



COUNCILOR-AT-LARGE  
JULIE R. FLOWERS,  
COUNCIL PRESIDENT  
HANNAH L. BOWEN  
BRENDAN S. SWEENEY

## City of Beverly

CITY COUNCIL

WARD COUNCILORS  
WARD 1 TODD C. ROTONDO  
VICE PRESIDENT  
WARD 2 ESTELLE M. RAND  
WARD 3 STEVEN M. CROWLEY  
WARD 4 SCOTT D. HOUSEMAN  
WARD 5 KATHLEEN M. FELDMAN  
WARD 6 MATTHEW J. ST. HILAIRE

**Revised Agenda**  
**Regular City Council Meeting**  
**Monday, November 14, 2022 6:30 PM**  
**City Council Chambers**  
**191 Cabot Street**

**Roll Call of Members:**

**Pledge of Allegiance to the Flag:** Councilor Houseman

**Moment of Silence:**

**Resolutions:**

1. Order-#285- Council President Flowers, Councilor Bowen, Councilor Sweeney-Resolution honoring the Naumkeag and Pawtucket bands of the Massachusett.

**Presentations, Awards and Memorials:**

1. Order #183-Mayor-Proclamation Endorsing the Working Definition of Anti-Semitism Established by the International Holocaust Remembrance Alliance.

**Comments by Citizens (subject to the conditions contained in Appendix A to the "Rules and Orders"):** **Anyone who would like to speak at the Meeting has until 9:30AM on the day of the Meeting to register with the City Clerk. (Limit of 3 @ 5 minutes each):**

1. Mr. Sandy Freiberg Kelliher, 63 Lothrop St.
2. Stacy Ames, 3 Prospect Street
3. Joyce McMahon, 15 ½ Rowell Avenue

**Public Hearings:** None

**Acceptance of Minutes of Previous Meeting:**

1. Regular City Council Meeting October 17, 2022

**Communications from His Honor the Mayor:**

1. Order #270-Appointment-Director of Municipal Inspections-Mr. James Butler.
2. Order #271-A Grant for \$800,000 from the Massachusetts Seaport Economic Council. The City intends to use this grand funding to purchase the parcel at 2-4 Cabot Street through a friendly eminent domain. **(set a public hearing)**

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CITY OF BEVERLY

3. Order #272-A \$200,000 earmark from the Division of Conservation and Recreation to build pickleball courts at Birch Plains Fields.
4. Order #273-A \$133,188 FY State Formula Grant from the Executive Office of Elder Affairs. This annual grant will support operations at the Council on Aging.
5. Order #274-A \$25,000 Community One Stop for Growth-Housing Choice Program Grant from the Baker Polito Administration and the Mass EOHED to be used to study and identify parking supply related to the City's thriving cultural venues and downtown businesses and the possible redevelopment of a public parking lot.
6. Order #275-A \$50,000 donation from the Beverly Rotary Club. This will be used for the reconstruction and maintenance of the gazebo in the Beverly Common.
7. Order #276-Mayors response to Order 75A proposed Amendments to 1995 Beverly Home Rule Charter.
8. Order #277-A donation of \$2,000 from the Friends of the Beverly Library to benefit Nancy P. Robinson Memorial Endowment Fund to benefit the Beverly Library.
9. Order #278-Proposed Order approving the taking by eminent domain of the property at 2-4 Cabot for the purposes of municipal parking and to increase public's access to the City's waterfront.
10. Order#-279-Proposed Amendment to the Beverly Zoning Ordinance: Various Articles related to building height and inclusionary Zoning. **(Set joint public hearing with Planning Board)**

**Communications, from other City Officers and Boards:**

1. Order #280-City Council 2023 Regular Meeting Calendar.
2. Order #281-Finance Director, Bryant Ayles-Approval to use FY2023 appropriated funds toward the payment of 2 Prior Year FY22 invoices totaling \$22,936.09
3. Order #282-Councilor Bowen-A letter regarding Accessory Dwelling Units.
4. Order #283-Assistant City Solicitor Dole- Declare the property of 119 Livingstone available for disposition.

**Communications, Application and Petitions:**

1. Order #284-National Grid –Plan #30554593-Ober Street –to install beginning at a point approximately 185 feet southeast of the centerline of the intersection of Elm Top Lane and continuing approximately 40 feet in an east direction. Install a total of 40FT 2-3 inch conduit from MH#778-2 to HH# 713 on customer's property. **(set public hearing)**
2. Order #285-National Grid-Plan WR#30639141-Odell Ave-to install beginning at a point approximately 220 feet southwest of

- the centerline of the intersection of Whitney Ave and Odell Ave and continuing approximately 20 feet in a north direction, Install 35ft pole across from 41 Odell Ave. **(set public hearing)**
3. Order #286-Salem and Beverly Water Supply Board-annual report determining the volume of water supplied in the cities of Salem and Beverly.
  4. Order #287-National Grid-Diana Cuddy-Petition to install approximately 8,050 feet of 12 inch, 60 psig plastic gas main on Hale St, extending from the existing stub near Cabot to the Regulator Station at Boyle Street in accordance with the attached plans. **(set public hearing)**
  5. Order #288-Attorney Marshall Handly-Relating to 2 easements at 114 and 116 Livingstone Avenue and Porter Terrace LLC.
  6. Order #288-A-Attorney Handly-Acceptance of an Easement on 114-116 Livingstone Ave,
  7. Order #288-B-Attorney Handly-Grant an Easement to Massachusetts Electric Company at 119 Livingstone Ave.

**Unfinished Business from a previous meeting:**

1. Order #259-Councilor Houseman-Special Municipal Employees-Shall be designated "Special Municipal Employees". (A Late file held from the 10-3-22 meeting)
2. Order #259A-Councilor Houseman-Special Municipal Employees –Conflict of Interest disclosures filed with the office of the Mayor. (A Late file held from the 10-3-22 meeting).
3. Order #237-Councilor St. Hilaire-A Proposed zoning ordinance amendment to limit new building projects in the City of Beverly to three stories. (Continued from October 24<sup>th</sup> Special Meeting).

**Motions and Orders:** None

**Proposed Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21(6) (open meeting law exemption regarding considering the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body), regarding a proposed taking by eminent domain of 2-4 Cabot Street, Beverly, MA, aka 2 Cabot Street, Beverly, MA, aka 4 Cabot Street, Beverly, MA.**

**Reports of Committee:**

Reports of Committees: See attached Committee Reports with Actions taken noted. Note that the Council is likely to act on matters listed on the Committee Reports, unless they are held in Committee. Committees also may meet during a Recess of the full Council, and consider any Agenda Item identified herein, or on the attached Committee Reports, and report back to the full Council on such matters when it reconvenes. The foregoing matters are those reasonably anticipated by the President up to 48 business hours prior to the scheduled Meeting time. It is possible that not all matters will be addressed. To the extent permitted by law, matters may be discussed that are submitted or arise within 48 business hours of the scheduled Meeting, if they were not reasonably anticipated by the President.

**Meeting Adjourned:**