

**City of Beverly**  
**Regular City Council Meeting**  
**Public Meeting Minutes**  
**Monday September 13, 2021, 7:00pm**

CITY OF BEVERLY  
RECEIVED AND RECORDED  
CITY CLERK'S OFFICE

2021 SEP 15 P 2:23

This meeting was conducted pursuant to Chapter 20 of the Acts of 2021. This remote meeting was held over Google Meet and live streamed by BevCam. Public access information for the hearings was provided on the meeting agenda.

Paul Guanci, City Council President, called the meeting to order at 7:01pm. City Clerk, Lisa Kent, took the attendance by roll call.

Members Present: Stacy Ames, Dominic Copeland, Kathleen Feldman (arrived at 7:04pm), Timothy Flaherty (arrived at 7:46pm), Julie Flowers, Scott Houseman, Todd Rotondo, Estelle Rand (arrived at 7:03pm), Paul Guanci

Members Absent: None

Houseman led the pledge of allegiance.

Guanci made a statement about the virtual meeting being recorded by the City of Beverly and streamed by BevCam on channel 99 and BevCam's YouTube channel. He confirmed that all members present could hear and noted the remote meeting format and process. Guanci read Rule 22 of the Beverly City Council. He introduced a vote to allow items to be taken out of committee and voted on the floor. Kent took a roll call vote and the motion carried (7-0). Guanci read the procedure for remote public hearings.

Guanci read a statement about last week's School Committee meeting, stating that in his time as a councilor, for the most part, residents speaking at public meetings have been respectful, concise, and try to stay on topic. Some level of decorum was always present. Guanci stated he had never before witnessed an elected official treated with the disrespect shown to Dr. Kenann McKenzie by two belligerent, uninformed, and disrespectful speakers. While it is okay to question, disagree, and have different opinions, it is not okay to behave in a way that the two speakers decided to behave last week. This type of behavior is not what Beverly is all about. Guanci commended Mayor Cahill, Dr. McKenzie, and the rest of the School Committee for handling the negative, misdirected, and inappropriate onslaught in a truly professional manner. There is no place for hate in our City.

Houseman moved for unanimous consent to endorse Councilor Guanci's statement. The motion was seconded. A roll call vote was taken, and the motion passed unanimously (8-0).

**Acceptance of Minutes of Previous Meetings**

**June 1, 2021** Special Budget Finance & Property/Committee of the Whole

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

**June 2, 2021** Special Budget Finance & Property/Committee of the Whole

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

**June 22, 2021** Regular City Council Meeting

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

**August 2, 2021** Special City Council Meeting

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

**Public Hearings**

**Order #147-7:15 PM-National Grid-Plan #30405117-Railroad Avenue.**

Lisa Kent, City Clerk, stated this was published in the newspaper.

Matthew Farren, a representative from National Grid, spoke on the project, stating that both petitions are for the same Windover project on Rantoul St.

Houseman asked what street would be cut for this conduit to go in and noted that a portion of Railroad Ave. was recently paved.

Farren stated it would go across Railroad Ave. at a diagonal and would involve opening a four inch trench in the road for one conduit.

Rand stated this would cut into a section of the street that is already in poor shape and asked what kind of repair will be done, either by National Grid or the City, after the street is cut.

Farren stated that typically the customer would be responsible for the trench work into close proximity to the manhole.

No members of the public wished to speak, and Guanci closed the public hearing.

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

**Order #148-7:25 PM-National Grid-Plan #30405117-Park Street.**

Kent read the order and stated this was also published in the newspaper.

Farren stated this is to remove an old secondary transformer from its location and re-feed down Park Street from a new conduit on pole #2391 at Park and Broadway.

Houseman asked if a member of the Planning Department could speak to if Beverly Crossing as part of their project has an agreement with the City to repave the streets they are going to cut up.

Emily Hutchings, Assistant Planning Director, stated she could check the specifics, but the Planning Board would not have approved it without some sort of condition related to the street.

No members of the public wished to speak, and Guanci closed the public hearing.

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

## **Resolutions**

### **Order #145-Senior of the Year-Nancy Bourque**

Guanci read the resolution.

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

### **Order #162-Gin Wallace**

Rotondo read the resolution, recognizing Virginia Wallace, who has been the director of Beverly Main Streets and will be retiring this year.

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

Flaherty joined the meeting at 7:46pm.

### **Order #163-Kyle Gallucci, Eagle Scout**

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

### **Order #164-Ryan Gallucci, Eagle Scout**

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

## **Communications from His Honor the Mayor**

**Order #150-** Grant-\$10,000 from Mass Department of Public Health for the fire and police departments to purchase naloxone and related medical supplies to respond to the opioid crisis.

Catherine Barrett, Grant Director, spoke on the grant and thanked Sergeant Mark Panjwani for his work on this grant.

Rand asked if there are grants available for preventative measures to reduce the need for Narcan.

Barrett highlighted the jail arrest diversion grant the City received which is aimed at prevention that provides clinicians. Research would need to be done to see if there are other grants available.

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

**Order #151-Reappointment-Constable-Mr. Christopher P. Chigas.**

Referred to Committee on Legal Affairs.

**Order #152-Full Time Assistant City Solicitor Position.**

Cahill added that we have known for some time that we really need more capacity in the office. Both Ms. Williams and Mr. Dole have been developing expertise in certain areas, and the number of fronts on which we need to turn to the Solicitor's Office for legal counsel and efforts has increased. It is time; the volume of work demands it.

Williams reiterated that Assistant Solicitor Dole has taken on a lot of the labor work that typically outside counsel handled. That absorbs a lot of bandwidth in-house while it reduces the outside counsel costs. There is absolutely a need for somebody to be working an additional ten hours a week. Given that the position is vacant, this is the opportunity to do it now.

Copeland asked where the money would come from.

Ayles stated this year's cost is proposed by a transfer within the Solicitor's budget. The next year it would be a part of the typical annual budget request process.

Flaherty agreed the position is needed and asked if we were looking at cutting another position or if this is an add-on.

Cahill stated it is part-time to full-time, so it really is adding about a third of a position, and the position as it was already had benefits.

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

### **Presentations, Awards, and Memorials**

Joseph Kane, 85 Hale Street #1

Kane spoke about moving to Beverly about a year ago and his concern that Beverly does not feel as inclusive as Salem and other places around here. He recommended establishing unarmed crisis response units and increasing public displays of inclusivity. Kane highlighted discussions about a memorial for Juno. Kane expressed concerns about the horribles parade in Beverly Farms. He suggested doing away with the fee in lieu of developing affordable housing because it seems the Affordable Housing Trust Fund funds that have gone into projects have not been significant enough to make or break those projects. Kane stated he wanted to follow up about the Beverly housing needs assessment done in 2016 and the steps recommended by the consultant that have not been pursued, including changing permitting for accessory dwelling units. Accessory dwelling units don't necessarily increase housing by a radical amount, but it could make a difference. He also asked if there was any momentum to increase the CPA from 1% to 3% and stated that it is a shame that it does not all go to helping the marginalized. Kane stated that he is also concerned about biking and that it is kind of shocking how not very progressive or inclusive Beverly is.

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

**Order #153**-City Clerk-Election Warrant for the September 21, 2021 Preliminary Municipal Election.

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

**Order #154**-Council President-Appointment-Ms. Amy Benjamin to the Community Preservation Committee.

Referred to Committee on Public Services.

**Order #155**-Beverly Contributory Retirement Board-Cost of Living Adjustment for retirees from \$12,000 to \$13,000.

Ayles stated the Retirement Board recommended this unanimously. The reason for that is the previous two times the request came before the City Council, the financial situation of the Retirement Board was significantly different than it is right now. The funding ratio of the system as of the last actuarial evaluation in January 2020 was 61.3% funded. The bond rating agencies recognized that as a weakness within our financial structure. What has happened since then, is that the market and the investments that the retirement board hold on behalf of the retirees has appreciated significantly so that if actuarials were to come in and do an evaluation now, assuming everything was equal except the amount of money we have in reserves, the funding ratio would go up to over a 70% funding ratio. Even with this type of increase to benefits, we will still show considerable appreciation towards the goal of a fully funded pension system. This is the time where it is a win-win-win.

There was discussion about the market changes and the Retirement Board's commitment to not come back for another increase until the funding ratio is at 75%.

Gerry Perry, Budget Analyst for the City Council, recommended that the Council pass this. Perry stated, as far as the 75% threshold later on, he would not entertain any recommendation unless the 75% is authorized and approved by PERAC and their actuarials as opposed to any internal review, so that there is an independent outside review. As for the questions about the market, the assumed long-term rate of return is 7.15%. From 1985 to 2020, we have had a return on our investment portfolio of 8.77%, so we are protecting the assets.

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

**Order #156**-Councilor Ames-Letter to the Mayor regarding the return of the Handicap Signs on Cabot Street.

Ames stated she received correspondence from Mayor Cahill stating that the signs were put back past week.

The motion to receive and place on file was made and seconded. A roll call vote was taken, and the motion carried (9-0).

**Order #157**-Historic Districts Commission-FY21 Annual Report.

The motion to receive and place on file was made and seconded. A roll call vote was taken, and the motion carried (9-0).

**Order #158**-Reappointment-Ward 6 Representative on the Open Space and Recreation Committee-Ms. Elizabeth Dunne.

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

**Order #159**-City Clerk-Christmas Tree Permit Renewal-Zip's Ice Cream-John DiVincenzo, 294 Elliott Street.

The motion to approve was made and seconded. A roll call vote was taken, and the motion carried (9-0).

**Order #160**-Councilor Flowers and Councilor Rand-Amendment of a current Ordinance change for No parking on South side of Pleasant Street from the area in front of #36 Pleasant extending to Hardy Street.

Referred to Committee on Legal Affairs.

### **Communications, Applications and Petitions**

**Order #161**-MassDot-Petition of the MBTA for Communications Conduit Location for Plan #321823F Cabot Street.

The motion to set the public hearing for Tuesday, September 28 at 7:45pm was made and seconded. A roll call vote was taken, and the motion carried (9-0).

### **Unfinished Business**

**Order #143**-Grant-\$12,606,097 in American Rescue Plan Act grant funds from Mass Executive Office and Administration and Finance to help cover increased expenditures, replenish lost revenue and mitigate economic harm from the COVID-19 pandemic

Copeland requested it be held to the next meeting.

Cahill stated the link to tomorrow's public meeting is on the City website.

### **Reports of Committees**

**Order #134**-Councilor Houseman-Rodent Management Discussion

The motion to refer back to both committees was made and seconded. A roll call vote was taken, and the motion carried (8-0, Ames absent due to technology).

Kent stated the Preliminary Election is on Tuesday, September 21st.

Rand stated the HarborFest is this Sunday at Lynch Park from 3-6pm.

The motion to adjourn was made and seconded. A roll call vote was taken, and the motion carried (8-0). The meeting adjourned at 9:32pm.