



Town of Swampscott
Select Board Meeting Minutes
Wednesday, October 7, 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; Marzie Galazka, Director of Community & Economic Development; Molly O’Connell, Senior Planner; Susan Duplin, Town Clerk; Chief Graham Archer, Fire Chief

The meeting was called to order at 6:05pm

PUBLIC COMMENT

A resident expressed concern regarding the assessment of Wholefoods and current Town personnel issues. The Select Board did not respond to these comments.

UPDATE ON DIVERSITY

The Select Board continued dialogue regarding antiracism. Chairperson Peter Spellios referenced an egregiously racist comment posted on Facebook directed at Chief Archer. He made a statement denouncing this behavior. Chief Archer spoke about the importance of the ongoing dialogue occurring between the Town and the community. Town Administrator Sean Fitzgerald spoke to affirm that the Town of Swampscott stands for anti-racism and how crucial it is that we create a more inclusive community. TA Fitzgerald recommends that the board establish an Anti-Racism and Equity Commission. He has been in touch with a consultant to serve as a community partner to lead a community-wide conversation about race. Mr. Fitzgerald expressed a commitment to changing the culture of Town Hall, departments, and Boards and Committees. All Select Board members spoke supporting efforts moving forward and setting expectations for progress.

TA Fitzgerald will return in 2 weeks with a schedule and plan and also include training about implicit bias training.

RECOGNITION OF AIDAN PULASKI

Chairperson Spellios introduced Aidan Pulaski and recognized the work he did to create a trail from Swampscott to link to the Salem Forest River Park region. Aidan spoke about the project which was his Eagle Scout project. Aidan shared some photos and talked through the process briefly. The Select Board member spoke to thank Aidan.

BOARDS APPOINTMENTS

Sean Fitzgerald provided a summary of the four candidates being appointed to serve on the committee.

HISTORICAL COMMISSION

7 voting members, 2 vacancies

- Ryan Judkins
- Brad Graham

CULTURAL COUNCIL

13 voting members, 7 vacancies

- Sammia Atoui
- Marta Cesarz

Each of the members spoke about why they wanted to be a part of the committee. Martha Cesarz looks forward to working with schools to encourage them to take advantage of the cultural council. Sammia Atoui, owner of MiraMar Print Lab, Studio, and Gallery stated that she wants to be a part of bringing all arts organizations and businesses around to the table to work together and highlight their work. Ryan Judkins moved to Swampscott 3 years ago and became interested in the historical commission when digging into the history of his house. He feels Swampscott can leverage it's town history as a tourism and economic incentive. Brad Graham moved to Swampscott 3 years ago. He used to serve on the Acton Historical Commission and is very interested in highlighting Swampscott's historic resources.

On **MOTION** (Titcomb) and **SECONDED** (Hause) it was **VOTED** to appoint _____ Ryan Judkins and Brad Graham to the Historical Commission and Sammia Atoui and Martha Cesarz to the Cultural Council. Roll Call: Hause (YES) Titcomb (YES) Duffy (YES) Grishman (YES) Spellios (YES)

APPOINTMENT

Sean Fitzgerald made a recommendation to the board to appoint Richard Baldacci as the Building Commissioner. Mr. Baldacci previously served as Building Inspector and comes with a tremendous amount for experience relevant to this role. Neal Duffy, who was involved in the interview process, also spoke regarding Mr. Baldacci's qualifications. Mr. Baldacci spoke and emphasized his excitement coming back to Swampscott.

Mr. Spellios asked Mr. Baldacci to speak briefly about the importance of building, code, and zoning enforcement. Mr. Baldacci stepped through his process and approach to enforcement that ensures success.

On **MOTION** (Hause) and **SECONDED** (Grishman) It was **VOTED** to appoint David Baldacci to the position of Building Commissioner for the Town of Swampscott. Roll call: Titcomb (YES) Hause (YES) Duffy (YES) Grishman (YES) Spellios (YES)

EARTH REMOVAL BYLAW

There have been a lot of concerns from residents not just near the quarry but as far as the borders of Marblehead regarding blasting, so the Select Board seeks to address the. The Earth Removal Advisory Committee, the Town, and Town Counsel met to discuss planned changes to the Earth Removal Bylaw:

Planned Changes:

1. Update definitions section
2. Create a new section that will address quarry or commercial operations
3. Limit the number of blasts per year
4. Limit the amount of aggregate able to be removed from the quarry in a year
5. Update restrictions on vibrations, noise, and air quality standards.
6. Define property damage process, including radius of eligible property owners, notification, claims, and the outcome of complaints
7. Define restoration/closure plan and funding of such plan on an annual basis
8. Review current permit fee structure
9. Request support for technical consultants

Interim Changes

- Restricted blasting operations to two per week
- Reduced production hours (7am to 9pm)
- Notified neighbors of free pre-blast surveys
- Simplified claim process
- Conducted external pre-blast surveys
- Held a community meeting to discuss blasting

Select Board member David Grishman suggested that we set up a system wherein people can capture complaints and help us do a better job of cataloguing and recognizing issues. There was a discussion about reporting claims to Aggregate Industries. It was reported that to date, there have been no damages awarded. The Town would like to have claims sent to a third party for review.

There was a conversation about reports and studies being put online. If the bylaw is not ready by Town Meeting, then the next permit issued to Aggregate Industries could cover some of the intention of the bylaw.

A resident spoke to confirm that a tool to report claims online would be ideal. There was a conversation about Fosters Pond and the impact Aggregate Industry has on it in its usage.

UPDATE FROM TOWN CLERK

Sue Duplin provided a presentation about elections on November 3. She assured voters that ballots are being mailed out and residents who have not received them by Friday, October 16 can call the Town Clerk's Office. There is a new secure ballot box at Town Hall located by the front entrance. Early voting will take place between October 17 and October 30 in Town Hall.

The Town would like to move Precincts 1 & 2 to the High School temporarily due to the fact that there is not enough room at the Senior Center. Because of COVID-19, postcards do not need to be mailed and other avenues of outreach can be used instead.

Ms. Duplin directed voters to voter resources at www.sec.state.ma.us including applications, registration, tracking your ballot, information on where to vote, etc. She reminded everyone to exercise social distancing with voting.

On **MOTION** (Titcomb) and **SECONDED** (Grishman) it was **VOTED** by roll call to establish Swampscott High School as temporary voting location for the upcoming November 3 election for Precincts 1 and 2. Roll Call: Grishman (YES) Titcom (YES) Hause (YES) Duffy (YES) Spellios (YES)

Select Board member asked for clarification on whether voters need to pay to mail envelopes. Ms. Duplin confirmed that mail-in ballots are sent in postage-paid envelopes.

TOWN MEETING WARRANT

Town Administrator Ron Mendes explained that the deadline to mail the Town Warrant is November 2, the first Monday in November. Wednesday, October 28 would be the latest the warrant could be sent to the printer.

The Town Moderator recommended November 16 for the date of Town Meeting.

Assistant Town Administrator showed a draft of the Table of Contents for the Special Town Meeting. Chairperson Spellios reviewed briefly the warrant articles and a general status of each item. Select Board Member Polly Titcomb asked for clarification on who drafts language for bylaw. Ron will serve as point person and Town Counsel will assist with drafting.

It is anticipated that this meeting will require two nights: November 16 and November 17. By October 21st information about Civil Service warrant article should be shared publicly.

On **MOTION** (Grishman) and **SECONDED** (Titcomb) it was voted by roll call to open Town meeting on Monday, November 16, 2020 and continue as determined by the Moderator. Roll Call: Titcomb (YES) Grishman (YES) Hause (YES) Duffy (YES) Spellios (YES)

1ST READING OF FINANCIAL POLICES

Assistant Town Administrator described the Financial Policy Planning. He outlined the table of contents for Planning and Operations. The Finance Committee and the Capital Improvement Committee will also review. It is open for public comment. Would like to have feedback and collaborative discussion by the end of the calendar year. The policies will post on the website for public comment.

Chairperson Tim Dorsey of the Finance Committee stated that he cannot commit to completing the review by the end of the calendar review until the Finance Committee is able to see the policy, but can commit to completing it before budget season.

1ST READING OF SOLID WASTE POLICY

Chairperson Spellios read the policy outloud. Allie Fiske will put the policy on the website and make sure board has the correct version.

WAIVING LICENSE

Director of Community and Economic Development Marzie Galazka spoke to recommend that the board consider eliminating fee for the Entertainment License and Common Victualler License for businesses in 2021. Entertainment Licenses are held by 9 businesses and are \$125. Common Victuallers Licenses are held by 34 businesses and are \$125.

Town Administrator Fitzgerald says he will review other fees as needed and report back if there will be any changes. Mr. Spellios pointed out that information about permit fees should be listed in the financial policies as a review and certification process. Presented and voted upon by board each year.

On **MOTION** (Duffy) and **SECONDED** (Titcomb) it was **VOTED** by roll call to waive the Entertainment and Common Victualler License Fees for the coming calendar year. Roll Call: Titcomb (YES) Duffy (YES) Grishman (YES) Hause (YES) Spellios (YES)

CONSENT AGENDA

- Authorize the Town Administrator to finalize and execute a contract that exceeds \$100,000 with Aqualine Utility Inc. as the lowest bidder in Bid #2021-002 (Construction of a Stone Dust Path/Rail Trail)
- Authorize the Town Administrator to finalize and execute a contract that exceeds \$100,000 with xTreme Shotcrete LLC as the lowest bidder in Bid #2021-003 (Kings Beach Sea Wall Repairs, Phase 1)
- Authorize the Town Administrator to finalize and execute a contract that exceeds \$100,000 with Veolia Water North America – Northeast LLC to extend the previous contract for Operation and Maintenance of the Wastewater Pumping, Lift and Booster Stations to June 30, 2021.
- Vote to appoint two (2) new members to the Swampscott Cultural Council
- Vote to approve two (2) new members to the Swampscott Historical Commission

- Vote to approve Grant of License to Verizon New England Inc. (formerly known as New England Telephone and Telegraph Company) to lay, construct, reconstruct, operate, repair, maintain, replace and at its discretion remove the following facilities: cables, lines, and wires for the transmission of telecommunications and intelligence, now or in the future at mutually agreed to location(s) upon, over, under and across the property which the undersigned owns or in which the undersigned has an interest situated on the northeasterly side of Burpee Road in the Town of Swampscott.
- Vote to approve meeting minutes from September 3, September 16, and September 30 meetings

On **MOTION** (Grishman) and **SECONDED** (Duffy) it was **VOTED** by roll call to approve the consent agenda. Roll call: Duffy (YES) Titcomb (YES) Grishman (YES) Hause (YES) Spellios (YES)

TOWN ADMINISTRATOR REPORT

Board asked if Sean could provide a weekly update about the blighted properties.

On **MOTION** (Grishman) and **SECONDED** (Hause) 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 9:54 PM

True Attest,

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

Allie Fiske, Assistant to the Town Administrator

Minutes APPROVED by vote of the Select Board 11/4/2020