



Town of Swampscott
Select Board Meeting Minutes
Wednesday, October 21, 2020 – 6:00 PM
Virtual Meeting

SELECT BOARD MEMBERS PRESENT

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

MEMBERS ABSENT

Don Hause

OTHER TOWN OFFICIALS PRESENT

Sean Fitzgerald, Town Administrator; Allie Fiske, Assistant to the Town Administrator; Ron Mendes, Assistant Town Administrator – Administration and Finance; Marzie Galazka, Director of Community & Economic Development; Chief Graham Archer, Fire Chief; Chief Ron Madigan, Chief of Police; Jeff Vaughan, Public Health Director; Michael McClung, Town Moderator

The meeting was called to order at 6:03pm

COVID-19 UPDATE

Director of Public Health Jeff Vaughan provided a brief update on COVID-19. During the week of October 12 there were 12 new reported cases, which is the highest weekly number since May. Swampscott is offering free testing in Swampscott from 2:30-6:30pm on Wednesdays and 8:00am-12:00pm on Saturdays and over 500 tests have been performed so far. Mr. Vaughan provided guidance on safe Halloween approaches to trick-or-treating, handing out treats, and other Halloween activities.

Chair of the Select Board Peter Spellios also added that the CDC changed their definition of close contact, which affects contact tracing. The CDC now defines close contacts as someone who was within six feet of an infected individual for a total of 15 minutes or more over a 24-hour period, according to a CDC statement Wednesday.

It was asked if the numbers are going up due to increased testing. Chief Archer explained that the Public Health Nurse has stated that there is not a direct correlation between Town testing and increased positive cases but we will revisit to better understand.

THURSDAY MORNING PROTESTS

There have been concerns among the community and board regarding safety, decorum, and rhetoric occurring at protests. Police Chief Ron Madigan has been on weekly calls with Town Counsel regarding the issue. Chief Madigan spoke and emphasized the importance of the police remaining neutral and avoid being reactive to the situation. Chief Madigan provided a history of the evolution of the protests and what safety precautions the Town has put in place such as barriers to contain groups. Information is shared weekly with Town Counsel to determine if behavior falls within the legal bounds of free speech and right to assemble. The Chief has reached out to both groups to ask if they would voluntarily relocate to another location where there is more space.

Select Board Member David Grishman asked for an update on the mandatory mask zones. Chief Madigan explained that the campaign is focused on education and that same approach has been the same for the protestors. Police offer masks and explain that it is a mandatory mask zone. Emergency personnel have actively resisted escalating the situation and focus on containing everyone to a small area and keeping sidewalks cleared and safe.

Chairperson Spellios stated that Town Counsel has laid out that the 1st amendment allows people to assemble. Town Counsel can find no reason in Swampscott for the Town to be able to restrict the space where people are assembly. There is a discussion about putting in a noise ordinance within a particular proximity to schools. Several Select Board member stated they are amenable to viewing a potential warrant article.

PUBLIC COMMENT

A resident thanked the board for taking up this topic and the work that the Chiefs are doing on this issue, but noted that how this is being handled should be more public.

DISCUSSION ON EQUITY AND DIVERSITY

Town Administrator Sean Fitzgerald introduced Tamy-Fee Meneide who will be a partner to Swampscott to help guide conversations and anti-racism initiatives. Ms. Meneide stated that she believes residents are looking for the Town leaders to not remain quiet on this issue of the protests and rhetoric. Ms. Meneide laid out initiatives including hosting a community forum to hear from Swampscott residents about the experiences they've had and how they may re-imagine a Town that is an ideal example of anti-racism, and what would that work like. The other initiative is for Tamy-Fee to get together and have real-life discussions with department heads about how they're activating their positions of power that are in service of diversity, equity, and inclusion. She would like to produce a "state of Swampscott" report and plan to make steps come to fruition. Finally, she will assist with putting together a committee and initiatives that will fall under a group of members that will take Swampscott and leadership to the next level.

There was an extensive conversation about how the Town leaders can step up and show action and demonstrate leadership on these issues. Several attendees spoke about how important it is for leaders to act, even as they engage in their own personal learning experience.

CIVIL SERVICE STUDY COMMITTEE RECOMMENDATION

Heather Roman, Chair of the Civil Service Study Committee provided a recap on the process of the committee who is established at Town Meeting in June and charged with making a recommendation to Fall Town Meeting about whether or not to remove the Chiefs and department from Civil Service. Chair of the Committee Heather Roman spoke to review the process and recommendation. The Committee started with research, inviting several individuals to speak at the meeting including Chiefs and Officers from other communities. The final recommendation is to take out Fire and Police department and Chiefs from Civil Service with 4 in favor and 1 abstained.

Ms. Roman reviewed some of the topics they reviewed. For instance – hiring – which is based on test scores rather than a comprehensive professional hiring process. The test is generic and not catered to the needs of each community. The system also leads to large gaps in the hiring of women and people of color. The system makes it difficult to hire for a particular skill set. They also reviewed conversations on promotions.

The Committee members each spoke briefly to review some facts and information they gathered that helped support their own personal vote on the matter. They talked a lot about hiring

Chief Madigan spoke that the current system is rigid and too formulaic unmatched to society's current needs. Chief Archer stated that we want the flexibility and make hiring decisions that make sense for the town, and there is no current way to do that under the strictures of Civil Service. It expands recruiting opportunities.

Sean explained that Civil Service would be replaced by the same system used to hire any other Department Head and employee.

1ST READING OF CALYX HOST COMMUNITY AGREEMENT

Director of Community Development Marzie Galazka reviewed the timeline leading to Calyx Peak coming to the Select Board with a Host Community Agreement. Calyx Peak is seeking to open a marijuana retail establishment at 16 New Ocean Street. Some of the terms of the Host Community Agreement include:

- Community impact fee to mitigate impact of establishment to the Town and Neighborhood – they'll make a 3% payment of gross sales for:
 - Road and infrastructure improvements
 - Police Officer training
 - Fire protection services
 - Inspectional services
 - Public Health
 - Addiction services and permitting
- The Town and Calyx Peak will enter into a MOU to support local nonprofit organizations identified by the Town.
- Security plan

- Signage
- Parking Plan: Employee parking will be off street and off site.

Marzie reviewed next steps in the process. She reviewed a list of anticipated improvements to Curry Circle including installing updated signage, striping New Ocean Street entrance, curb extensions or bump-outs, and dialog about traffic, safety, and other neighborhood concerns.

Peter stated that he would like to see a more specific outline of improvements to Curry Circle prior to the 2nd reading including signage, parking restrictions, and exactly what Town staff is proposing.. A resident requested that Rock Ave. be included.

2ND READING OF SOLID WASTE POLICY

Town Administrator Sean Fitzgerald provided a brief update on September tonnage report and shared a chart demonstrating the total solid waste tonnage in September over the course of 10 years. He also reviewed waste diversion programs such as composting, Simple Recycling, metal item drop-off, etc.

Chairperson Spellios read the Policy for the second time.

On **MOTION** (Duffy) and **SECONDED** (Grishman) it was **VOTED** by roll call to approve the Solid Waste Policy. Roll Call: Titcomb (YES) Grishman (YES) Duffy (YES) Spellios (YES)

DISCUSSION OF 2021 TOWN MEETING WARRANT

The Select Board agreed that they would not be closing the warrant today, but rather at a future meeting when there is more time to prepare the warrant articles. Assistant to the Town Administrator Ron Mendes walked through the 18 articles and provided an update on the status. Article 8: Approve Transfer of Funds into Athletic Fields Capital Stabilization

Vice Chair Polly Titcomb described Article 7 (Establish Athletic Field Capital Stabilization Fund) and emphasized that the intent of the article is to create the structure of a Stabilization Fund, not decide specifically how the Town will fund it. Sean Fitzgerald stated that it is important to hold some conversations with stakeholders and more time could be beneficial. Peter also stated that this is a concept that an Athletic Field Advisory Committee could contribute to and that it's premature to create the fund without a mechanism in place.

Off-site Commercial Property: There is concern that the bylaw benefits an owner who is ignoring notices and fines. There is also a concern that this promotes the creation of commercial parking lots and that this won't currently benefit other businesses.

Article 14: Amendments to Revolving Funds: Vice Chair Polly Titcomb talked about what types of funds could go into the account, metal recycling, overflow bags, and stickers. The unknown is what the spending limit would be in terms of how much could be used to spend down the line item. There was a question about what the program is that it will be funding. There was a question about whether or not this is an item that the Solid Waste Advisory Committee should participate in.

Vice Chair Titcomb explained the Mandatory Recycling Bylaw. There was general agreement that the bylaw is important, but comments that the new Solid Waste Advisory Committee should weight in.

The Earth Removal bylaw will likely not be ready in time for Fall Town Meeting.

The Select Board will meet on Wednesday, October 28 to continue discussions on the Town Meeting Warrant.

DISCUSSION OF REUSE OF HADLEY SCHOOL

The School Building Committee has voted unanimously to submit a plan to the MSBA for a Stanley School K-4 district-wide option. Chairperson Spellios re-iterated the Select Board is in agreement that they do not want to see the home used for public housing but rather public use and have it be an asset to the community. Chairperson Spellios reviewed a warrant article he proposes to create a committee to research and make a recommendation about non-private use of the Hadley in preparation for June Town Meeting.

FY21 BUDGET

The discussion of the FY21 Budget has been tabled to October 28.

TOWN ADMINISTRATORS REPORT

The discussion of the FY21 Budget has been tabled to October 28.

Allie asked for approval from the Board Members to affix their signatures to a citation for the Friends of the Swampscott Public Library celebrating their 50th year. All agreed (no vote).

CONSENT AGENDA

No vote

SELECT BOARD TIME

Neal Duffy thanked Allie Fiske for putting together the first even Swampscott newsletter. There have been close to 200 people who have signed up for the newsletter.

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

Meeting adjourned at 11:30 PM

True Attest,



Allie Fiske, Assistant to the Town Administrator

Minutes APPROVED by vote of the Select Board 11/4/20