



Town of Swampscott
Select Board and Board of Health Joint Meeting Minutes
Wednesday, June 17, 2020 – 6:00 PM
Virtual Meeting

SELECT BOARD MEMBERS PRESENT

Peter Spellios (Chair), Naomi Dreeben (Vice Chair), Polly Titcomb, Don Hause, Laura Spathanas

BOARD OF HEALTH MEMBERS PRESENT

Marianne Hartmann, (Chair), Emily Cilley, Stephanie Goodman

MEMBERS ABSENT

None

OTHER TOWN OFFICIALS PRESENT

Sean Fitzgerald, Town Administrator; Allie Fiske, Assistant to the Town Administrator; Jeff Vaughan, Health Director; Neia Illingworth, Public Health Nurse; Marzie Galazka, Director of Community Development; Max Kasper, Building Commissioner, Ron Mendes, Assistant Town Administrator of Administration and Finance; Gino Cresta, Assistant Town Administrator of Operations; Molly O'Connell, Senior Planner; Michael McClung, Town Moderator

The meeting was called to order at 6:06pm

Colleen Cull and Julie Ingaciola spoke to announce a live webinar on June 25th called Restorative Circle: Addressing Racial Injustices. They spoke briefly about the specific event as well as the general concept of restorative circles, and how these can be utilized in many different types of meetings. Julie and Colleen are willing to help facilitate these structured conversations within or outside of the school setting.

TOWN MEETING WARRANT ARTICLE – CIVIL SERVICE

Town Administrator Sean Fitzgerald walked through an overview regarding the difference between Civil Service and a professional hiring process in regards to hiring the Chief of Police and Fire Chief. A question was raised regarding whether or not removing the Chiefs from Civil Service would remove them from the union. TA Fitzgerald clarified that the Chiefs are not currently in the union. Of the 351 cities and towns in the commonwealth, 54 fire chiefs are in civil service, 297 are not. Approximately 63 police chiefs are in civil service, 288 are not.

Attorney Darren Klein from Swampscott's Town Counsel indicated that removing Chiefs from Civil Service is the current trend state-wide. Attorney Klein also provided some information about how discipline occurs if a Chief is within Civil Service or out of Civil Service. The process of removing these positions from Civil Service is a lengthy process, which is why the Town Administrator is proposing this now. Police Chief Madigan's mandatory retirement occurs in October of 2021. Chief Madigan and Chief Archer both spoke in regards to the topic, providing insight into their own experience with the process and observed the benefits, while being mindful of the qualified internal candidates currently in the ranks. Removing these positions does not make ineligible any of the internal candidates who would be able to apply, and would expand the pool of internal candidates eligible to apply.

There was concern expressed regarding the timing and whether or not there was ample time for Town Meeting members to consider this prior to Town Meeting on Monday.

There was a MOTION (Spathanas) to indefinitely postpone the warrant article and no second to this motion.

On MOTION (Dreeben) and SECONDED (Hause) it was VOTED by roll call to recommend favorable action on this warrant article. Roll Call: Dreeben (YES) Spathanas (NO) Hause (YES) Spellios (YES) Titcomb (YES)

There will be a vote to potentially take this out of order at Town Meeting.

PUBLIC COMMENT

Select Board member Don Hause spoke briefly to say that while he was unable to engage in conversation during public comment due to a prescheduled flight, that he welcomed public and private dialog.

A resident read some excerpts from a letter she addressed to Select Board Member Don Hause. A second resident referenced a letter he addressed to the Select Board requesting that Select Board Member Don Hause step down.

A resident revisited the Civil Service topic and referenced the process of hiring a Superintendent and feels that it is important to be able to go outside of our community to hire the best possible candidate.

A resident asked if the board would consider a second Q&A session specifically on the Mission on the Bay issue pertaining to Don Hause. Several other community members echoed that this would be an important conversation that could also more broadly address how the community should respond as bystanders in these situations.

PUBLIC HEALTH UPDATE

Public Health Nurse Neia Illingworth gave a brief update about COVID-19. Currently there are 128 confirmed positive cases in Swampscott. 108 individuals have completed their isolation. She reiterated the importance of social distancing.

Public Health Director Jeff Vaughan spoke to encourage people to continue to be aware of those around them and keep wearing a mask when near anyone. Board of Health Director Marianne Hartmann mentioned that the barrels on Humphrey Street have been removed to restore parking for the businesses.

On Board of Health **MOTION** (Goodman) and **SECONDED** (Cilley) it was **VOTED** by roll call to adjourn the Board of Health portion of the meeting. Roll call: Cilley (YES) Goodman (YES) Hartmann (YES)

2nd READING OF REACH ARTS LEASE AGREEMENT

Naomi recommended that the date of the lease renewal be changed to July 1.

On **MOTION** (Dreeben) and **SECONDED** (Spathanas) it was **VOTED** by roll call to authorize the Town Administrator to execute a lease in the form provided with the adjustment of the July 1st lease agreement start date. Roll Call: Dreeben (YES) Spathanas (YES) Spellios (YES) Titcomb (YES)

OUTDOOR SEATING

Naomi shared image of jersey barriers painted by Reach Arts that will be used as dividers for outdoor seating.

The board will not be approving design guidelines at the time because of the Governor's order supersedes those and they will not apply until the order expires on November 1.

Senior Planner Molly O'Connell listed the applications that had been submitted for outdoor seating and/or ABCC licenses. Director of Economic & Community Development provided some additional information about seating requested by the applicants.

On **MOTION** (Dreeben) and **SECONDED** (Spathanas) it was **VOTED** by roll call to approve Policy, Procedures & Rules for Use of Outdoor Space for Food and Alcohol Service, Public Right of Way License and Regulations, and Application Form. Dreeben (YES) Spathanas (YES) Titcomb (YES) Spellios (YES)

On **MOTION** (Dreeben) and **SECONDED** (Spathanas) it was **VOTED** by roll call to approve the Public Right of Way license for Lincoln's Landing, Popo's Hot Dogs, G Bar & Kitchen, Café Avellino and liquor license for G Bar & Kitchen, Café Avellino, Chi, and Gourmet Garden. Roll call: Dreeben (YES) Spathanas (YES) Titcomb (YES) Spellios (YES)

LYNN WATER & SEWER UPDATE

This topic has been tabled to June 24, 2020 Select Board Meeting

TOWN MEETING WARRANT

Article #4

On MOTION (Spathanas) and SECONDED (Dreeben) it was voted by roll call to recommend favorable action on Article #4. Roll Call: Dreeben (YES) Spathanas (YES) Titcomb (YES) Spellios (YES)

AGGREGATE INDUSTRIES

Toni Bandrowitz provided an update about Aggregate industries. The bylaw amendments are moving forward and there will be a draft to review, hopefully go to Town meeting in the fall. In February there was a Memorandum of Understanding drafted, the content of which was presented in slides in the meeting. The critical point is to resolve remaining issues such as blasting limits and blasting during certain types of weather. There is a draft permit that was started as well, though MOU and permit have issues that need to be resolved at the Town level.

Toni reiterated that much of the quarry is located in Salem and there must be a partnership with Salem to and Aggregate Industries.

There was a conversation about Foster Pond and the generation of dust during blasting. Tonia described the existing issue with Foster Pond and the hope of getting an aerator to help curb the growth of algae. It was suggested that the draft bylaw consider the use of water that is drained into Foster Pond to diminish the dust production site.

Tonia recommended the board review the draft MOU and draft permit to contribute input.

John Picariello recommended that the permit fee be reviewed by the Select Board and what type of bond would be set for closure. Naomi asked that the Town Administrator provide a recommendation on the permit fee and Town compensation. Attorney Amy Kwesell spoke to say that the permit fee can be reviewed and there are a few different ways to figure it out – by traffic impact, trucking, and other variables, etc.

CONSENT AGENDA

- Approval of 6/9/20 meeting minutes
- Approval of 6/10/20 meeting minutes

On MOTION (Spathanas) and SECONDED (Titcomb) it was VOTED by roll call to approve the June 10 meeting minutes. Roll call: Spathanas (YES) Dreeben (YES) Titcomb (YES). The June 9, 2020 meeting minutes have been tabled to June 24.

SELECT BOARD TIME

- Naomi Dreeben provided an update on the Summer Food Distribution program to state that the school program will be ending on June 19 but the Town of Swampscott will be partnering with the City of Salem starting 6/22 and bringing breakfast and lunches for anyone who needs them to Swampscott and distributing on Mondays, Wednesdays, and Fridays between 10am-11am.
- Polly Titcomb asked for an update on a summer camp scholarship program.

On MOTION (Titcomb) and SECONDED (Spathanas) it was VOTED by roll call to adjourn the meeting. Roll call: Dreeben (YES) Titcomb (YES) Spathanas (YES)

Meeting adjourned at 9:43pm.

True Attest,



Allie Fiske, Assistant to the Town Administrator

Minutes APPROVED by vote of the Select Board 6/24/20