

Todd C. Rotondo, Chair
Matthew J. St. Hilaire
Steven M. Crowley

Legal Affairs / Committee of the Whole Meeting Minutes

Monday, March 2, 2026, 6:30 PM

Conference Rooms A

Beverly City Hall, 3rd Floor, 191 Cabot Street

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Rotondo called the meeting to order at 6:30 PM.

Members present: Rotondo, St. Hilaire, Crowley

Members absent: None

Also present: Assistant City Solicitor Jesse Doyle, Animal Control Officer Matthew Lipinski, Councilor Spang.

Recorded by: Sarah Kirker.

Order Number	Date to Committee	Description	Action Taken
#043	01/20/2026	A proposal to create a temporary Special Committee to explore options for addressing the looming 2027 forecasted budget deficit.	Recommend the Council to approve (3-0).
#058	02/02/2026	Assistant Solicitor Jesse Dole-Proposed amendments to Chapter 117-Animals.	Hold
#074	02/17/2026	Councilor Houseman-Motion to reconsider the vote taken at our February 2, 2026, meeting on Order #058.	Hold

Order #058-Rotondo invited members of the public present to speak.

Joyce McMahon, 15 ½ Rowell Avenue, addressed the subcommittee and noted that she had been in communication with Assistant City Solicitor Doyle regarding the proposed five-foot bird feeder height requirement. She stated that, based on her research, rats can jump approximately two-and-a-half to three feet. She suggested that a four foot height requirement would be reasonable and asked the subcommittee to consider that adjustment.

Robert Brais, 15 ½ Rowell Avenue, addressed the subcommittee and explained that the bird feeder pole permanently cemented into his backyard is currently four feet high. He noted that compliance with a five foot requirement would require digging up and disposing of the existing cemented pole and purchasing a new feeder solely to meet an additional one-foot requirement. He added that, in his research, a four-foot height appeared to be a common standard for bird feeders.

Stacy Ames, 3 Prospect Street, spoke in support of Ms. McMahon's comments.

Assistant City Solicitor Doyle explained that the five foot requirement was adopted from guidance suggested by Mass Audubon, which recommends installing bird feeders at least five feet above the ground and at least ten feet away from a fence to deter squirrels.

Spang asked whether enforcement of the regulation would fall under the Health Department or solely the Animal Control Officer (ACO).

Assistant City Solicitor Doyle stated that, because the amendment was proposed within the animal regulations, enforcement would fall under the Animal Control Officer. He added that the Board of Health would need to adopt a similar regulation in order to enforce it independently, though situations that rise to the level of a sanitary violation could be addressed by the Health Department.

Animal Control Officer Lipinski added that if a situation rose to the level of a health nuisance it could be referred to the Health Department, and likewise the Health Department could refer violations to the ACO. He further noted that bird feeder complaints would be reviewed on a case-by-case basis.

Rotondo called Committee of the Whole to order at 6:43 PM with Spang and Houseman in attendance.

Order #074-Houseman noted that the concerns outlined in his letter were related to process and procedure and recommended that the matter be held together with Order #058.

A motion to recess the Committee of the Whole was made and seconded. A vote was taken, and motion carried (5-0). Committee of the Whole recessed at 6:46 PM. A motion to adjourn the Committee on Legal Affairs was made and seconded. A vote was taken, and motion carried (3-0). The meeting adjourned at 6:46 PM.