

**CITY OF BEVERLY**  
**PUBLIC MEETING MINUTES**

CITY OF BEVERLY  
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Committee: Charter Review Committee  
DATE: January 27, 2022  
LOCATION: Beverly Library, 32 Essex Street, Beverly, MA 01915; the Barnet Gallery (bottom floor)  
BOARD MEMBERS PRESENT: Timothy Flaherty (Chair), Stacy Ames, Hannah Bowen, Julie DeSilva, Richard Dinkin  
BOARD MEMBERS ABSENT: Michael Pinciario  
RECORDER: Sharlyne Woodbury  
Others present: Marilyn Contreas (Collins Center); Julie Flowers, Councilor-At-Large, City Council President; Stephanie Williams, City Solicitor;  

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Rachael Abell, School Committee President

City Council Appointee(s): Timothy Flaherty, Chairperson and former City Councilor-At-Large; Hannah Bowen, City Councilor-At-Large; Stacy Ames, Former Ward 3 Councilor; Julie Flowers, Councilor-At-Large, City Council President  
Mayoral Appointee(s):  
By Ordinance:  
Ex Officio: Gerard Perry, Budget Analyst

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**1. Opening Remarks**

Chair Flaherty calls the meeting to order at 7:05 p.m.

**2. Review and approval of prior meeting minutes**  
**a. Approval of January 21, 2022 minutes**

Dinkin moves to approve the minutes as presented. DeSilva seconds. The motion carries 5-0.

**3. Review the Mayor's Feedback on Charter Issues**  
**a. City Solicitor feedback & advice**

2-1(c): Mayoral Concern expressed that voters would be disenfranchised.

Upon discussion and feedback, members prefer to maintain the recommendation as it. Members agree the change in language is significant, however; the occasion is a rare occurrence. Flaherty points out the recommendation could be vetoed by city council. Dinkin and others note that as long as the elected representative remains in the municipality, the elected representative will serve out their term completing the job they were elected for. Contreas reaffirms this concept. Members also agree that this should go before the voters to decide. Dinkin recalls the last time it happened, the situations exposed certain rifts in the community. Dinkin confers with Williams, this change does not necessarily need to go before the voters, however, this is better practice if presented to the voters on the ballot. Because this is being changed by how certain members of the committee are affected, the voters have the right to decide.

not make it void. The city would evolve as necessary should newspaper distribution cease. Perry weighs in and recommends leaving the language as is. To remove the language gives the appearance of taking transparency away from the public.

**Motion:** DeSilva moves to keep the newspaper distribution in the language. Ames seconds. the motion carries 5-0.

3-2: There does not seem to be a compelling reason to remove the chief procurement officer language. This would not receive Mayoral approval.

Williams provides prospective on Ch 30 B discussing the historical delegation of how the mayor assigns these responsibilities on the city side and on the school committee side. Ames notes that the language was looking to modernize the charter. Dinkin believes purchasing is a ministerial function. The purchasing officer does not make decisions on what to purchase. Rather where and at what price are negotiated. Dinkin supports removing the paragraph from the charter. It is better for politics to remove this from the mayor's office. Bowen asks for further clarification on Ch 30 B. Williams concedes designation of the procurement officer and could be by the charter or by ordinance, but there must be an identifiable way. Contreas points to Article 5 of the charter. In that section the mayor is named appointer to those offices, the recommendation can reference Article 5. Flaherty is in favor of leaving the current language as is, reiterating city council may not accept the recommendation if unsupported by the mayor. Flaherty and Perry defer to Contreas on the unsupported items. The mayor can line item sections, if so, it is most likely city council will not support those items.

**Motion:** Ames moves to keep the recommendation as is. Dinkin seconds. the motion carries 5-0.

DeSilva discusses the executive summary. Contreas offers suggestions for amending the section.

**Motion:** Dinkin moves to amend the executive summary to include changes to the language in Article 5; that the mayor would appoint the purchasing agent. Bowen seconds. The motion carries 5-0.

3-9: Fulfilling vacancy of the mayor's office.

Williams encourages the members to leave the existing charter language as is. This does not garner mayoral support. Discussion begins on who would be elected during months 17-46. It is a critical point in time during a 4-year term. Currently the charter does not have language designating the line of succession beyond the city council president. Speaking along the lines of succession, the mayor believes if the council president is not willing or able to ascend, succession should continue onto the councilors-at-large first in order of the highest to least vote earner. After that the council would elect the successor.

Members begin rigorous discussion. Dinkin notes the 4-year mayor term was very closely linked to a self-organizing city council. If there is to be no self-organizing city council it does not make sense to lengthen the executive branch to 4-year terms. Dinkin does not like to see one branch strengthened without a comparable strengthening of another branch. The committee will create a greater disparity between the branches if both are not equally strengthened. Flaherty disagrees. Ames discusses term limits for the mayor in order to balance the executive branch. Ames believes the powers needs to be

clearly defined and upheld so the strong mayor is supported. The primary role of the city council is oversight and accountability.

Bowen discusses how the vacancy was supposed to work for the voters on the midterm election cycles. The recommendation instructs to leave the charter as is for the first two years. If the mayor's seat is vacant, the changes come in the extended section of the term. Dinkin further explained his position where the better solution was to allow the acting mayor to serve out the term until the next municipal election. He does not believe that any attorney should be required to interpret an election result. Ames comments on the situation where this happened at the ward councilor level. Whatever the members decide, this recommendation will receive plenty of deliberation at city council. Flaherty notes time, interjects and instructs the members to move the line item along.

**Motion:** DeSilva moves on recommendation B pertaining to the first 39 months; and that the line of succession, if the council president is not able or willing to serve, continues to the councilors-at-large. No second. The motion fails.

**Motion:** Dinkin moves to amend the recommendation language to specify to serve until the next regular municipal election provided there is time to put the name on the ballot. Discussion on the motion. Contreas reviews the time line of election calendar and how it complicates the election particularly on the ability of someone to collect signatures. Dinkin notes special elections are expensive. No second. The motion fails.

**Motion:** Ames moves to stay with the Collins Center recommendation in the report. Bowen seconds. Discussion on the motion. Flaherty explains the 39 months. DeSilva notes the line of succession was not properly addressed. Suggests an addendum to clarify the line of succession. The motion carries 4-0-1. Dinkin abstains.

Williams notes the charter language should be consistent with the recall provision of the charter. That allows a recall of the mayor after the first 6 months of the term up to the 6 months remaining of the mayor's term. That is inconsistent with the existing charter. Williams recommends a reconciliation of the existing language in the charter. This is housekeeping to address language inconsistencies.

4-1(a): Addition of two district school committee members.

Abell succinctly and eloquently reiterates the large amount of work 6 school committee members have to accomplish with limited resources. These conditions were discussed at prior meetings during the charter review process. Conditions include managing and navigating difficult and trying times of a global pandemic, maintaining various subcommittee meetings with a small quorum, hiring a new superintendent, etc. Abell proposes and encourages the members to put forth the recommendation increasing the school committee by 2 at-large members. Dinkin fully supports adding to the school committee. Creates greater representation for the citizens, the parents, the children. Abell notes this work is not done for the stipend by the members. They truly have a sense of duty, commitment and community.

**Motion:** Ames moves to accept the Collins recommendation as is. Dinkin seconds. Discussion on the motion. Flaherty offers final comments. Notes the intent of the 1993 reforms were to have less work for the school committee. The main responsibilities were to set policy

and hire the superintendent. Flaherty points out they have had trouble filling the current vacancies. Despite expressed concerns, Flaherty supports the ballot initiative. The motion carries 5-0.

6-10: Composition of an audit review committee and establishment of the concept.

Flaherty supports the committee recommendation changes as proposed by Bryant Ayles. Dinkin concurs. Bowen expresses concerns of the composition of the committee. Bowen feels strong to how the members arrived at their recommendation of the charter and this subject. Bowen and DeSilva strongly believe adding citizen representatives. Ames disagrees with the mayors language.

**Motion:** Dinkin moves to accept the mayors draft. DeSilva seconds. Discussion on the motion. Perry asks the city solicitor, if everything passes, with language clarification of the final wording; the city council will have the final say for the audit firm recommendation and the school budget analyst is part of the committee composition. Williams confirms all parties concur and agree to these conditions. The motion carries 3-2. Bowen, Ames dissent.

**4. Discussion: Final Report & Summary**

Perry would like to know how the committees would like to proceed with the document. Dinkin would like an opportunity to review the final language. Dinkin suggests another meeting. They have to vote on the final document. Dinkin is not comfortable voting for an incomplete document. Members agree to meet February 10, 2022 as meeting space is available.

**5. Old Business**

None at this time.

**6. Adjournment**

Dinkin moves to adjourn the meeting. Ames seconds. The motion carries 5-0.

Meeting adjourned at 8:44 p.m.

Next meeting is February 10, 2022 at 7:00 p.m.

Meeting location: Council Chambers, City Hall.