**REGULAR MEETING OF THE PEABODY CITY COUNCIL**
**MARCH 27, 2025**

PRESENT COUNCILLORS: TURCO, GOULD, GAMACHE, HIGGINS, MANNING-MARTIN, WELTON, MCGINN, ROSSIGNOLL, MELVILLE, AND DAIGLE

ABSENT COUNCILLORS: PEACH

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 Julie K. Daigle.

Salute to the American Flag.

COUNCILLOR DAIGLE – 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.

P134-25 COUNCILLOR GOULD – MOVE TO receive and approve the minutes from the Regular Meeting of March 13, 2025.
(Unanimous)

(MAYOR BETTENCOURT AND ATTY. MAUREEN MURPHY APPEARED TO SPEAK REGARDING ITEM 7-C)

P135-25 COUNCILLOR MANNING-MARTIN – MOVE TO receive and approve, under suspension of the rules, the following appointments Item 7-C, as submitted by His Honor the Mayor, under date of March 21, 2025:

| NAME: | POSITION: | TERM TO EXPIRE: |
|---|---|---|
| Michael W. Rizzo, Jr.<br>40 Samoset Road<br>Peabody, MA 01960 | Conservation Commission | 12/31/2026<br>(2-Year Term) |
| Francis X. Hardy<br>1 Danforth Street<br>Peabody, MA 01960 | Community Preservation Commission (Historical) | 12/31/2026<br>(2-Year Term) |
| Maureen Murphy<br>80 Foster Street<br>Peabody, MA 01960 | Licensing Board Member | 6/1/2028<br>(3-Year Term) |

(Carried 10-0; Councillor Peach absent)

## HEARINGS

A public hearing was duly held on the application submitted by Pasquale Todisco, III, 147A Summit Street, Peabody, MA. Atty. John R. Keilty appeared to speak on behalf of the application. No one appeared to speak in favor. No one appeared to speak in opposition.

P136-25 COUNCILLOR WELTON – BE IT ORDERED by the City Council of the City of Peabody that the application submitted by Pasquale Todisco, III, 171 Boston Street, Salem, MA, for a Special Permit to allow office/shop of contractor (towing business) and truck service and repair with outdoor storage within fenced area at 147A Summit Street, Peabody, MA, as filed in accordance with Sections 6.1, 11.4.8, and 15.7 of the Peabody Zoning Ordinance be approved based on the following reason and subject to the following conditions:

Reason: The City Council has determined that the application as submitted and approved meets the general requirements of Section 6.1 of the Peabody Zoning Ordinance, specifically, 6.1.2 which satisfies a desirable local need, that its design and appearance will not be injurious to the established or future

character of the vicinity and the neighborhood, and that said approval is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Peabody.

**CONDITIONS**:

1. Per the Health Department, Business must have proper procedures in place to ensure that damaged vehicles brought on site are not releasing automotive fluids to the environment. If repairs include autobody work, they must ensure proper engineering controls to prevent the release of particulate, odor, or other emissions to the environment;
2. Per Public Services Department, All MDC trap containment systems are in place for motor vehicle spill(s) and prevention inside the building per codes;
3. Per the Building Department, The property located at 147A Summit Street requires a 6-foot high sight-impervious fence to surround any exterior outdoor storage areas; and
4. Subject to the approval of the Conservation Commission, including any and all conditions.

(Carried 10-0; Councillor Peach absent)

A public hearing was duly held on the application submitted by MJ Votto, LLC, d/b/a Brodies Pub, 10 Lowell Street, Peabody, MA. Atty. John R. Keilty appeared to speak on behalf of the application. Mr. Joseph Ruggiero, 10 Chestnut Street, Peabody, MA, appeared to speak in favor. No one appeared to speak in opposition.

P137-25 COUNCILLOR MCGINN – MOVE TO approve the application submitted by MJ Votto, LLC, d/b/a Brodies Pub, 10 Lowell Street, Peabody, MA, requesting an Entertainment License for the use of non-live entertainment, specifically television and satellite radio; and live entertainment, specifically acoustic only live music 1-3 people, karaoke, comedy show, and trivia at said 10 Lowell Street, Peabody, MA, with the following conditions and subject to all papers being in order:

**CONDITIONS:**

1. Hours of non-live entertainment:
   10:00 a.m. to 1:00 a.m. Monday to Saturday
   10:00 a.m. to 1:00 a.m. Sunday (or as otherwise stipulated in Sunday license to be obtained from the Mayor's office);
2. Hours of live entertainment (up to 3 performers and up to 1 amplifier):
   11:00 a.m. to 11:00 p.m. Monday to Wednesday
   11:00 a.m. to 12:00 a.m. Thursday to Saturday
   11:00 a.m. to 10:00 p.m. Sunday (or as otherwise stipulated in Sunday license to be obtained from the Mayor's office);
3. Windows to be closed during any live entertainment offering; and
4. Owner(s) will make ongoing reasonable efforts to prevent noise from becoming disruptive to area residents and abutting businesses.

(Carried 9-1; Councillor Rossignoll opposed; Councillor Peach absent)

## REPORTS OF COMMITTEE

**Ad Hoc Committee Municipal Golf Course/Skating Rink**
**March 15, 2025**

P138-25 COUNCILLOR MANNING-MARTIN – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – The committee met at the skating rink on March 15th, which was a Saturday, so I very much appreciate those that could attend and especially Mr. Gingras, who came out on a Saturday and joined us. We took a tour of the skating rink, which was done by the manager Paul LoGiudice and his assistant manager Robert Hagerty. Also joining us was Representative Tom Walsh, Councillor

Gamache, Councillor Higgins, Councillor Daigle, Councillor McGinn, Councillor Turco, Councillor Gould, and School Committeeman Jarrod Hochman. Again, it was a tour. Since we had a quorum, we didn't have a recorder present, we refrained from any deliberation, so we didn't violate Open Meeting Law. So, what we did was receive a lot of information from the manager and the assistant manager of the needs of the skating rink and the design of the skating rink. The purpose of this was for the Council to get a grasp of what we have going on there, its needs and how we can help. But specifically, it was that we continue to be out of Title IX compliance with respect to the girl's locker room. This has been an ongoing issue that we did look into back in 2018, and I know that Mayor Bettencourt at that time had written a communication to the Department of Conservation and Recreation and asked the Commission to discuss options about maintenance and issues that we shared relative to the rink and the design and the girl's bathroom. They sent a communication, and they were supposed to meet. I don't know if they did, but we can say that that effort really didn't result in anything because they may have put in the effort, but the result remains the same, that we're in the same condition with Title IX, that the girl's locker room has no toilet, and has one shower. If the girls need to use the bathroom, they have to, in all their gear and skates, run across the rink to the public restroom and share it with the public. It is a state building, and I'm open to discussing it, maybe my colleagues can offer some insight into it. I know that Representative Walsh has a bill pending to have DCR require state agencies follow federal law, which Title IX is federal law. That's a weird one for me that you have to create a law to have the state follow a law. So, I'm open to having that one explained to me, but there is a bill pending to try and get that to happen. What came up also was the fees. That stuck out to me that the fee for the public, for the high school teams or public hockey teams, are charged the same amount as private for-profit teams so I thought that might be something we would want to discuss. It wasn't a committee meeting; it was rather a tour. So I'd like to open it up now for any discussion or questions or any type of recommendations from my colleagues for motions that I can make out of this committee report so that we can make a difference and hopefully not be talking about this in another eight years that we haven't been able to offer equal services to girls up at the skating rink. (Report received)

P139-25 COUNCILLOR MANNING-MARTIN – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – MOVE TO request that the skating rink manager and Mr. Gingras put together a proposal on the fee structure for private versus public fees charged at the skating rink for a full year and refer to the Finance Committee.
(Carried 10-0; Councillor Peach absent)

P140-25 COUNCILLOR MANNING-MARTIN (Co-motion with Councillor Gould) – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – MOVE TO request a legal opinion from the City Solicitor as to who is responsible to provide equal access to women in the State-owned skating rink building with respect to following Title IX and equal access.
(Carried 10-0; Councillor Peach absent)

P141-25 COUNCILLOR MANNING-MARTIN – Reporting for the Ad Hoc Committee Municipal Golf Course/Skating Rink – MOVE TO request a legal opinion from the City Solicitor if the skating rink can be subleased for remainder of lease and request a copy of the current lease.
(Unanimous)

P142-25 COUNCILLOR TURCO (Co-motion with Councillor Welton) – MOVE TO request that the Mayor enter into an athletic facilities consultant contract to review the policies, procedures, and revenues of the skating rink and how to better maintain and operate that rink as a full year operating athletic facility.
(Carried 9-1; Councillor Gamache opposed; Councillor Peach absent)

P143-25 COUNCILLOR MANNING-MARTIN – MOVE TO receive, under suspension of the rules, Item 8-A communication from Councillor Anne Manning-Martin regarding Title IX Skating Rink.
(Unanimous)

**Legal Affairs Committee**
**March 27, 2025**

P144-25 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – Legal Affairs met earlier this evening. In attendance was myself as chair, Councillor Higgins, Councillor Melville, Councillor McGinn sitting in for Councillor Peach, Councillor Turco; all other councillors were present. We had two items on the agenda. The first one was the adoption of MGL Chapter 90, Section 14C, An Act concerning the safety of school children embarking and disembarking on school buses. We had the Mayor as well as Maria Scheri speak before us. It was a very appropriate and moving presentation considering Peabody was really kind of the lead in moving this forward. The following motion was made. (Report received)

P145-25 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – MOVE TO adopt Massachusetts General Laws Chapter 90, Section 14C, "An Act concerning the safety of school children embarking and disembarking school buses."
(Carried 10-0; Councillor Peach absent)

P146-25 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – Our second item on the agenda was purchase of city-owned land, which was 0 Calumet Street, map number 104-131. That was sent to the department heads. The following motion was made. (Report received)

P147-25 COUNCILLOR ROSSIGNOLL – Reporting for the Legal Affairs Committee – MOVE TO request that the application for the Purchase of city-owned land – 0 Calumet Street, Map 104-131 be referred to the appropriate departments for comment.
(Unanimous)

**Finance Committee**
**March 27, 2025**

P148-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The Finance Committee met earlier this evening. Present for the committee were Councillors: Gamache, Gould, Manning-Martin, Turco, and myself as chair. Also present were Councillors: Welton, Daigle, Higgins, Melville, and Rossignoll. We had several items on the agenda. The first item was transfer of funds – Brooksby Recreation Improvement, $193,624.36. That was presented to the committee by Mr. Gingras, and this is explained that this was brought forward by the Director of Parks, Recreation & Forestry. Farm Management requested this transfer out of the revolving fund to install a new playyard and to fund that improvement at Brooksby Farm. The following motion was made. (Report received)

P149-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfer, as submitted by His Honor the Mayor, under date of March 3, 2025:

| **FROM:** | | **TO:** | |
|---|---|---|---|
| Brooksby Farm Revolving | | Brooksby - Recreation Improvements | |
| 260-00000-35603 | $193,624.36 | 300-09421-58545-2025-00-00-00-6620 | $193,624.36 |

(Carried 9-0; Councillor Gamache and Councillor Peach absent)

P150-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was transfer of funds – CPC Land Acquisition Golf Course, 132.45 acres, in an amount of $270,000 and CPC Land acquisition DiBiase, 76.3 acres, in an amount of $400,000. This was brought to us by Mr. Gingras. It was explained that this first request was part of a multi-year commitment by the Community Preservation Committee to partially fund the land acquisition of the golf course in the first case, and for the DiBiase land acquisition in the second case. As far as the golf course acquisition, this was the first such transfer being requested. In the case of the DiBiase property, this is the second transfer request as part of the multi-year commitment. We also had His Honor the Mayor there to respond to questions. He

also indicated his belief as to how fortunate the City is to have the community preservation fund available for such significant projects such as this. The following motion was made. (Report received)

P151-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfer, as submitted by His Honor the Mayor, under date of March 3, 2025:

| **FROM:** | **TO:** |
|---|---|
| 270-0000-33021<br>CPC - Open Space<br>$270,000.00 | 270-1811-58562-2025-00-00-00-512<br>CPC-Land Acquisition Golf Course 132.45 Acres<br>$270,000.00 |
| 270-0000-33021<br>Open Space<br>$400,000.00 | 270-1811-58562-2023-00-00-00-512<br>CPC – Land Acquisition DiBiase 76.3 Acres<br>$400,000.00 |

(Carried 9-0; Councillor Gamache and Councillor Peach absent)

P152-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – Next item on the agenda was transfer of funds – CPC Cemetery Restoration Old South in an amount of $3,920. This was brought to us by Mr. Gingras and explained that this was a CPC request to fund a small historic preservation project at the Old South Burial Ground, specifically the replacement of a historic gate on the property. The following motion was made. (Report received)

P153-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfer, as submitted by His Honor the Mayor, under date of March 3, 2025:

| **FROM:** | | **TO:** | |
|---|---|---|---|
| 270-00000-33022<br>CPC - Historic Preservation | $3,920.00 | 270-1811-58563-2024-00-0394<br>CPC - Cemetery Rest- Old South | $3,920.00 |

(Carried 9-0; Councillor Gamache and Councillor Peach absent)

P154-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was transfer of funds – Community Preservation Act Open Space in an amount of $1,000,000. This was brought to us by Mr. Gingras and explained that this was essentially an administrative transfer within the CPC to allow for the funding of these previously approved programs, moving it from the unreserved balance and committing the funds to the open space account. The following motion was made. (Report received)

P155-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfer, as submitted by His Honor the Mayor, under date of March 3, 2025:

| **FROM:** | | **TO:** | |
|---|---|---|---|
| 270-0000-33011<br>Community Preservation Act<br>Unreserved Fund Balance | $1,000,000.00 | 270-0000-33021<br>Open Space | $1,000,000.00 |

(Carried 9-0; Councillor Gamache and Councillor Peach absent)

P156-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The next item on the agenda was transfer of funds – Community Preservation Act Open Space in an amount of $24,734.81. Again, this was brought to us by Mr. Gingras, and he explained that this was a request to return some money from two completed projects -- some excess funds -- to return them to the open space account so that

that money could be utilized for other projects going forward. The following motion was made. (Report received)

P157-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfer, as submitted by His Honor the Mayor, under date of March 3, 2025:

| **FROM:** | | **TO:** | |
|---|---|---|---|
| 270-01811-58562-2019 -0379<br>CPC- Center School Playground | $12,325.72 | 270-0000-33021<br>Community Preservation Act<br>Open Space | $24,734.81 |
| 270-01811-58562-2019 -0380<br>CPC- Playground Upgrades | $12,409.09 | | |
| | $24,734.81 | | |

(Carried 9-0; Councillor Gamache and Councillor Peach absent)

P158-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – Next item on the agenda was transfer of funds cable fund expense in the amount of $188,287.88. This is a routine quarterly matter that comes before the Finance Committee. In this instance, this is money from Comcast which is received by the City and ultimately transferred to Peabody Access Television. The following motion was made. (Report received)

P159-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfer, as submitted by His Honor the Mayor, under date of March 3, 2025:

| **FROM:** | | **TO:** | |
|---|---|---|---|
| Receipts Reserved Cable Fund<br>270-0000-33017 | $188,287.88 | Cable Fund Expense<br>270-0000-53007 | $188,287.88 |

(Carried 9-0; Councillor Gamache and Councillor Peach absent)

P160-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – The last item on the agenda was transfer of funds cable fund expense in an amount of $13,157.62 and $2,923.92. Similar to the last item, this is a quarterly transfer of funds related to cable expense. In this case it's the RCN component. The following motion was made. (Report received)

P161-25 COUNCILLOR MCGINN – Reporting for the Finance Committee – MOVE TO approve, under suspension of the rules, the following transfer, as submitted by His Honor the Mayor, under date of March 3, 2025:

| **FROM:** | | **TO:** | |
|---|---|---|---|
| Receipts Reserved Cable Fund | | Cable Fund Expense | |
| Quarter 4 2024<br>270-0000-33017 | $13,157.62 | 270-0000-53007 | $13,157.62 |
| 270-0000-33017 | $2,923.92 | 270-0000-53007 | $2,923.92 |
| | $16,081.54 | | $16,081.54 |

(Carried 9-0; Councillor Gamache and Councillor Peach absent)

## MOTIONS, ORDERS AND RESOLUTIONS

P162-25 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, the following Item 9-A Banner Request, subject to all papers being in order:

St. Vasilios, 5 Paleologos Street
St. Clare of Assisi Catholic Community, 32 Ellsworth Road
(Unanimous)

P163-25 COUNCILLOR TURCO – MOVE TO receive and approve, under suspension of the rules, the following Item 9-C Class 2 Motor Vehicle License (Renewal for 2025), subject to all papers being in order:

Car Depot, 1 Willard Street, Units 11 and 12
Elite Motor Cars, 93 Lynn Street
(Unanimous)

P164-25 COUNCILLOR GOULD (Co-motion with Councillor Gamache) – MOVE TO request a "Stop" sign at Page Street onto Baldwin Street, and that an ordinance be drafted and advertised on the same.
(Unanimous)

P165-25 COUNCILLOR HIGGINS – MOVE TO receive and approve, under suspension of the rules, Item 9-B Block Party - 12 Hamerick Road through 16 Hamerick Road - August 16, 2025, subject to all papers being in order.
(Unanimous)

P166-25 COUNCILLOR MCGINN – MOVE TO receive, under suspension of the rules, late communication Item 1 from Ross Titelbaum, City Treasurer, regarding 2 Benevento Circle and refer to the Finance Committee.
(Unanimous)

P167-25 COUNCILLOR MCGINN – MOVE TO draft and advertise the following ordinance amendments to Section 19-94 "Parking prohibited on certain streets," to add Winter Street, easterly side from Oak street to Mason Street; Winter Street, westerly side from a point of 100 feet south of Oak Street to a point of 140 feet south of Oak Street; and Section 19-141 to add Winter Street southerly from Oak Street to Mason Street.
(Unanimous)

P168-25 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 7-A communication from His Honor the Mayor regarding Bond Order - PVMHS Feasibility $8,000,000 and refer to the Finance Committee.
(Unanimous)

P169-25 COUNCILLOR MELVILLE – MOVE TO receive, under suspension of the rules, Item 7-B communication from His Honor the Mayor regarding Transfer of Funds - Building Demolition $170,979 and refer to the Finance Committee.
(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 9:30 p.m.

SUBMITTED TO HIS HONOR THE APRIL 2, 2025
RETURNED BY HIS HONOR THE APRIL 2, 2025

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

**COMMUNICATIONS:**
His Honor the Mayor re: Transfer of Funds – Brooksby – Recreation Improvements $193,624.36
His Honor the Mayor re: Transfer of Funds – CPC – Cemetery Rest-Old South $3,920
His Honor the Mayor re: Transfer of Funds – Community Preservation Act Open Space $1,000,000
His Honor the Mayor re: Bond Order – PVMHS Feasibility $8,000,000
His Honor the Mayor re: Transfer of Funds – Building Demolition $170,979
His Honor the Mayor re: Various appointments
Councillor Anne Manning-Martin re: Title IX Skating Rink

**Banner Request:**
St. Vasilios, 5 Paleologos Street
St. Clare of Assisi Catholic Community, 32 Ellsworth Road

**Block Party:**
12 Hamerick Road through 16 Hamerick Road – August 16, 2025

**Class 2 Motor Vehicle License:** (Renewal for 2025)
Car Depot, 1 Willard Street, Units 11 and 12
Elite Motor Cars, 93 Lynn Street