

CITY OF BEVERLY

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PUBLIC MEETING MINUTES

2021 APR 29 A 9:18

Committee: Charter Review Committee
DATE: March 10, 2021
LOCATION: Beverly High School Library
BOARD MEMBERS PRESENT: Stacy Ames, Hannah Bowen, Julie DeSilva, Richard Dinkin,
Timothy Flaherty, Michael Pinciario
BOARD MEMBERS ABSENT: N/A
RECORDER: Sharlyne Woodbury
Others present: Stephanie Williams, Stephen McGoldrick, Kevin Corridan, Paul
Guanci

City Council Appointee(s): Chairperson and City Councilor-at-Large Timothy Flaherty; Ward Councilor
Stacy Ames
Mayoral Appointee(s): Paul Guanci, Stephanie Williams
By Ordinance:
Ex Officio: Gerard Perry

This meeting is held in accordance to special meeting format as required to honor Governor Baker's
State of Emergency declared due to the national crisis of COVID-19.

Chair Flaherty calls the meeting to order at 7:00 p.m. Introductions include Paul Guanci, City Council
President; Stephanie Williams, City Solicitor; Kevin Corridan, Assistant Solicitor; and Stephen McGoldrick,
consultant arbiter honorarius medium.

1. **Approval of Minutes**

Flaherty moves to approve February 17, 2021 meeting minutes as presented with note to correct
"Brown" to "Bowen". Dinkin seconds. The motion carries 6-0.

2. **Consultant Status Updates**

Perry provides the updates. Introduces Stephen McGoldrick. McGoldrick succinctly outlines his
qualifications and experience. He provides suggestions and guidance for the processes they are about to
embark upon with reviewing the Charter. McGoldrick also discusses potential candidates for legal
council to assist in formulating changes and recommendations for the Charter Review. McGoldrick's two
suggestions for the Charter Review options include: 1) Home Rule Charter Commission, or 2) Special
Municipal Legislation. McGoldrick notes there is no requirement for a public hearing via the special act
route plus recommends holding a public hearing.

3. **Overview from the Collins Center: legal, process, other matters**

Williams along with Perry, review the agreement set forth regarding the fees and scope of practice for
the Collins Center. Williams reviews the 3 known methodologies for affecting charter changes: 1) Home
Rule Charter Commission; 2) Special Municipal Legislation, and 3) Using Bylaws and Permissive
Legislation: Ch 41 Sec 1B; Ch 41, Sec 21; and Ch 41, Sec 2. Williams recaps the purpose of the committee
citing from the Charter that it is the purview of the committee to present recommendations via report
to the City Council. The City Council will have the right to vote on whether the changes will be affected.

Williams reviews the specifics to amending a charter. Williams believes the most expedient mode of affecting change in a charter is to present to the state legislature.

Members weigh in with comments. Flaherty begins by citing recent vacancies for the School Council and City Council as having a need for Charter review and potential amendment. Members would like clarification on processes for ballot initiatives. Flaherty is clear to distinguish he would not want all changes submitted collectively to the ballot where one initiative may result in no initiatives voted upon. Members inquire if there is a way to parse out singular initiatives in order to affect the most productive changes. Williams agrees and will provide general framework to parse out ballot initiatives. Advises if there is a significant change will merit closer inspection at that point in time. Williams reminds the committee the city council along with concurrence from the mayor can only truly approve any changes.

Bowen recommends focusing on the end results of their desired recommendations. DeSilva agrees with Bowen. The committee discusses where they want their focus to be. Members ask where the ballot initiatives would appear, on a state ballot or on a municipal ballot. Williams stresses laying out the framework first. A framework is necessary before attempting to determine those specifics before formulating a definitive plan.

There being no further comments or discussion. No further action required at this time.

4. **Review Chapters 4, 5, and 6**

a. **Chapter 4**

Members review the chapter and by consensus generally agree this chapter's functions are sufficient. Bowen notes the school committee is functioning well with the ward councilors. Members review the replacement protocol for vacancies on the school committee. This is an area they will return to for further review. Pinciario points out inconsistencies and inquires who would be the candidates for replacing school committee members. Bowen points out it's worth discussing terms for school committee as well as the other areas of mayor and council. DeSilva calls attention to the language of "one" school committee representative partaking in determining classroom size. DeSilva believes the decision should rest with all school committee member. Perry and Flaherty review the language and provide clarification.

Ames reviews the budget and believes it merits discussion, specifically how funds are allocated for education. Dinkin recollects the school committee no longer legally has independent budgeting authority. The request must go to the state. Proposition 2.5 significantly curtailed the budget authority of the school committee. Discussion resumes around the budget focusing on nonbinding measures and fiscal autonomy. Perry weighs in and thinks the language is creative and should remain is.

There being no further comments or discussion. No further action required at this time.

b. **Chapter 5**

Members discuss the chapter and make minor recommendations. Pinciario inquires after the administrative code. Per Williams, not much has changed in respect to this chapter, or requires change per current practices. The departments are established and defined by ordinance and city council. Bowen has questions for sections 5.5 and 5.6. These chapters are flagged for future discussion, particularly on Human Resources with attention to processes of diversity and inclusion. Bowen would

like an update for diversity and inclusion as those are key modern themes with consideration per current public sentiment. Bowen feels the language could be stronger to ensure that progress does not erode. Dinkin suggests for 5.7, adding a sentence defining the practices noted by EEOC. Members continue discussion and review the seventh member permanent appointee from the school commission. Flaherty explains the permanent commission concept. For any building built in the city there is a permanent school committee member on the commission.

There being no further comments or discussion. No further action required at this time.

c. **Chapter 6**

Members evaluate the chapter. Perry weighs in offering comments to the budget, budget practices, and history of line items. Williams offers comments on the budget, the audit, and notes what the city council limitations are. Dinkin and other member believe the same auditing firm should not be used successively more than 5 years to keep fresh perspective. Believes the quality of the audit decreases over time and the relationship becomes too comfortable. Perry weighs in echoing Dinkin's sentiments to be a proponent of audit rotation also noting its best practice to advocate for an audit committee. DeSilva feels the budget process is a comprehensive section yet the audit process should be further reviewed. DeSilva likes Perry's idea of having an audit committee. Ames weighs in that this is a thoughtful conversation and points out not wanting to create an adversarial labor on behalf of the mayor's office. Ames supports the idea of a collaborative effort delineating what is the responsibility of government on both sides and the outcome of the audit.

There being no further comments or discussion. No further action required at this time.

5. **New business**

None at this time.

6. **Adjournment**

Dinkin moves to adjourn. Ames seconds. The motion carries 6-0.
Meeting adjourned at 9 p.m.