

City of Beverly
Regular City Council Meeting
Public Meeting Minutes
Tuesday, April 18, 2023, 7:00pm
City Council Chambers, 191 Cabot St.

CITY OF BEVERLY
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2023 APR 25 A 11:20

Julie Flowers, City Council President, called the meeting to order at 7:00pm. City Clerk, Lisa Kent, took attendance by roll call.

Members Present: Hannah Bowen, Steven Crowley, Scott Houseman, Matthew St. Hilaire, Brendan Sweeney, Estelle Rand, Todd Rotondo, Julie Flowers

Members Absent: Kathleen Feldman

St. Hilaire led the pledge of allegiance.

A moment of silence was held for William Coughlin who was a former and long-time City Councilor.

Resolution

Order #097-William Burke, Retired Director of Health

Rotondo read the resolution.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

A motion for a brief recess was made and seconded. A vote was taken, and the motion carried (8-0). The meeting recessed at 7:13pm.

The meeting was called back to order at 7:20pm.

Order #098-Beverly Cove Improvement Association

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Presentations, Awards and Memorials

Beverly Bootstraps Executive Director Sue Gabriel gave an update on services. In FY22, Bootstraps helped 235 people with rental assistance, had 59 students participate in high school equivalency prep tutoring and English language instruction, and provided about 700 back-to-school backpacks and 724 holiday gifts for children. Gabriel thanked the many volunteers at Beverly Bootstraps. In March, Beverly Bootstraps had 1,480 visits for food assistance. Food programs include the kids' weekend food bags, mobile market, bags dropped off for seniors at the Beverly Council on Aging, and the community meals program. Bootstraps has a thrift shop which offers a voucher program and provides income for the organization as well as keeping items out of landfills. Gabriel stated housing is a major issue right now and asked the Council to support any responsible housing in the city to help with supply such as affordable housing and accessory dwelling units. People are being priced out of the city or have to come to the food pantry to make their rent.

Acceptance of Minutes of Previous Meeting

Regular City Council Meeting, April 3, 2023

Finance & Property Meeting, April 10, 2023

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Communications from His Honor the Mayor

Order #099-Grant-A Hazardous Materials Response Grant from the Massachusetts Department of Fire Services. This grant is estimated at \$10,000 per year for 10 years. This grant supports Beverly Fire Department members who serve on the Massachusetts Hazardous Materials Response Team.

Referred to Committee on Finance and Property.

Order #100-Grant-\$56,250 from the Fish & Game Division of Marine Fisheries-Clean Vessel Act Grant Program to purchase a pump out boat.

Referred to Committee on Finance and Property.

Order #101-Grant-\$20,000 from Metropolitan Area Planning Council Accelerating Climate Resiliency program for a project titled Public Art to Illuminate Clean Energy Futures with Beverly Public School Students.

Referred to Committee on Finance and Property.

Order #102-Appointment-Purvi Harley, 8 James Street to serve on the Human Rights Committee.

Referred to Committee on Legal Affairs.

Order #103-Regarding a request for approval of an additional 2% COLA increase for the first \$13,000 in retirement benefits for retirees this year.

Referred to Committee on Finance and Property.

Order #104-2023 Capital Expenditure Plan pursuant to the City Charter.

Referred to Committee on Finance and Property.

Order #105-(regarding Order #315-2022)-A \$200,000 earmark from the Economic Development Legislation that was signed into law in November 2022.

Referred to Committee on Finance and Property.

Order #119-A proposed order approving the taking by eminent domain, pursuant to Massachusetts General Laws Chapter 79, of the properties located at 218-226 Cabot Street (also known as 218-224 Cabot Street) and 8 Chapman Street (also known as 18 Federal Street).

Referred to Committee on Legal Affairs.

Order #120-A proposed order approving an appropriation that will be used to pay for the taking by eminent domain of the properties located at 218-226 Cabot Street also known as 218-224 Cabot Street) and 8 Chapman Street (also known as 18 Federal Street). The Order would authorize the City to appropriate the sum of Eight Million Dollars (\$8,000,000.00).

Referred to Committee on Finance and Property.

Communications from other City Officers and Boards

Order #106-City Clerk-Fortune Teller Renewal Application for Timothy Reagan.

Referred to Committee on Legal Affairs.

Order #107-City Clerk-Fortune Teller Renewal Application for Elizabeth Kransberg.

Referred to Committee on Legal Affairs.

Order #108-City Clerk-Fortune Teller Renewal Application for Leanne Gordon.

Referred to Committee on Legal Affairs.

Order #109-City Clerk-Fortune Teller Renewal Application for Laura Nestor.

Referred to Committee on Legal Affairs.

Order #110-City Clerk-Fortune Teller Renewal Application for Lillian Perry.

Referred to Committee on Legal Affairs.

Order #111-City Clerk-Fortune Teller Renewal Application for Sophia Andrianopoulos.

Referred to Committee on Legal Affairs.

Order #112-City Clerk-Renewal of Petroleum Storage Registrations for 2023.

Referred to Committee on Legal Affairs.

Order #113-City Clerk-Renewal for a Second Hand Junk Dealer License for Beverly Coin, Jewelry, Records and Estate Appraisals located at 38 Rantoul Street.

Referred to Committee on Legal Affairs.

Order #114-City Clerk-Renewal for a Second Hand Junk Dealer License for Kim Weaver DBA The Golden Hanger located at 231 Cabot Street.

Referred to Committee on Legal Affairs.

Order #115-City Clerk-Renewal for a Second Hand Junk Dealer License Marconi Radio located at 497 Rantoul Street.

Referred to Committee on Legal Affairs.

Order #116-City Clerk-Renewal for a Second Hand Junk Dealer License for Plum Consignment LLC DBA Worthy Girl located at 276 Cabot Street.

Referred to Committee on Legal Affairs.

Order #117-City Clerk-New Class I Motor Vehicle Dealers License for Beverly Port Marina, Inc. located at 43 Water Street.

Referred to Committee on Legal Affairs.

Order #118-President Flowers and Councilor Rotondo-School Committee Subcommittee Finance and Facilities Meetings Recap January-March 2023 3rd Quarter Report FY2023.

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (8-0).

Motions and Orders

Order #072-Amendment to Beverly Ordinance section 15-18 "Building and Other facilities Planning and Construction Committee" (Final Passage)

A motion to approve was made and seconded. A vote was taken, and the motion carried (6-2, Bowen and Flowers opposed).

A motion to break for committee work was made and seconded. A vote was taken, and the motion carried (8-0). The meeting recessed at 7:56pm.

The meeting was called back to order at 8:15pm.

Public Hearings

Order #079-8:15 PM-Transfer-\$216,786 from FY2023 Reserve for Unforeseen and \$191,964 from Reserve for Collective Bargaining for a total of \$408,750 into the Police Department budget as a result of the recently agreed upon Beverly Police Patrolman contract

Finance Director Bryant Ayles and City Council Budget Analyst Gerard Perry spoke in support of the transfer.

The public hearing was opened.

Bowen stated she had two questions and asked about the breakdown between what is back pay, what is for this year, and what is expected for the impact on future budgets.

Ayles stated the wage pattern that was agreed upon was 2.25%, 2.25%, 2.75%. This request is for the first two years' worth of funding, so one third of the funding requested would go to pay retro for FY22, and the remaining two thirds of the request would go to pay some retro for FY23 and funding salary adjustments through June 30. For FY24 where it goes to 2.75%, it would be an overall 2.75% adjustment on all of the straight salaries as well as other components that are salary related within the police budget that are tied to patrol base salaries such as education incentives or night differential pay. Things of that nature would go up 2.75% as well.

Bowen asked for a ballpark number on that dollar amount.

Ayles stated he would need a minute to do some quick math if Councilor Bowen wanted to ask her other question in the meantime.

Bowen asked for more context on the new role assignment of the patrol officer-rapid response and transportation.

Assistant City Solicitor Jesse Dole stated this is in anticipation of the change to civilian dispatch. Currently, an officer is assigned to dispatch functions, once the transition in dispatch is complete, that will no longer be the need for that role. This will fill an operational need so the beat officers can stay on their shift in their area of the city and the patrol officer formerly on dispatch can fill in for response/transportation needs.

Ayles addressed Councilor Bowen's previous question by stating that the 2.75% for FY24 will be roughly \$165,000-\$170,000 in addition to the other two years' wage patterns.

No members of the public wished to speak on the item.

The hearing was closed, and the item was referred to Committee on Finance and Property.

Order #287-8:30 PM- National Grid-Petition to install approximately 8,050 feet of 12inch, 60 psig plastic gas main on Hale Street, extending from the existing stub near Cabot Street to the regulator station at Boyle Street (Public hearing continued from December 5, 2022, December 20, 2022, January 3, 2023, January 17, 2023, March 20, 2023, April 3, 2023 meetings)

Flowers stated National Grid has withdrawn their petition so there will be no further action on this item.

A motion to break for additional committee work was made and seconded. A vote was taken, and the motion carried (8-0). The meeting recessed at 8:30pm.

The meeting was called back to order at 8:49pm.

Reports of Committees

Finance and Property

Order #073-Councilor Houseman-City Streets, National Grid Gas Installations and Order 287-2022.

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (8-0).

Order #079-Transfer-\$216,786 from FY2023 Reserve for Unforeseen and \$191,964 from Reserve for Collective Bargaining for a total of \$408,750 into the Police Department budget as a result of the recently agreed upon Beverly Police Patrolman contract.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #082-Appointment of Nathaniel Cramer, 33 Pine Street, Stoneham, MA to serve on Board of Assessors.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #083-Appointment of Francis Golden, 5 Wells Rd., Reading, MA to serve as Chief Assessor and Chairman of Board of Assessors.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #085-Reappointment of Mr. Bryant Ayles, Director of Municipal Finance to serve on the Beverly Retirement Board

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #099-Grant-A Hazardous Materials Response Grant from the Massachusetts Department of Fire Services. This grant is estimated at \$10,000 per year for 10 years. This grant supports Beverly Fire Department members who serve on the Massachusetts Hazardous Materials Response Team.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #100-Grant-\$56,250 from the Fish & Game Division of Marine Fisheries-Clean Vessel Act Grant Program to purchase a pump out boat.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #101-Grant-\$20,000 from Metropolitan Area Planning Council Accelerating Climate Resiliency program for a project titled Public Art to Illuminate Clean Energy Futures with Beverly Public School Students.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #103-Regarding a request for approval of an additional 2% COLA increase for the first \$13,000 in retirement benefits for retirees this year.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #105-(regarding Order #315-2022)-A \$200,000 earmark from the Economic Development Legislation that was signed into law in November 2022.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #315-2022-Earmark from the Economic Development Legislation signed by Governor Baker \$200,000 for the installation of solar panels at Beverly High School.

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (8-0).

Order #120-A proposed order approving an appropriation that will be used to pay for the taking by eminent domain of the properties located at 218-226 Cabot Street also known as 218-224 Cabot Street) and 8 Chapman Street (also known as 18 Federal Street). The Order would authorize the City to appropriate the sum of Eight Million Dollars (\$8,000,000.00).

A motion to set the public hearing for May 1 at 7:30pm was made and seconded. A vote was taken, and the motion carried (8-0).

Public Services

Order #084-Appointment of Brenda Wong Murphy, 15 Bertram St., to Beverly Cultural Council.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Legal Affairs

Order #086-Reappointment of Darlene Wynne as Director of Planning and Development

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #087-Reappointment of Mindy D'Ippolito, 20 Odell Ave. and Hannah Elementary School Principal Gabrielle Montevecchi to serve on the Human Rights Committee

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #106-City Clerk-Fortune Teller Renewal Application for Timothy Reagan.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #107-City Clerk-Fortune Teller Renewal Application for Elizabeth Kransberg.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #108-City Clerk-Fortune Teller Renewal Application for Leanne Gordon.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #109-City Clerk-Fortune Teller Renewal Application for Laura Nestor.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #110-City Clerk-Fortune Teller Renewal Application for Lillian Perry.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #111-City Clerk-Fortune Teller Renewal Application for Sophia Andrianopoulos.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #112-City Clerk-Renewal of Petroleum Storage Registrations for 2023.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #113-City Clerk-Renewal for a Second Hand Junk Dealer License for Beverly Coin, Jewelry, Records and Estate Appraisals located at 38 Rantoul Street.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #114- City Clerk-Renewal for a Second Hand Junk Dealer License for Kim Weaver DBA The Golden Hanger located at 231 Cabot Street.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #115- City Clerk-Renewal for a Second Hand Junk Dealer License Marconi Radio located at 497 Rantoul Street.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #116-City Clerk-Renewal for a Second Hand Junk Dealer License for Plum Consignment LLC DBA Worthy Girl located at 276 Cabot Street.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

A motion to adjourn was made and seconded. A vote was taken, and the motion carried (8-0).

The meeting adjourned at 9:05pm.

Scott D. Houseman-Chair

Julie R. Flowers

Matthew J. St. Hilaire

FINANCE AND PROPERTY / CITY COUNCIL COMMITTEE OF THE WHOLE MINUTES

Tuesday, April 18, 2023 7:00PM

Within the Confines of the City Council Meeting

City Council Chambers, 3rd Floor, Beverly City Hall, 191 Cabot St.

Houseman called the meeting to order at 7:58pm.

Members present: Julie Flowers, Matthew St. Hilaire, Scott Houseman

Also present: Budget Analyst Gerard Perry and Finance Director Bryant Ayles

Order Number	Date to Committee	Description	Action Taken
#315	12/20/2022	Earmark from the Economic Development Legislation signed by Governor Baker \$200,000 for the installation of solar panels at Beverly High School.	Received and placed on file (3-0)
#079	4/3/2023	Transfer-\$216,786 from FY2023 Reserve for Unforeseen and \$191,964 from Reserve for Collective Bargaining for a total of \$408,750 into the Police Department budget as a result of the recently agreed upon Beverly Police Patrolman contract.	Approved (3-0)
#099	4/18/2023	Grant-A Hazardous Materials Response Grant from the Massachusetts Department of Fire Services. This grant is estimated at \$10,000 per year for 10 years. This grant supports Beverly Fire Department members who serve on the Massachusetts Hazardous Materials Response Team.	Approved (3-0)
#100	4/18/2023	Grant-\$56,250 from the Fish & Game Division of Marine Fisheries-Clean Vessel Act Grant Program to purchase a pump out boat.	Approved (3-0)
#101	4/18/2023	Grant-\$20,000 from Metropolitan Area Planning Council Accelerating Climate Resiliency program for a project titled Public Art to Illuminate Clean Energy Futures with Beverly Public School Students.	Approved (3-0)
#103	4/18/2023	Regarding a request for approval of an additional 2% COLA increase for the first \$13,000 in retirement benefits for retirees this year.	Approved (3-0)
#104	4/18/2023	2023 Capital Expenditure Plan pursuant to the City Charter.	Held
#105	4/18/2023	(Regarding Order #315-2022)-A \$200,000 earmark from the Economic Development Legislation that was signed into law in November 2022.	Approved (3-0)
#120	4/18/2023	A proposed order approving an appropriation that will be used to pay for the taking by eminent domain of the properties located at 218-226 Cabot Street also known as 218-224 Cabot Street) and 8 Chapman Street (also known as 18 Federal Street). The Order would authorize the City to appropriate the sum of Eight Million Dollars (\$8,000,000.00).	Set public hearing for May 1 at 7:30pm (3-0)

Discussion

#100

St. Hilaire asked if this will cover the cost.

Houseman read from the letter with the order that stated it would cover about 75% of the cost.

Ayles stated there was no need for additional funding or a public hearing because the additional funding is already in the Harbormaster budget.

#104

Houseman stated this would be held until the Council received Mr. Perry's memo.

St. Hilaire asked if there was action that needed to be taken it.

Houseman stated it is typically received and placed on file.

#105

Perry stated the earmark was not needed at the high school since that was already paid for, so this updated earmark gives flexibility for the location of the solar panels.

#103

Ayles spoke as the Retirement Board chair that this is a one-time measurement that the state doesn't typically allow. There was a lot of discussion at the Retirement Board meeting, but the board ultimately approved it 3-2.

A motion to recess until after the 8:15 City Council public hearing was made and seconded. A vote was taken, and the motion passed (3-0). The meeting recessed at 8:12pm.

The meeting was called back to order at 8:30pm.

#103

Perry stated this was not an easy issue. On the one hand, if approved, this will increase the pension liability to the pension system, on the other hand inflation has gone up pretty high. Calculations from PERAC indicated this will increase liability by over \$1.2 million. We are committed to fully funding the pension system in 2033, so it will cost a little bit more. Perry stated that given the totality, he would recommend adopting the proposal to give retirees an additional two percent.

There was some discussion about how this might affect the 2033 date to have the system funded. Ayles stated based on the amortization schedule it wouldn't need to be paid as we go, it could instead be tacked on to one of the payments towards the end.

The motion to adjourn Committee on Finance and Property was made and seconded. A vote was taken, and the motion passed (3-0). The meeting adjourned at 8:47pm.

Estelle M. Rand-Chair
Todd C. Rotondo
Brendan S. Sweeney

LEGAL AFFAIRS / CITY COUNCIL COMMITTEE OF THE WHOLE MEETING MINUTES

Tuesday, April 18, 2023, 7:00PM

Within the Confines of the City Council Meeting

City Council Chambers, 3rd Floor, Beverly City Hall, 191 Cabot St.

Rand called the meeting to order at 7:59pm.

Members present: Todd Rotondo, Brendan Sweeney, Estelle Rand

Members absent: None

Order Number	Date to Committee	Description	Action Taken
#282	11/14/2022	Councilor Bowen-A letter regarding Accessory Dwelling Units	Held
#086	4/3/2023	Reappointment of Darlene Wynne as Director of Planning and Development	Approved (3-0)
#087	4/3/2023	Reappointment of Mindy D'Ippolito, 20 Odell Ave. and Hannah Elementary School Principal Gabrielle Montevecchi to serve on the Human Rights Committee	Approved (3-0)
#102	4/18/2023	Appointment-Purvi Harley, 8 James Street to serve on the Human Rights Committee	Held
#106	4/18/2023	City Clerk-Fortune Teller Renewal Application for Timothy Reagan	Approved (3-0)
#107	4/18/2023	City Clerk-Fortune Teller Renewal Application for Elizabeth Kransberg	Approved (3-0)
#108	4/18/2023	City Clerk-Fortune Teller Renewal Application for Leanne Gordon	Approved (3-0)
#109	4/18/2023	City Clerk-Fortune Teller Renewal Application for Laura Nestor	Approved (3-0)
#110	4/18/2023	City Clerk-Fortune Teller Renewal Application for Lillian Perry	Approved (3-0)
#111	4/18/2023	City Clerk-Fortune Teller Renewal Application for Sophia Andrianopoulos	Approved (3-0)
#112	4/18/2023	City Clerk-Renewal of Petroleum Storage Registrations for 2023	Approved contingent on Fire Department approval (3-0)
#113	4/18/2023	City Clerk-Renewal for a Second Hand Junk Dealer License for Beverly Coin, Jewelry, Records and Estate Appraisals located at 38 Rantoul Street	Approved (3-0)
#114	4/18/2023	City Clerk-Renewal for a Second Hand Junk Dealer License for Kim Weaver DBA The Golden Hanger located at 231 Cabot Street	Approved (3-0)

#115	4/18/2023	City Clerk-Renewal for a Second Hand Junk Dealer License Marconi Radio located at 497 Rantoul Street	Approved (3-0)
#116	4/18/2023	City Clerk-Renewal for a Second Hand Junk Dealer License for Plum Consignment LLC DBA Worthy Girl located at 276 Cabot Street	Approved (3-0)
#117	4/18/2023	City Clerk-New Class I Motor Vehicle Dealers License for Beverly Port Marina, Inc. located at 43 Water Street	Held
#119	4/18/2023	A proposed order approving the taking by eminent domain, pursuant to Massachusetts General Laws Chapter 79, of the properties located at 218-226 Cabot Street (also known as 218-224 Cabot Street) and 8 Chapman Street (also known as 18 Federal Street)	Held

The motion to adjourn Committee on Legal Affairs was made and seconded. A vote was taken, and the motion passed (2-0). The meeting adjourned at 8:15pm.

Kathleen M. Feldman-Chair
Hannah L. Bowen
Steven M. Crowley

PUBLIC SERVICES / CITY COUNCIL COMMITTEE OF THE WHOLE MINUTES

Tuesday, April 18, 2023 7:00PM

Within the Confines of the City Council Meeting

City Council Chambers, 3rd Floor, Beverly City Hall, 191 Cabot St.

The meeting was called to order at 7:58pm.

Members present: Hannah Bowen, Steven Crowley

Members absent: Kathleen Feldman

Order Number	Date to Committee	Description	Action Taken
#326	12/20/2022	Councilor Bowen-Regarding Beverly Regional Airport	Held
#084	4/3/2023	Appointment of Brenda Wong Murphy, 15 Bertram St., to Beverly Cultural Council	Approved (2-0)

A motion to adjourn was made and seconded. A vote was taken, and the motion passed (2-0).

The meeting adjourned at 7:59pm.