

**City of Beverly  
City Council Regular Meeting  
Public Meeting Minutes  
Monday, June 7, 2021, 7pm  
City Council Chambers, 191 Cabot St.**

Paul Guanci, City Council President, called the meeting to order at 7:14pm. City Clerk, Lisa Kent, took the attendance by roll call.

Members Present: Stacy Ames, Timothy Flaherty (joined at 7:26pm), Kathleen Feldman, Julie Flowers, Scott Houseman, Todd Rotondo, Estelle Rand, Paul Guanci

Members Absent: Dominic Copeland

Guanci made a statement about the meeting being recorded by the City of Beverly and streamed by BevCam on channel 99.

Feldman led the councilors in the pledge of allegiance.

### **Resolution**

**Order #124-Fair and Full Employment Opportunities at Amazon.**

Peter Berry of 12 Harrison Avenue spoke on the resolution as a representative of a local union (executive board members of teamsters local 25 in the City of Boston, but we represent members from the entire state). This company has been able to operate on an unlevel playing field in comparison to other companies that do the same kind of work like UPS and DHL. This nonbinding resolution has been adopted in Boston, Cambridge, Somerville, Medford, Malden, Revere, Chelsea, Lynn, Winthrop, Lawrence and Peabody. Amazon continues to increase their distribution network and increase profits at the cost of their workers. They fail to meet basic obligations to their neighbors as well as their employees. Berry spoke of some of the safety concerns for Amazon employees, stating that they use independent contractors so they do not have to pay any benefits, provide workers compensation, or follow safe driving rules, etc. Berry stated they are asking for Amazon to meet community standards like other companies in the area.

Ames thanked Mr. Berry for coming and bringing this to light. Ames stated it would be good to have people in Beverly on a living wage. Ames asked if the hope was that this pressure would send Amazon a notice from the region.

Berry stated that is the hope. We only ask that they treat their workers as employees and follow basic guidelines like other companies that are doing the same type of work are doing.

Guanci read the resolution.

The motion to approve was made and seconded. A vote was taken and the motion carried (7-0).

### **Public Hearings**

**7:15 PM-Order #115-Interdepartmental Transfer of \$537,500 for various FY2021 costs.**

Bryant Ayles, Finance Director, spoke about the transfer, stating that the funding would come from the Reserve for Unforeseen and from the Workers Comp medical bill line. These will be moved into the animal control overtime line, the litigation line in the solicitors' line, and into the road and sidewalk fund.

Rand asked about the \$500,000 going to roads and sidewalks and what would be worked on.

Ayles and Cahill stated Hancock and Jackson would be done, and they were looking at what else would be included.

Flowers, Ames, and Houseman expressed their appreciation that those roads were going to be done. Houseman confirmed that Odell would also be completed.

Ames asked if roads and sidewalks are the only use for this capital fund.

Ayles stated that with intersection redesign, sometimes there is some design work related to larger projects that these funds might be utilized for as well.

Feldman asked if the money is coming out of workers compensation because it would not be used this fiscal year otherwise.

Ayles confirmed that was correct, stating that there has been the lowest expenditure level in ten years this year in that line.

Rotondo asked what method is used to decide what roads and sidewalks will be done.

Cahill stated it is to continually improve the road pavement surface index and try to focus on meeting the needs around the City while balancing neighborhood work with main street work.

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

Gerry Perry, City Council Budget Analyst, noted this will completely deplete the reserve for unforeseen. This was intended for this if we got through the Covid matters, which we did. With regards to workers compensation, there are sufficient funds. With regards to roads and sidewalks, how this works mechanically is the money is appropriated into a fund under the executive branch, then transferred into a capital, rolling fund to be able to carry over into the next fiscal year. Perry stated that as the City Council's budget analyst, he would recommend adoption.

Houseman asked if the rolling fund is something other municipalities do and has been done historically here in Beverly.

Perry stated that capital project funds are commonly used here and elsewhere and stated this was also the method used for the new police station.

Ames asked what the current balance in the capital fund is.

Ayles stated if this is approved, the two million in the upcoming budget is approved, and the Chapter 90 funding comes in, it would be roughly \$3.3 million.

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

### **Reports of Committees -Committee on Public Services**

**Order #109**-Appointment-Mr. Richard Scanlon to the Board of Assessors.

Scanlon gave an overview of his career and experience.

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

### **Communications from other City Officers and Boards**

**Order #122**-Superintendent Dr. Suzanne M. Charochak-Lease/purchase transactions with Apple Student Laptops for 1 to 1 Laptop Initiative at Beverly High School.

Jean Sherburne, Director of Finance and Operations, presented the order, stating this is the eleventh year in the program.

Rand commended the program and asked for background numbers and details on the lease.

Sherburne stated it would be about 300 computers and approximately \$779 for each laptop and \$229 for 4 year apple care on each computer, so the whole total is \$302,400 for the 300 units. Apple will not charge any interest for the four year lease. It is a dollar buyout at the end for the students, and scholarships are offered for families.

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

### **Public Hearings (Continued)**

The joint public hearing with the Planning Board was called to order.

Ellen Hutchinson, Chair of the Planning Board, took a roll call of the Planning Board members present.

Planning Board Members Present: Alexander Craft, Sarah Bartley (participating remotely), Derek Beckwith, Ellen Flannery, Wayne Miller, Brendan Sweeney, Andrea Toulouse, and Ellen Hutchinson.

**Order #110**-8:00 PM-Proposed Amendment for IR Overlay Zoning District.

Darlene Wynne presented on the change.

Peter Gourdeau, a development advisor working with Cell Signaling Technology (CST), presented.

Rotondo stated CST has been great getting the word out to the neighbors. Rotondo and Gourdeau discussed the height of the building and mechanical penthouse.

Flowers asked if the parcel in Danvers would be an option for expansion if Beverly was not interested in rezoning.

Gourdeau said possibly, but the Beverly portion would be easier for expansion.

Houseman asked about energy sustainability and carbon neutral construction. Houseman asked Ms. Wynne what effect it has on affordable housing in the City as the City attracts and hopefully keeps businesses like Cell Signaling, where the employee base is typically a higher salaried employee.

Gourdeau stated environmental sustainability is a central ethos at CST. There will be solar panels on the roof of the garage. We have not gotten to the building plan and design yet to determine all the elements.

Wynne stated it is a great question and noted the goals in the new master plan of a diverse workforce and a diverse employment base. That is a goal and something to strive for and work towards in order to support a range of incomes and create jobs for people at all spectrums. It would be worth having a deeper conversation about that.

Beckwith asked for clarification on the plan.

Gourdeau showed the map of what would change.

Beckwith asked about the difference between Beverly's CG or Beverly's IR and the Danvers Industrial 1 (I1).

Wynne stated Danver's I1 is very similar in nature to Beverly's IR district.

Beckwith and Miller asked some clarifying questions on the heights and layout of the plan and the districts.

Hutchinson asked about CST's TIF from 2006, which will expire in 2026, and if the obligations under that TIF have been met so far.

Matt Curran, the CFO of Cell Signaling Technology, stated they have exceeded the hiring goals already.

Hutchinson confirmed this would not create an IR overlay district, it actually would change the zoning from CG to IR. Hutchinson asked if there are any concerns that the general area will therefore have no access to CG development, which is a commercial/retail type of development.

Wynne stated part of it is to have consistency with Danvers and what the split parcel can be used for. A lot of the commercial office uses are the same or similar. There were not any CG uses that were desirable in that location that would be precluded by making the change.

There was some discussion on the different uses for CG and IR, including by special permit.

Hutchinson asked if a bad precedent is created because this feels like the zoning is being changed to meet the specific needs of a specific taxpayer. Hutchinson stated she was not necessarily saying she is opposed to this, but there is a significant concern on those grounds.

Wynne stated that is something that was considered and would not be taken lightly. The benefit to this situation outweighed that. Wynne stated she does not like to say that things create precedent because every situation is very unique.

Stephanie Williams, City Solicitor, stated under case law it is acceptable to make a zoning change even if it benefits one property owner as long as the City can identify some rational or reasonable planning basis for making the zoning change.

There was discussion about some trees being removed and other trees being planted to give a buffer to neighbors.

Houseman asked in what way the plan for the trees is enforceable.

Wynne stated that could be a condition on the Planning Board's decision on the site plan.

Flaherty stated he wants to keep the jobs in Beverly; there have been a lot of good questions, but not to move forward on this would be a mistake.

Guanci closed the City Council portion of hearing and referred it back to the Planning Board.

The Planning Board motion to continue to the next Planning Board meeting so there is time to review the agreement was made and seconded. A roll call vote of the Planning Board was taken, and the motion carried (8-0).

The motion to recess for ten minutes was made and seconded. A roll call vote of the Planning Board was taken, and the motion carried (8-0).

**Acceptance of Minutes of Previous Meetings: City Council Minutes May 17, 2021 and May 26, 2021 and Legal Affairs Minutes May 20, 2021**

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

**Communications from His Honor the Mayor**

**Order #118**-Appointment-Human Rights Committee-Ms. Kitia Fisher

Referred to Committee on Public Services.

**Order #119**-Appointment-Salem Beverly Water Board-Mr. David Gendall

Referred to Committee on Public Services.

**Order #125**- LATE FILE-Appointment-Beverly Council on Aging-Mr. Blair Smith, LICSW

The motion to accept the late file was made and seconded.

Referred to Committee on Public Services.

**Communications from other City Officers and Boards (continued)**

**Order #120**- Councilor Copeland-Marijuana Dispensary License.

Referred to Committee on Legal Affairs.

**Order #121**- Councilor Copeland-Trash cans and trash collection around the city, primarily in City Parks.

Referred to Committee on Public Services.

**Communications, Applications and Petitions**

**Order #123**-City Clerk-Renewal for Petroleum Storage Registration for 2021-Bass River Tennis Club, 31 Tozer Road

Referred to Committee on Legal Affairs.

**Motions and Orders**

**Order #097**-Councilor Feldman and Councilor Rotondo-Amendment to an Ordinance Chapter 215-12 "Placing or Depositing Snow and Ice"-Final passage

The motion to approve **Order #097** was made and seconded. A vote was taken, and the motion carried (8-0).

Rotondo recognized the Police Department's memorial yesterday.

The motion to adjourn was made and seconded. A vote was taken, and the motion carried (8-0). The meeting adjourned at 9:39pm.