

BOARD OF SELECTMEN
MEETING MINUTES
Wednesday, May 1, 2019
Swampscott, MA 01907

ATTENDANCE: Selectman Naomi Dreeben, Chair Peter Spellios, Selectman Polly Titcomb, Selectman Laura Spathanas, Selectman Don Hause, Town Administrator Sean Fitzgerald,

Pledge of Allegiance 7:15 pm

Selectman Dreeben welcomed newly appointed Selectman Polly Titcomb and congratulated re-elected Selectman Don Hause.

RESIDENT COMMENT

Trish Malphrus thanked Sue Duplin and her staff for all they did on election day. It was an incredible day.

Peter Yasi- 32 Millett Road discussed the traffic study currently happening on Humphrey. A lot of the traffic is going up Millett Road due to this study. He would like everyone to share the burden of the traffic. Selectman Spellios stated this is just a gathering of data to bring back to evaluate. This is the first phase and looking into a possible alternative pattern to help with the traffic. Nothing permanent will be done until the Traffic Study Committee meet, discuss and make a recommendation There will be more public dialogue.

Resident- 6 Bayview Drive also voiced concerns on the Traffic Study on Humphrey. Suggested speed bumps temporarily to reduce speed.

Selectman Spellios congratulated Polly Titcomb and Don Hause and was excited to say that Swampscott is the 16th town to have a majority female BOS.

Town Clerk, Sue Duplin swore in Selectman Polly Titcomb and Selectman Don Hause and both signed the book.

Marianne Hartman, Chair of the Swampscott Board of Health, discussed the fields in Swampscott. Coaches have been concerned about the dog waste at the fields along with dogs off leash on the fields. Groups of people are bringing dogs on the fields and using them as a dog park. The BOH came up with a change to the bylaw and submitted the idea to the Town Administrator. The language was submitted to Town Counsel who has created language for Town Meeting.

Below are the recommended changes to the current by-law:

"For all Town-owned properties not addressed in Section (c) of this Bylaw, the Board of Health may enact regulations relating to dogs on Town-owned land, which may include, but are not limited to, restricting or prohibiting dogs on certain properties at certain times; provided, however, that no such prohibition or restriction shall apply to service animals performing tasks for persons with disabilities as defined in the Americans with Disabilities Act".

FINES FOR PICKING UP AND TRANSPORTING UNLICENSED DOGS: "A fine of \$50.00 per day is established for any owner of an unlicensed dog not accompanied by the owner that has to be picked up by the Animal Control Officer and transported to the animal hospital and/or kennel. (5/93)"

The BOH would like to see a full-time animal officer in town. The Town Administrator discussed a regional opportunity for this due to the town's budget. The Town Administrator has stepped up the animal patrolling and residents are very happy about this.

Marianne stated that when you approach residents regarding dogs being off leash, or not picking up waste, it is never a positive experience.

Selectman Spellios stated that the language in this bylaw delegates to the BOH on Town owned property to make a decision that even leashed dogs will not be allowed on Town owned properties.

Also, implement \$100 fine per offense for unrestrained dogs, with an exception to service animals. Town Administrator will speak to legal counsel to confirm that Town owned property also includes School owned property.

Discussion on the fines by the BOS

Discussion on Cat By-Law from Resident- Deb Newman

Selectmen Spellios thanked Deb Newman and all the research she has done in bringing awareness to Residents about this article.

With little effort Deb received 78 signatures in support and spent much time giving handouts to residents. She stated this is about health, safety and welfare of cats, humans and wildlife and is as important as dog regulations.

Deb Newman will send her presentation to post on the Town website and has also sent it to the Town Moderator to send out to Town Meeting Members.

Selectman Spathanas said the presentation was very helpful and informative.

Laura Spathanas presented and read a proclamation for the Stamp Out Food Hunger Drive by US Postal Service and thanked everyone for their donations.

A motion was made by Selectman Spellios to take Machon School out of consent agenda. Motion was seconded by Selectman Dreeben and all BOS members were unanimously in favor.

Request to extend the outside closing date under the land agreement for the B'nai B'rith Housing project at the Machon School (May 8, 2018) by adding an additional twelve (12) months to the First Extended Outside Closing Date (i.e. May 8, 2020) pursuant to Article VI, Section A of the Agreement with the Town.

Marzi Galazka gave an update on what has transpired to date.

Selectman Titcomb recused herself due to being a direct abutter.

Marzi Galazka broke down the actions that have been taken since 2007.

Land development allows a first extension, but a second extension would be by the discretion of the BOS.

LDA Project Millstones- 2016 enter into LDA- 2016 Round one of funding- 2017 comprehensive permits- 2017 Round two of funding- 2019- close construction loan/ start construction /lease commencement

Discussed LDA financial commitments

Received from residents the following questions:

Have a Pedestrian traffic study – BOS agreed this has to be done 30 days before building has to be completed.

Condition of the property and ongoing alarms and broken windows this is town responsibility- B'nai B'rith only has at this time taken insurance on property.

B'nai B'rith was very forward that this may take multiple rounds for funding.

Holly Grace from B'nai B'rith remains committed – 100 % affordable development for seniors- and they are pursuing financing for this round of funding. An application is in right now and typically the state will have a decision by August. They are optimistic they will be funding this round.

There was an issue with the Sprinkler system and fire alarms which was addressed by Chief Breen and Max Casper. They identified and addressed the problem with the fire alarm and will have more frequent visits to the building.

Resident Comments:

Joan Palario- Town meeting member and FINCON member and a resident of Burpee Road asked a question on what happens with federal funding a year from now.

Selectmen Hause asked if there is no funding this summer can they pursue other funding? BOS agreed they will have many conversations if they do not receive funding.

BOS asked to have a neighbor meeting on where the 50k that was given to town from B'nai B'rith should be used.

Polly Titcomb stated no one is trying to stop the project for more green space, but there has been a lack of communication for 12 years and an increase in communication is needed. She is in agreement that it's not just the towns responsibility to maintain the building as per the agreement and the police dpt. has not been very responsive. She expressed a need for internally a plan B to be discussed and that resident should not have to wait 3 more years.

Preconstruction email will begin again via Marzie Galazaka.

The BOS voted to extend the Outside Closing date for B'nai B'rith Housing (Covenant Commonwealth Corporation), developer for the former Machon School project to May 8, 2020. This will add 12 additional months to the first extension, with the following conditions:

Release the \$50,000 held by Escrow Agent (Marsh Moriarty Ontell & Golder PC.) for infrastructure improvements on Burpee Road

Complete a pedestrian safety and on-street parking study in less than 120 days

Identify capital projects and additional funding for Burpee Road

A motion was made by Selectman Dreeben and seconded by Selectman Hause all BOS members were unanimously in favor.

CLOSING THE WARRANT

Ron Mendes continued the presentation of the Warrant Articles.

Article 3 Motion favorable action by Selectman Dreeben and seconded by Selectman Hause and all BOS members were unanimously in favor

Article 4 Motion favorable action by Selectman Dreeben and seconded by Selectman Hause and all BOS members were unanimously in favor

Article 5- No recommendation- next week will be meeting with School Business dpt.

Article 6- No recommendation – until final recommendation is presented by FINCOM

Article 7 Motion favorable consistent with FINCOM by Selectman Dreeben the motion was seconded by Selectmen Hause and all BOS members were unanimously in favor

Article 8- Not reporting

Article 9 – Not reporting

Article 10 – - No Recommendation- discussion on having a floor amendment

Article 11-No Recommendation this is part of the conversation with the school dpt.

Article 12, 13,14,15 No Recommendation waiting for FINCOMS recommendation

Article 18 Motion favorable action by Selectman Dreeben and seconded by Selectman Spathanas and all BOS members were unanimously in favor

Article 19- No Recommendation -BOS not making a decision tonight

Article 20,21- Motion favorable action by Selectman Dreeben and seconded by Selectman Spellios and all BOS members were unanimously in favor

Article 22, Motion favorable action by Selectman Dreeben and seconded by Selectman Hause and all BOS members were unanimously in favor

Article 23 Motion favorable action by Selectman Dreeben and seconded by Selectman Spathanas and all BOS members were unanimously in favor

Article 24 Motion favorable action by Selectman Hause and seconded by Selectman Spathanas and all BOS members were unanimously in favor

Article 25 No recommendation

Article 26 Motion favorable action by Selectman Dreeben and seconded by Selectman Spathanas and all BOS members were unanimously in favor

Article 27 No Recommendation- need further explanation of the term blighted

Article 28 Motion favorable action by Selectman Dreeben seconded by Selectman Hause and all BOS members were unanimously in favor

Article 29 No Recommendation until meeting with BOH

Article 30- No Recommendation until planning board have their next meeting

Article 31- No Recommendation- Change appendix E to appendix C

Article 32- No Recommendation -language should read all or any portion / language to have a portion of the proceeds of the VFW be committed to Veteran services for capital projects

Article 33- No Recommendation- Marzie gave an update on the White Court Easement that includes parking spaces at lookout- Conservation Commission will chime in on 5/1/19

Article 34- No Recommendation

Article 35- No Recommendation

A motion was made by Selectman Dreeben to close the warrant subject to the revisions discussed. The motion was seconded by Selectman Hause and all BOS members were unanimously in favor.

VOTES OF THE BOARD:

Vote to appoint Alan Van Arsdale as a member of the Harbor and Waterfront Advisory Committee

1-day Beer and Wine License for a memorial service on May 11, 2019 at the Unitarian Universalist Church

A motion was made to approve the consent agenda by Selectman Dreeben and seconded by Selectman Spathanas and all BOS members were unanimously in favor.

Town Administrators Report a week of review along with dpt. head updates.

*Schedule to meet May 15th and the 20th at 6 p.m. before Town Meeting
Selectmen's Time- Save the Date June 6th Women's Forum 3-5 pm. Network
with women information in the Swampscott Reporter and on Town Website.
Selectman Spellios follow up on the performance on Saturday @ 1:30 of the
Blue Big band. It was amazing with a packed house.*

*Motion to adjourn the meeting was made by Selectman Dreeben the motion
was seconded by Selectman Hause and all BOS members were unanimously in
favor.*

Ana Lanzetta