RFP or in any event prior to entering into a subcontract at any tier, that they comply with the following conditions for bidding or subcontracting and, for the duration of the project, shall comply with the following obligations:

(1) The bidder or proposer and all trade contractors and subcontractors under the bidder or proposer must comply with the obligations established under G.L. c. 149 to pay the appropriate lawful prevailing wage rates to their employees;

(2) In order to ensure efficient use of taxpayer dollars, minimize waste, and promote worker safety and fair treatment of workers, the City finds it necessary to ensure that contractors and subcontractors engaged to perform work on the City’s behalf participate in the training of apprentices in the respective trades. Moreover, it is important to help ensure the continued presence of the skilled, trained workers who will be necessary to work on City construction over the next decade;

Therefore the bidder or proposer and all trade contractors and subcontractors* under the bidder or proposer must certify that at the time of bidding that it/they maintain or participate in a Bona Fide Apprentice Training Program (“BFATP”). A BFATP is one that is currently registered with and approved by the U.S. Department of Labor or a state apprenticeship agency and has graduated apprentices to journeyman status for at least three of the past five years. To demonstrate compliance with this section, the firm shall provide, with this certification, a list of all trades or classifications of craft employees it will employ on the project and documentation verifying that it participates in a BFATP for each trade or

classification listed. If the firm participates in a recently formed apprenticeship program for a trade or craft it employs, it may satisfy the training requirement of this certification by providing documentation showing that the program in which it participates: (i) has been established within the past five years; (ii) is currently registered with and approved by the U.S. Department of Labor or a state apprenticeship agency; and (iii) provides bona fide apprenticeship training to participants and is in compliance with the standards and requirements applicable to registered apprenticeship programs under 29 C.F.R. 29, including the requirement under these rules to maintain as at least one registered apprentice in accordance with the guidelines of 29 C.F.R. 29.6(a). Any bid submitted without the above certification shall be rejected.

(3) The bidder or proposer and all trade contractors and subcontractors under the bidder or proposer must maintain appropriate industrial accident insurance coverage for all employees on the project in accordance with G.L. c.152;

(4) The bidder or proposer and all trade contractors and subcontractors under the bidder must properly classify employees as employees rather than independent contractors and treat them accordingly for purposes of workers' compensation insurance coverage, unemployment taxes, social security taxes and income tax withholding. (G.L. c.149, §148B on employee classification);

(5) The bidder or proposer and all trade contractors and subcontractors under the bidder or proposer must at the time of bidding certify that, at the time employees begin work at the worksite, all employees will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration, and shall ensure that all employees working at the worksite possess such qualifications at all times throughout the duration of their work on the project and furnish documentation of successful completion of the course;

(6) The bidder or proposer and all trade contractors and subcontractors under the bidder or proposer must be in compliance with the health and hospitalization requirements of the Massachusetts Health Care Reform law established by Chapter 58 of the Acts of 2006, as amended, and regulations promulgated under the statute by the Commonwealth Health Insurance Connector Authority;

(7) The bidder or proposer and all trade contractors and subcontractors under the bidder or proposer must make arrangements to ensure that each employee of every contractor entering or leaving the project individually completes the appropriate entries in a daily sign-in/out log. The sign in/out log shall include: the location of the project; current date; printed employee name; signed employee name; and the time of each entry or exiting. The log shall contain a prominent notice that employees are entitled under state law to receive the prevailing wage rate for their work on the project. Such sign in/out logs shall be provided to the Procurement Officer, Building Commissioner and City Engineer on a bi-weekly basis, and shall be verified by the Procurement Officer or by his or her designee;

(8) The bidder or proposer and all trade contractors and subcontractors under the bidder or proposer, prior to bidding or, if not subject to bidding requirements, prior to performing any work on the project, shall sign under oath and provide to the City a certification that they are not debarred or otherwise prevented from bidding for or performing work on a public project in the Commonwealth of Massachusetts or in the City.

(d) A proposal or bid submitted by any general bidder or by any trade contractor or subcontractor under the general bidder or proposer that does not comply with any of the foregoing conditions for bidding shall be rejected, and no subcontract for work outside the scope of G.L. c. 149, §44F shall be awarded to a subcontractor that does not comply with the foregoing conditions.

(e) All bidders or proposers and all trade contractors and subcontractors under the bidder or proposer who are awarded or who otherwise obtain contracts on the projects subject to G.L. c. 149, §44A(2) or c. 149A, shall comply with each of the obligations set forth in this ordinance for the entire duration of their work on the project, and an officer of each bidder or subcontractor under the bidder shall certify under oath and in writing on a weekly basis that they are in compliance with such obligations.

(f) Any proposer, bidder, trade contractor or subcontractor under the bidder or proposer who fails to comply with any one of obligations set forth in this section for any period of time shall be, at the sole discretion of the City, subject to one or more of the following sanctions: (1) cessation of work on the project until compliance is obtained; (2) withholding of payment due under any contract or subcontract until compliance is obtained; (3) permanent removal from any further work on the project; (4) liquidated damages payable to the City in the amount of 5% of the dollar value of the contract .

(g) In addition to the sanctions outlined in the sections above, a proposer, general bidder or contractor shall be equally liable for the violations of its subcontractor with the exception of violations arising from work performed pursuant to subcontracts that are subject to G.L. c. 149, §44F.

(Carried 10-1; Councillor O'Neill opposed)

P697-23 COUNCILLOR TURCO – MOVE TO refer the issue of progress on the Responsible Employer ordinance into the Legal Affairs Committee for discussion.

(Unanimous)

REPORTS OF COMMITTEE

Industrial & Community Development Committee

October 12, 2023

P698-23 COUNCILLOR GOULD – Reporting for the Industrial & Community Development Committee – It was more of an informative meeting. We had two topics that were discussed. The first topic was the MBTA bus community housing program. Mr. Bellavance has been working on that and he's going to bring it back to us sometime in January or February, but it was more of an informative meeting about the status of the program. There was much discussion, particularly with Councillor Rossignoll, who has been opposed to this draft that the MBTA Bus Community is proposing and a lot of us agree with him. There was an informative meeting about the 40B subsidized housing inventory with the Mayor and Mr. Bellavance. Councillor Manning-Martin has been diligently working on getting the information to us, and the Mayor was very helpful in providing it. We have a thousand-unit increase. We're up to 11.18 percent above the 10 percent threshold. We have 2,095 units of subsidized housing. The following motion was made. (Report received)

P699-23 COUNCILLOR GOULD – MOVE TO request that the Fire Department provide the City Council with the addresses of all group homes in the city and include the number of beds and the capacity of occupancy at each address.

(Unanimous)

Municipal Safety Committee

October 12, 2023

P700-23 COUNCILLOR MANNING-MARTIN – Reporting for the Municipal Safety Committee – The Municipal Safety Committee met this evening with all the committee members present and a full complement of the full Council as well on the issue of a petition received from residents of the Mount Vernon Street neighborhood regarding an increased amount of speeding and traffic issues on their road.

Residents George Silva and Silvia Acevedo joined and expressed their concerns on the record. Captain Richards also joined us who takes all residents' concerns like this very seriously, and he has already begun to analyze the data and recollect data in that area, which he believes as well as the residents expressed, has been exacerbated by the fresh paving of Mount Vernon Street. So once that data is collected, he plans to take a look at the data and redeploy counters on Mount Vernon Street with increased ticketing enforcement and an increased police presence. He's going to get back with a report of progress on that once he collects more data. The following motion was made. (Report received)

P701-23 COUNCILLOR MANNING-MARTIN – Reporting for the Municipal Safety Committee – MOVE TO request that the Police department consult and work with the Public Services Department on adding striping to delineate public parking spots on the cemetery side of Mount Vernon Street.
(Unanimous)

Legal Affairs Committee
October 12, 2023

P702-23 COUNCILLOR O'NEILL – Reporting for the Legal Affairs Committee – The Legal Affairs Committee met earlier this evening. In attendance were committee members Councillors: McGinn, Melville, Peach, and Turco. We were also joined by Councillors: Daigle, Manning, Gould, Gamache, Melville, and Rossignoll. The first item was the request to purchase city-owned land, which is located at 2 Linda Jean Lane. The request to purchase this parcel was from the owners of 27 Emily Lane: the Polignones. The following motion was made. (Report received)

P703-23 COUNCILLOR O'NEILL – MOVE TO receive, under suspension of the rules, Item 8-D communication from Lisa Polignone, 27 Emily Lane, regarding Request to purchase city-owned land at 2 Linda Jean Lane 011-134.
(Unanimous)

P704-23 COUNCILLOR O'NEILL – Reporting for the Legal Affairs Committee – Briefly, 2 Linda Jean is a city-owned park. The residents had an in-ground pool installed on a portion of the city-owned land in 2008. The plan submitted as part of the original building permit application process shows the pool being constructed solely on private property. As previously stated, the pool is located on a portion of city-owned property. An appraisal was given to the City by the applicants. There were several questions raised in the meeting regarding concerns on the overall sale process for selling land, including notification of abutters. Councillor Turco had concerns regarding the collection of property taxes, knowing that this particular parcel has been in active use for the past 15 years. After additional comments, the following motion was made. (Report received)

P705-23 COUNCILLOR O'NEILL (Tri-motion with Councillor Melville and Councillor Turco) – Reporting for the Legal Affairs Committee – MOVE TO start the appraisal process for the sale of a parcel of land consisting of 4,161 square feet at 2 Linda Jean Lane. The applicants, Robert and Lisa Polignone, will bear the cost of this appraisal. The Community Development Department will provide the City Council with the appraised value and a recommended sale price. Further request that the City Assessor determine the taxes owed for the parcel containing 4,161 square feet that the applicant would have paid for the use of the property for the past 15 years.
(Carried 10-0; Councillor Gamache absent)

P706-23 COUNCILLOR O'NEILL – Reporting for the Legal Affairs Committee – The second item on the agenda was regarding amending Zoning Ordinance, Vacant Structures and Vacant Land. That was kept in committee and no action was taken. The last item was a discussion of a motion made by Councillor Turco regarding the number of continuances with meetings that have been occurring over the past several months. The issues raised during the discussion included basic items like the notice requirement

to abutters letting them know about public meetings or hearings that have changed or continue to change, and also, certainly, most basic of issues with scheduling of meetings and coordinating agendas. The consensus is that the Council will push harder to enforce our own rules regarding special permit applications. The City Clerk should not be receiving a special permit application until all required boards have given their approvals. It was noticed that special permit applications are signed off by the building Inspector. The following motion was made. (Report received)

P707-23 COUNCILLOR O'NEILL – Reporting for the Legal Affairs Committee – MOVE TO request that the Building Inspector adhere to Section 17 of the Rules and Regulation of the Special Permit Granting Authority. No application for a license or permit shall be entertained by the Council until all of the permits and approvals required to be obtained from other governmental entities have been obtained and the applicant so certifies to the Council.

(Unanimous)

MOTIONS, ORDERS AND RESOLUTIONS

P708-23 COUNCILLOR TURCO (Co-motion with Councillor Welton) – MOVE TO amend Section 19-93 of the City Code to prohibit parking on the northerly side of MacArthur Road from 8:00 a.m. to 9:30 a.m. and from 2:00 p.m. to 3:30 p.m.

(Unanimous)

P709-23 COUNCILLOR TURCO (Co-motion with Councillor Welton) – MOVE TO request that the Public Services Department repair the sidewalk at 24 Quail Road.

(Unanimous)

P710-23 COUNCILLOR TURCO (Co-motion with Councillor Welton) – MOVE TO request that the Public Services Department repair the sidewalk at 5 Lynch Street.

(Emergency Preamble – Carried 10-0; Councillor Gamache absent)

(Carried 10-0; Councillor Gamache absent)

P711-23 COUNCILLOR DAIGLE – MOVE TO receive, under suspension of the rules, Item 8-A communication from Seaside Realty Associates, LLC, 64 Andover Street, Danvers, regarding Chapter 61A Notice of Intent to Convert- 64 Andover Street and refer to the Legal Affairs Committee and Community Development Department for an opinion.

(Unanimous)

P712-23 COUNCILLOR PEACH – MOVE TO receive and approve, under suspension of the rules, Item 9-A the following banner request, subject to all papers being in order:

St. Vasilios Greek Orthodox Church, 5 Paleologos Street
Stage One Association of Patrons/PVMHS, 39 Donegal Road

(Unanimous)

{10-B Roland Road, westbound at Abington Avenue}

P713-23 COUNCILLOR PEACH – BE IT ORDERED by the City Council of the City of Peabody that an ordinance Amending Chapter 19-126 entitled Obedience To Isolated Stop Signs of the Code of the City of Peabody be adopted as advertised.

(Carried 10-0; Councillor Gamache absent)

P714-23 COUNCILLOR PEACH – MOVE TO receive, under suspension of the rules, the following items:

Item 8-G - Councillor Stephanie Peach regarding Resolution in Support of October 2023 as Pregnancy and Infant Loss Awareness Month and October 15, 2023 as Pregnancy and Infant Loss Awareness Day in Peabody

Late 2 – Councillor Stephanie Peach regarding Council Proclamation
(Unanimous)

P715-23 COUNCILLOR PEACH – MOVE TO APPROVE THE RESOLUTION SUPPORTING PREGNANCY AND INFANT LOSS AWARENESS MONTH AND OCTOBER 15, 2023 TO BE PREGNANCY AND INFANT LOSS REMEMBRANCE DAY.

WHEREAS, Pregnancy and Infant Loss is such a common occurrence, one that is usually not recognized; and

WHEREAS, pregnancy is usually a time of excitement and expectation as parents prepare for the arrival of their baby; and

WHEREAS, tragically, approximately 1 in 4 women in the United States suffers a miscarriage, stillbirth or infant loss; and

WHEREAS, many of these parents live and work in our community; and

WHEREAS, this devastating tragedy often occurs suddenly, without warning, as a result of miscarriage, stillbirth, preterm birth, Sudden Infant Death Syndrome (SIDS), accident, or other causes or complications; and

WHEREAS, the tragedy of pregnancy and infant loss is a traumatic and heartbreaking event as families recognize that even a short life is impactful, and the grief of those who mourn the loss of these lives should be remembered by a compassionate public; and

WHEREAS, increased awareness of the causes and impacts surrounding pregnancy and infant loss may lead to greater understanding, support, and resources in our community; and

WHEREAS recognizing Pregnancy and Infant Loss Awareness Month and Pregnancy and Infant Loss Remembrance Day on October 15th would enable the people of Peabody to consider how, as individuals and a community, they can meet the needs of bereaved mothers, fathers, and family members; and

WHEREAS, bereaved parents around the world remember their children annually on October 15th with a candle lighting at 7 p.m., known as the Wave of Light;

NOW, THEREFORE, BE IT RESOLVED, that the City of Peabody through its Honorable Mayor, Edward A. Bettencourt, Jr. and the Honorable City Council jointly proclaim October 2023 to be Pregnancy and Infant Loss Awareness Month and October 15, 2023 to be Pregnancy and Infant Loss Remembrance Day and extend heartfelt condolences and compassion to the residents of Peabody who have experienced such loss.

(Carried 10-0; Councillor Gamache absent)

P716-23 COUNCILLOR MANNING-MARTIN – MOVE TO request that the Community Development Department provide the dates that all comprehensive permits will expire, and the number of units involved affecting our subsidized housing inventory should construction not begin.

(Unanimous)

P717-23 COUNCILLOR GOULD (Co-motion with Councillor Welton) – 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 the sidewalk at 8 Holten Street and have the Forestry Department take a look at the tree root.
(Emergency Preamble – Carried 10-0; Councillor Gamache absent)
(Carried 10-0; Councillor Gamache absent)

{10-C 17 MacArthur Road}
P718-23 COUNCILLOR MELVILLE – BE IT ORDERED THAT by the City of Council of the City of Peabody that an ordinance Amending Chapter 19-81 entitled Parking Prohibited-Handicap Zone of the Code of the City of Peabody be adopted as advertised.
(Carried 9-0; Councillor Gamache absent, Councillor Manning-Martin absent)

P719-23 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Transfer of Funds - Land Purchase - 116-R Main Street \$185,000.00 and refer to the Finance Committee.
(Unanimous)

P720-23 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Transfer of Funds - CPC - Emerson Cemetery Restoration \$33,500.00 and refer to the Finance Committee.
(Unanimous)

P721-23 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, Item 7-C communication from His Honor the Mayor regarding Transfer of Funds - CPC - Doughty Family Cemetery Restoration \$6,855.00 and refer to the Finance Committee.
(Unanimous)

P722-23 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules Item 8-F communication from Spero J. Demakis, Trustee, 29-31 Lynnfield Street, regarding Special Permit application and set up a public hearing.
(Unanimous)

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Previously received.

COMMUNICATIONS FROM CITY OFFICERS AND OTHERS

Previously received.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

Previously received.

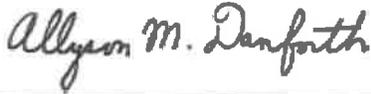
UNFINISHED BUSINESS FROM THE PRECEDING MATTER

None.

MOVED: MOVE TO adjourn. Regular meeting of the Peabody City Council adjourned at 10:30 p.m.

SUBMITTED TO HIS HONOR THE MAYOR, OCTOBER 20, 2023

RETURNED BY HIS HONOR THE MAYOR, OCTOBER 20, 2023



ATTEST: _____
(Allyson M. Danforth, City Clerk)

COMMUNICATIONS:

- His Honor the Mayor re: Transfer of Funds – Land Purchase – 116-R Main Street \$185,000
- His Honor the Mayor re: Transfer of Funds – CPC – Emerson Cemetery Restoration \$33,500
- His Honor the Mayor re: Transfer of Funds – CPC – Doughty Family Cemetery Restoration \$6,855
- Seaside Realty Associates, LLC, 64 Andover Street, Danvers, re: Chapter 61A Notice of Intent to Convert – 64 Andover Street
- Atty. John Keilty on behalf of 180 Newbury Street, LLC, re: 180 Newbury Street, Special Permit Request Automotive Repair Shop
- Atty. John Keilty on behalf of 180 Newbury Street, LLC, re: 180 Newbury Street, Special Permit, Sale of Automobiles
- Lisa Polignone, 27 Emily Lane, re: Request to purchase city-owned land at 2 Linda Jean Lane 011-134
- Atty. John Keilty on behalf of Saint Bishoy, Inc., 598 Lowell Street, re: Various letters of support
- Spero J. Demakis, Trustee, 29-31 Lynnfield Street, re: Special Permit application
- Councillor Stephanie Peach re: Resolution in Support of October 2023 as Pregnancy and Infant Loss Awareness Month and October 15, 2023 as Pregnancy and Infant Loss Awareness Day in Peabody

BANNER:

- St. Vasilios Greek Orthodox Church, 5 Paleologos Street
- Stage One Association of Patrons/PVMHS, 39 Donegal Road