



**Town of Swampscott**  
**Select Board Meeting Minutes**  
Tuesday, August 19, 2020 – 6:00 PM  
Virtual Meeting

**SELECT BOARD MEMBERS PRESENT**

Peter Spellios (Chair), Polly Titcomb, Neal Duffy, David Grishman, Don Hause

**MEMBERS ABSENT**

None

**OTHER TOWN OFFICIALS PRESENT**

Sean Fitzgerald, Town Administrator; Allie Fiske, Assistant to the Town Administrator; Ron Mendes, Assistant Town Administrator – Administration and Finance; Gino Cresta, Assistant Town Administrator – Operations; Marzie Galazka, Director of Community & Economic Development; Molly O’Connell, Senior Planner; Joe Doulette, Cable TV Coordinator; Attorney William Hewig, Counsel, KP Law

The meeting was called to order at 6:05pm

Chairman Spellios provided an overview of upcoming meetings in September. It is likely that the Board of Health will be invited to join the first part of the September 2 meeting to provide a COVID update. On September 16, the Select Board will engage in a review of the Solid Waste Program, evaluating the first 6 weeks of its implementation, and address concerns from the public.

The School Building Committee is getting close to making a recommendation to the school committee and MSBA for a new school. The Select Board would like to hold a joint meeting with the School Building Committee and invite other boards to attend as an informational opportunity.

Later in September, the Board of Health and Select Board will hold a diversity forum, this will be discussed in more detail at the September 2 meeting.

**PUBLIC COMMENT**

A resident expressed concern that Town-owned land at 16 New Ocean St. will potentially be occupied by a retail marijuana establishment. He received notice about the Calyx Community Meeting and asked that there be more open meetings in regards to this before decisions are made. This proposed site is in the middle of a residential neighborhood. Chairman Spellios provided

some context to the process, including the RFP from which Calyx Peak was selected as the potential occupant. There are ongoing lease negotiations. The establishment must hold a community meeting as required by the state. Calyx will then come to a Select Board meeting to provide a presentation including questions raised by the community and responses to those questions. Calyx Peak must enter into negotiations, a Host Community Agreement, and entering a lease agreement. Asked if there is a public decision or just Select Board.

Chairman clarified that the final decision will be a Select Board decision after public dialog.

Some comments on the Q&A portal on Zoom commented the impact marijuana has on youth.

## **SECOND READING – RFP FOR 86 BURRILL ST.**

Marzie reviewed the objective of the RFP - to solicit responses for the use of the building at 86 Burrill St. and space by an organization that will occupy it for community benefit and use. She outlined the schedule moving forward, with negotiations occurring between November-December 2020.

The changes to the draft were redlined in a version shared with the Select Board. This included the addition of the term cultural throughout the document and an updated project description requesting respondents to include any changes to exterior elements such as the existing parking configuration, exterior layouts, and specify whether a shared-use operation is feasible.

Ms. Galazka reviewed the selection criteria – community benefits, lease value, qualifications, design quality, financial resources, ability to proceed, and reuse of the original building.

Chairman Spellios asked Ms. Galazka and Senior Planner Molly O’Connell to describe how the timing of the RFP will match up with Town meeting if rezoning is needed. They acknowledged that zoning changes would have to in fact wait for a Town Meeting.

The Town Administrator provided an updated on current discussions about potentially moving the ambulance company from that location. He stated that the company could move, but timeliness of services are of critical importance when considering any relocation. He stated that the Town has identified additional properties. Cataldo will be asked to respond to the RFP for 86 Burrill St. if they want to continue occupying that location.

It was noted that the impact the selected organization will have on Burrill St. must be taken into consideration.

On **MOTION** (Hause) and **SECONDED** (Titcomb) it was **VOTED** (by roll call) to issue an RFP in accordance with its terms. Roll call: Hause (YES) Titcomb (YES) Duffy (YES) Spellios (YES) Girshman (YES)

## **REOPENING OF TOWN HALL**

Town Administrator Sean Fitzgerald ran through an update on the reopening and current staffing in each of the Town buildings:

**Town Hall:**

- Wednesdays from 8:00am –4:30pm, and on Fridays from 8:00am –12:00pm.
- On Tuesdays and Thursdays Town Offices are staffed, but open to the public by appointment only, with appointments taking place only in the 1stFloor Conference Room.

**Library:**

- The building remains closed to the public but staff are working the window for pickup/drop-offs and borrowed materials and offering virtual programs
- The operating hours of the library are 10am-4pm Monday-Friday

**Police & Fire:**

- Both public safety departments have staff that have worked their usual schedules through COVID. There are no modified schedules.

**DPW:**

- All staff are working their normal schedules and have been doing so since May 2020.

**Senior Center:**

- The facility is closed to the public
- Staff are organizing food deliveries as well as calling seniors to conduct check-ins
- The van is available for medical ride appointments as well as shopping appointments

There was a request for a status update on beach parking. Once the Town Administrator has received an update from Chief Madigan he will share with the board.

There were questions about the opening of the library. Chairman Spellios requested that there be research on what other libraries and senior centers in other communities are doing.

Chairman Spellios also mentioned as the cold weather comes, think about how we can help businesses through the fall and winter since outdoor dining may not be feasible.

Assistant Town Administrator of Administration and Finance noted that there will be a large, secure ballot box installed by the time the general election comes around. Once installed there needs to be adequate communication to promote that it's there as well as voting procedures in general.

**GRANT OF LICENSE**

Director of Community & Economic Development presented a request from National Grid to allow them to bring in utilities into former Machon School development until Town Meeting can take this discussion for a granting of easement. Town Counsel has reviewed the Grant of License and approved.

The Select Board asked CED to confirm that National Grid maintain improvements as shown in the plans, and that this becomes a legal requirement. Confirmed that the easement would not change the project.

On MOTION (Titcomb) and SECONDED (Duffy) it was VOTED (roll call) to approve the Grant of License set forth in the Board Package. Roll Call: Titcomb (YES) Duffy (YES) Grishman (YES) Hause (YES) Spellios (YES).

## **VERIZON LICENSE RENEWAL**

The Town's license with Verizon expires in October 2021. There is an extensive process to review and renew the license as it is governed under the Federal Communications Act and the revenue that comes in from the licenses is what funds the Cable TV Access channels

Attorney William Hewig outlined the process of renewal - called ascertainment. The expectations should be tailored to what we are permitted to get under the Federal Cable Act. The FCA is specific about what is permitted. For instance, the Select Board cannot negotiate rates, channels.

The Town must determine what it is that we need from Verizon to support what we do. The process includes community meetings and involvement of stakeholders such as schools, Access TV, IT Department, different Department Heads (library, senior center, police) if they have future community needs that are cable-related. Ultimately the Town must put together a business plan – a proposal of the money we want from Verizon and any other features. The conclusion be represented by a printed document – a summary of what we're looking for and why. The one legal requirement the Town has is to hold and advertise a public hearing. This can be conducted by Select Board or another body. Once a hearing has been conducted, the Select Board can sign the license. There is no clear rule on when the public hearing happens, but we must be prepared to ask what we want. Attorney Hewig explained that Verizon would likely only approve a five-year license.

The Town must form a working group to discuss the negotiation and draft a business plan. This can be either a public body or a Department Head meeting.

Town Administrator Fitzgerald, Joe Douillette, Ron Mendes, and Attorney Hewig will meet to determine what a productive public body would be to begin crafting a business plan. Staff will return to the September 2<sup>nd</sup> meeting with a timeline and suggestions for the makeup of the body.

## **DIVERSITY**

Peter reflected on some conversations he's had with members of the community and their experience with the social justice forum and current social events. There is a need to have a joint Board of Health and Select Board meeting to open up the public dialog and give it its own forum. Selectman House suggested a range of perspectives be brought to the table.

Assistant to the Town Administrator Allie Fiske talked about a sub group that convened to talk about next steps, which is a public meeting. Neal mentioned the upcoming Town-wide library

program highlighting books about race and equality. On September 2 with the Board of Health, we will discuss this meeting further.

## **CONSENT AGENDA**

- Vote to approve meeting minutes from August 4, 2020
- Approval of petition of National Grid to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits: Eastman Avenue
- Approval of petition of National Grid to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits: Littles-Point Road

There was a question about the damage this work will do on Littles-Point Rd. the contractor has committed to repairing this road – paving curb to curb in front of 31. It was requested that there be provisions for repairs for damage caused on Little-Point Rd.

DPW Director Gino Cresta intended to have a petition for the shifting of poles on Burpee Rd., but there are two utilities on the pole so National Grid must get permission from Verizon and Comcast. The petition will hopefully be put forth for the September 2 meeting.

On MOTION (Hause) and SECONDED (Hause) it was VOTED (by roll call) to approve the consent agenda with amendments to the National Grid petitions as put forth by Ms. Titcomb.

Ms. Titcomb asked that we update the minutes to reflect that we want to revisit the tiered billing system so this is on the record.

## **Town Administrator Update**

- Board agreed to Peter signing a grant proposal for an MAPC Diversity Grant.
- Waste Reduction Program Roll-out
- Community & Economic Development
- Verizon Cable License Renewal
- Asset Management Grant Application Submitted
- Update on Staffing at Town Departments
- Town Clerk updates
- Fire Dept. updates
- Changes to Animal Control management – from Health Dept. to Police Dept.
- Chance to Liquor License permitting – from Community Development to Police Dept.
- Superintendent Reopening Task Force
- Civil Service Committee
- Household Hazardous Waste collection

## Select Board Time

### NEAL DUFFY:

- Thanks to Little League for a good season and everything they did to stay safe.
- Saturday, August 29 information session for Library Master Planning process.
- Communications Committee update

### DAVID

- Stan Strickland performance

On **MOTION** (Duffy) and **SECONDED** (Grishman) it was **VOTED** by roll call to adjourn the meeting. Roll call: Grishman (YES) Titcomb (YES) Duffy (YES) Titcomb (YES) Hause (YES)

Meeting adjourned at 8:57 PM

True Attest,

A handwritten signature in dark ink, appearing to read "Allie Fiske". The signature is written in a cursive, flowing style.

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Allie Fiske, Assistant to the Town Administrator

*Minutes APPROVED by vote of the Select Board 9/2/20*