



*Select Board Regular Session Minutes
Swampscott High School
200 Essex Street, Room B129
November 15, 2023, 6:30 PM*

*David Grishman, Chair
Catherine Phelan, Vice Chair
Mary Ellen Fletcher
Peter A. Spellios
Douglas Thompson*

**Received by Town Clerk
December 11, 2023 11:57am**

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SELECT BOARD MEMBERS PRESENT: DAVID GRISHMAN, MARY ELLEN FLETCHER, KATIE PHELAN, PETER SPELLIOS, DOUG THOMPSON

MEMBERS ABSENT: NONE

OTHER TOWN OFFICIALS PRESENT: SEAN FITZGERALD, TOWN ADMINISTRATOR, PATRICK LUDDY, TOWN TREASURER/COLLECTOR, AMY SARRO, DIRECTOR OF FINANCE & ADMINISTRATION, MEMBERS OF THE SOLID WASTE ADVISORY BOARD: WAYNE SPRITZ, CHAIR, ALIX SMULLIN, MAX KASPER, FACILITIES DIRECTOR, MARZIE GALAZKA, PETE KANE, GINO CRESTA

OTHER: ZACHARY WASSMOUTH AND REBECCA BROWN, GPI

MEETING CALLED TO ORDER AT 6:36 PM

A. TOWN ADMINISTRATOR'S REPORT:

- i. THANKED PUBLIC SAFETY TEAM AND GPI FOR BEING HERE TO DISCUSS ROADWAY IMPROVEMENTS AROUND THE NEW PUBLIC SCHOOL. THE MSBA HAS CHANGED ITS FUNDING STRATEGY WHICH COULD RESULT IN AN INCREASE OF \$5M TO THE TOWN.
- ii. PLAN ON HOSTING A MEETING IN DECEMBER WITH STAKEHOLDERS TO DISCUSS KING'S BEACH, ALONG WITH ALTERNATIVE TREATMENTS TO BRING THE BEACH BACK TO USE. KLEINFELDER IS WORKING WITH IT TO CREATE A NEW LANDING PAGE ON THE TOWN'S WEBSITE TO HIGHLIGHT ALL THE WORK ON IDDE AND THE PROPOSED SCOPE OF WORK TO HELP ALLEVIATE SOME OF THE RUMORS AND FALSE INFORMATION BEING DISPELLED. I AM ALSO WORKING WITH SELECT BOARD MEMBERS DAVID GRISHMAN AND DOUGLAS THOMPSON TO REVIEW THE SCOPE OF WORK FOR THE STATE \$2.5M ARPA FUNDS AND THE TOWN'S \$2.1M ARPA FUNDS INCLUDING USING \$1MM TO JUMPSTART FISHERMAN'S BEACH SOURCE ELIMINATION.
- iii. TOWN STAFF IS WORKING WITH TOWN COUNSEL TO COORDINATE A SPECIAL TOWN MEETING FOR MONDAY, DECEMBER 11TH, PRIMARILY TO DISCUSS THE USE OF FREE CASH/STABILIZATION FUNDS TO OFFSET THE ANNUAL LEVY. THERE ARE FOUR ADDITIONAL ARTICLES.
- iv. THE FINANCE TEAM IS WORKING HARD UPDATING THE TOWN'S FINANCIAL FORECAST. CAPITAL IMPROVEMENT MET WITH MARZIE GALAZKA AND MAX KASPER TO DISCUSS THEIR PROJECTS. WE WILL HAVE AN UPDATE OF CIC REQUESTS BY THE END OF THE MONTH.
- v. THE RFPs FOR THE HADLEY SCHOOL/BOUTIQUE HOTEL ARE DUE BACK ON DECEMBER 14TH. NINE DEVELOPERS HAVE EXPRESSED AN INTEREST AND HAVE TOURED THE SITE.
- vi. ATHONY ATHANAS HAS AGREED TO SIGN AN EXTENSION OF THE HAWTHORNE THROUGH 2025.
- vii. HEIDI WHEAR IS BUSY WORKING ON A "PURPLE TABLE" GRANT TO TRAIN LOCAL RESTAURANTS IN BEING DEMENTIA FRIENDLY. CURRENTLY, THERE ARE THREE RESTAURANTS INTERESTED. HEIDI HOPES OTHER BUSINESSES WILL FOLLOW SUIT.
- viii. THE POLICE DEPARTMENT HAS BEEN BUSY GETTING READY TO HIRE ADDITIONAL OFFICERS AND WORKING WITH SCHOOLS IN TRANSITIONING TO A NEW "ALICE"/ACTIVE SHOOTER TRAINING PROGRAM. THEY ALSO REVIEWED SECURITY PROCEDURES FOR BOTH TEMPLES IN TOWN.
- ix. THANKS TO MS. FLETCHER, ST. JOHN'S CHURCH HAS AGREED TO LET THE TOWN USE THEIR PARKING LOT WHEN NOT IN USE FOR CHURCH EVENTS. A BIG THANK-YOU TO MONSIGNOR MCLAUGHLIN AND THE ST. JOHN'S COMMUNITY FOR THIS PARTNERSHIP.

- x. NOMINATIONS FOR THE UPCOMING ELECTION WERE DUE LAST FRIDAY. THE 2023 ANNUAL TOWN REPORT HAS BEEN SUBMITTED TO THE MMA. WE ARE HOPING TO WIN THE AWARD FOR BEST TOWN REPORT IN MASSACHUSETTS!
- xi. THE HEALTH DEPT. IS COLLECTING PUBLIC INPUT IN HOW TO ALLOCATE OPIOID SETTLEMENT FUNDS. THERE WILL BE A SURVEY POSTED ON THE TOWN'S WEBSITE AND OTHER SOCIAL MEDIA AS WELL AS HARD COPIES AVAILABLE AT TOWN HALL. THE FIRST OF SIX REGIONAL COVID CLINICS WAS HELD LAST WEEK. ROUGHLY 900 LBS. OF PUMPKINS WERE DROPPED OFF TO BE COMPOSTED, KEEPING THESE OUT OF THE LANDFILL. LASTLY, HAZARDOUS WASTE DAY IS SATURDAY, NOVEMBER 18TH AT THE MARBLEHEAD TRANSFER STATION.
- xii. THE CORN HOLE TOURNAMENT ON TOWN HALL LAWN WAS A SUCCESS! THE INDOOR THANKSGIVING MARKET IS ON SUNDAY, 11/19. THERE ARE QUITE A FEW EVENTS COMING UP IN DECEMBER INCLUDING THE ANNUAL GINGERBREAD HOUSE CONTEST, ANNUAL TREE LIGHTING, BREAKFAST WITH SANTA, LIGHT UP SWAMPSCOTT CONTEST AND THE WREATH RAFFLE.
- xiii. BUILDING COMMISSIONER STEVE CUMMINGS IS BUSY SHARING HIS TIME WITH MARBLEHEAD AS WELL AS BOXING UP OLD FILES TO BE DIGITALLY ARCHIVED FOR EASIER PUBLIC ACCESS.
- xiv. HIRING TWO TEENAGE PAGES AT THE LIBRARY HAS HAD A SNOWBALL EFFECT, RESULTING IN MORE BUY-IN OF TEENS AND INCREASED ATTENDANCE AT TEEN PROGRAMS. THE "LIBRARY OF THINGS" HAS ADDED ROKU & APPLE + STREAMING SERVICES AND HOOPLA FOR E-BOOKS.
- xv. THE RFP FOR A DEI CONSULTANT HAS CLOSED AND WE HAVE RECEIVED NINE PROJECT RESPONSES. WE SHOULD HAVE AN RECOMMENDATION TO THE SELECT BOARD BY MID-DECEMBER.
- xvi. HR CONTINUES TO FILL OPEN VACANCIES, INCLUDING SELECTING A NEW PART-TIME ENERGY ADVOCATE TO HELP EDUCATE RESIDENTS ABOUT THE MASS SAVE PROGRAM. THIS POSITION IS FUNDED BY A GRANT. PETE KANE TOOK PART IN MASS HIRE'S FALL JOB FAIR LAST THURSDAY AND REPORTED BACK THAT IT WAS THE BUSIEST JOB FAIR THEY'VE HAD IN OVER A YEAR.
- xvii. LASTLY, WE ARE SWITCHING FROM BLACKBOARD TO ONSOLVE FOR ALL TOWN NOTIFICATIONS. PLEASE SIGN UP ON THE TOWN'S WEBSITE.

BOARD QUESTIONS/COMMENTS: MS. FLETCHER: WHEN ARE WE ALLOWED TO APPLY FOR SRF LOANS (TA FITZGERALD: IN AUGUST) 2) WE DIDN'T TAKE THE FUNDS IN 2022, WILL THAT HAVE A NEGATIVE OUTCOME (TA FITZGERALD: HE DOESN'T FEEL THAT THAT WILL BE AN ISSUE BUT WILL LOOK INTO IT). 3) WHAT IS THE DATE PD WAS GOING TO HAVE HIRING ALL WRAPPED UP AND ARE YOU & THE CHIEF IN AGREEMENT AS TO HOW MANY PEOPLE WE'RE GOING TO HIRE THIS YEAR (TA FITZGERALD WILL GET BACK TO THE BOARD ON THE NUMBER OF INDIVIDUALS THAT'LL BE HIRED). 4) THERE ARE CONCERNS THAT THE TOWN ISN'T DOING ENOUGH ENFORCEMENT, CAN YOU DISCUSS THIS WITH THE BUILDING COMMISSIONER (TA FITZGERALD: IF ANYONE HAS ISSUES ABOUT ENFORCEMENT, SEND THEM TO THE BUILDING COMMISSIONER IN WRITING. IF NOTHING IS DONE, SEND ME THE INFORMATION AND I'LL ADDRESS IT. MR. SPELLIOS: THIS GOES FOR SELECT BOARD MEMBERS TOO RATHER THAN ASKING IN PUBLIC). 5) ARE WE WORKING WITH THE SCHOOLS ON THE DEI RFP (TA FITZGERALD REACHED OUT TO THE SUPERINTENDENT, THEY'RE WORKING ON EFFORTS ON THEIR OWN BUT THIS IS A TOWN INITIATIVE).

B. **PUBLIC COMMENTS:** MAURA LAU, PRECINCT 3: REGARDING ELM PLACE CONSTRUCTION AND AT THE TRAIN STATION, CAN NOTIFICATION BE SENT OUT BEFORE CONSTRUCTION STARTS? THE SIDEWALK HAS BEEN SHUT OFF FOR ELM PLACE. CAN WE PUSH CLOSING THE SIDEWALK OFF UNTIL SCHOOL STARTS? CAN WE GET THE SPECIAL TOWN MEETING ON THE CALENDAR SO PEOPLE ARE AWARE?

C. **NEW & OLD BUSINESS:**

1. **SOLID WASTE ADVISORY COMMITTEE'S PLASTICS BY-LAW:** MR. WAYNE SPRITZ & MS. ALIX SMULLEN DISCUSSED THE PROPOSED REGULATIONS FOR PLASTIC CONTAINERS IN FOOD ESTABLISHMENTS. THE BOARD OF HEALTH APPROVED THIS POLICY AT THEIR MEETING TONIGHT. MR. GRISHMAN THANKED THEM FOR THEIR WORK ON THIS POLICY. THIS IS A SELF-STANDING PROPOSAL AVOIDING THE STRAW BY-LAW BECAUSE WE KNEW THERE ALREADY WAS ONE. THERE WAS A BRIEF DISCUSSION ABOUT FLATWARE. RECYCLABLE FLATWARE IS RARELY RECYCLED AND COMPOSTABLE FLATWARE IS NOT ACCEPTED BY BLACK EARTH BUT THAT THE TOWN SHOULD BE THINKING ABOUT THE POLLUTION THESE CAUSE. ELIMINATING THEM WOULD ELIMINATE 90% OF THE POLLUTION. NOTICES WERE BOTH MAILED AND HAND DELIVERED AND EMAILS WERE

SENT TO 80 PARTICIPANTS, THERE WERE APPROXIMATELY 22 PARTICIPANTS IN PERSON AND A NUMBER OF PEOPLE WATCHING ON FACEBOOK. MS. SMULLEN WALKED THROUGH STOP & SHOP WITH THE MANAGER AND ALMOST EVERYTHING THEY USE COMPLIES. THIS APPLIES TO FOOD MADE IN-HOUSE. MR. SPRITZ REACHED OUT TO LYNN CHAMBER. THEIR EXECUTIVE DIRECTOR LEFT AND THEY DECIDED THEY WEREN'T GOING TO REACH OUT. THE ROTARY DOESN'T HAVE ANY RESTAURANT MEMBERS. MR. SPRITZ ALSO SPOKE TO SALEM'S RECYCLING COMMITTEE THAT HAS BANNED STYROFOAM.

BOARD COMMENTS:

MR. SPELLIOS WOULD LIKE TO CHALLENGE WHETHER OR NOT WE'RE GOING FAR ENOUGH. HE FEELS THIS IS ALMOST IMPOSSIBLE TO ENFORCE. HE IS CONCERNED THIS PUTS US IN THE MIDDLE OF A PACK, NOT ON THE FRONT EDGE AND THAT THERE'S A POTENTIAL MISS AND HE WOULD LIKE TO SEE THE TOWN DO MORE THAN WHAT WE'RE DOING HERE.

MR. GRISHMAN: ARE WE HOLDING THE PUBLIC SCHOOLS ACCOUNTABLE (YES).

MS. PHELAN REGARDING SECTION IV: EXEMPTIONS, WHICH ALLOWS AN EXEMPTION FOR ONE YEAR THEN AN ADDITIONAL 6 MONTHS. A BUSINESS CAN FILE AN EXEMPTION EVERY 6 MONTHS. SHE FEELS THERE SHOULD BE A LIMITATION ON UNDUE HARDSHIP AND COUPLE IT WITH EDUCATION SO THE HARDSHIP GOES AWAY. THERE WAS A DISCUSSION ON POTENTIAL HARDSHIPS, INCLUDING BEING PART OF A LARGE CHAIN AND HAVING TO KEEP CERTAIN PRODUCTS IN ORDER TO STAY IN THAT FRANCHISE. MS. PHELAN DOESN'T FEEL THAT IS FAIR. THE BOARD OF HEALTH WOULD HAVE TO SAY NO TO EXTENSIONS (THE SOLID WASTE ADVISORY COMMITTEE WILL REVIEW THIS SECTION AND GET BACK TO THE BOARD. THE BY-LAW CAN BE AMENDED IF HARDSHIP EXTENSIONS BECOME A PROBLEM). SHE ALSO ASKED IF OTHER COMMUNITIES HAVE EXTENSIONS. MR. SPRITZ WILL SHARE THE SPREADSHEET OF OTHER COMMUNITIES AND THEIR POLICIES.

TA FITZGERALD THANKED THE SOLID WASTE COMMITTEE AND JOHNNY GOLD FOR THEIR EFFORTS AND ENCOURAGES PEOPLE TO EMBRACE ITS RESPONSIBILITY AS A SEA COAST TOWN. IT'S BOLD ACTIONS LIKE THIS THAT WILL HELP THE ENVIRONMENT. MR. SPRITZ: WE'D LIKE TO SEE MARBLEHEAD, SALEM AND LYNN ADOPT THIS AND FOCUS ON REGIONALITY.

MR. THOMPSON: DO WE HAVE TIME TO MAKE CHANGES OR DO WE HAVE TO VOTE ON IT TONIGHT? MR. GRISHMAN: IF THERE ARE GOING TO BE CHANGES, THERE'S A GOOD CHANCE WE'RE GOING TO HAVE A SPECIAL TOWN MEETING IN JANUARY OR EARLY FEBRUARY THAT WE CAN PUT THIS ON. MR. THOMPSON IS COMFORTABLE MOVING ON WITH THIS NOW AND LETTING THE BOARD OF HEALTH MOVE ON WITH IT. MR. SPELLIOS: WE'RE GOING TO OPEN & CLOSE THE TOWN WARRANT TONIGHT. HE DOESN'T THINK IT'S READY FOR A RECOMMENDATION FROM THE SELECT BOARD BUT FEELS WE SHOULD INCLUDE IT AS IT DESERVES TO BE INCLUDED. IF OTHER LANGUAGE IS PROPOSED, IT CAN BE AMENDED AND THERE CAN BE A FLOOR MOTION WITH CHANGES.

MS. FLETCHER: WE HAVE SOME TIME TO TWEAK IT AND WE CAN VOTE ON IT BEFORE WE RELEASE THE WARRANT.

- 2. DISCUSSION AND VOTE ON TOWN FEES:** MS. SARRO AND MR. LUDDY DISCUSSED FEE INCREASES AND OPPORTUNITIES FOR THE TOWN TO GENERATE NON-REAL ESTATE TAX REVENUE. THERE ARE TWO FROM HEALTH, TWO FROM THE TOWN CLERK AND ONE FROM THE PLANNING BOARD. MATTRESS AND BOX SPRING WERE \$20 COMBINED DUE TO A STATE GRANT BUT THAT HAS EXPIRED. NEIGHBORING COMMUNITIES ARE CHARGING PER PIECE, \$30/PIECE IS IN LINE WITH THOSE; THE SUMMER CAMP PERMIT FEE IS THE FEE FOR PRIVATE PARTIES TO OPERATE SUMMER CAMPS AND DOESN'T AFFECT OUR OWN RECREATION DEPT. THIS IS BEING CHANGED FROM \$75/USE TO \$100/USE. IT COSTS THE TOWN \$105 TO FILE ZBA DECISIONS WITH THE REGISTRY OF DEEDS — THIS IS A NEWLY ESTABLISHED FEE THAT JUST COVERS THE CHARGE FOR THE TOWN. JARED IS REQUESTING \$50 FEE TO AMEND VITAL RECORDS OVER 50 YEARS. WE ONLY GET A FEW OF THESE AMENDMENT REQUESTS. LASTLY, THERE'S A PROPOSED \$150 FEE FOR NON-RESIDENTS/COMMERCIAL COMPANIES LOOKING FOR GENEALOGICAL REQUESTS.

BOARD COMMENTS:

MS. PHELAN: HOW MANY MATTRESS FEES HAVE BEEN GIVEN OUT IN THE LAST YEAR? IS THERE A MECHANISM FOR SOMEONE WITH A HARDSHIP TO HAVE THE FEE WAIVED? MS. SARRO: WE HAD 196 UNITS PICKED UP BETWEEN MARCH 2022 - DEC 2022, 372 BETWEEN JAN — AUG 2023. THE HEALTH DEPARTMENT CAN WAIVE THE FEE IF THEY DETERMINE THERE IS A HARDSHIP.

MR. SPELLIOS: THERE ARE HIGHLIGHTED FEES ON THE SPREADSHEET THAT ARE NOT LISTED ON THE MEMO. MS. SARRO WE HAVEN'T FINISHED INTERNALLY TALKING ABOUT THE BEACH STICKER. MR. SPELLIOS ASKED THAT SHE MAKE IT CLEAR THAT MATTRESS AND BOX SPRINGS ARE EACH \$30.

UPON **MOTION**, DULY MADE BY DOUG THOMPSON, SECONDED BY PETER SPELLIOS, IT WAS UNANIMOUSLY **VOTED** TO APPROVE THE RECOMMENDED FEE INCREASES AS PRESENTED: ROLL CALL VOTE: FLETCHER (YES); PHELAN (YES); THOMPSON (YES); SPELLIOS (YES); GRISHMAN (YES). **MOTION CARRIES.**

- 3. ORCHARD ROAD IMPROVEMENTS:** ZACHARY WASSMOUTH AND REBECCA BROWN FROM GPI HAVE BEEN WORKING CLOSELY WITH THE TOWN FOR YEARS ON TRAFFIC FLOW AROUND THE NEW SCHOOL. TRAFFIC FLOWS WERE CONSIDERED CRITICALLY WHEN DESIGNING THE SCHOOL AND THESE PLANS ARE INTEGRAL TO THIS PROJECT. THEY DISCUSSED PROPOSED ROADWAY IMPROVEMENTS, LOOKING AT HOW TO MAKE TRAFFIC WORK IN THE NEIGHBORHOODS AROUND THE SCHOOL INCLUDING LOOKING AT A NUMBER OF EGRESSES, HOW TO GET TRAFFIC THROUGH EFFICIENTLY, FACILITATING BUS TRAFFIC, AND EASE FOR PUBLIC SAFETY VEHICLES AS WELL AS MAKING ORCHARD ROAD ONE WAY PERMANENTLY, CHANGING AND WIDENING SIDEWALKS, ADDING BUMP OUTS, CHANGING AND ADDING RAPID FLASHING BEACONS, USING THE UU CHURCH AS EGRESS AND WIDENING FOREST AVE. EXT. TO ACCOMMODATE BUSES AND FIRE VEHICLES. PRESERVING EXISTING TREES IS IMPORTANT. PARKING IS MAINTAINED ON THE SCHOOL SIDE OF ORCHARD RD., ON THE OPPOSITE SIDE IS THE BIKE LANE WHICH ALLOWS FOR TWO-WAY BIKE TRAFFIC, AS WELL AS TRAFFIC CALMING MEASURES AND RECONSTRUCTED SIDEWALKS WITH CROSS WALKS. A 90% DESIGN WAS SUBMITTED IN OCTOBER AND ARE LOOKING AT 100% DESIGN AT THE END OF DECEMBER, WITH CONSTRUCTION STARTING IN THE SPRING.

BOARD COMMENTS: MS. PHELAN: 1) HOW WILL THE FLOW OF ORCHARD MOVE FROM HUMPHREY ST. (THERE WILL BE A PERMANENTLY RAPID FLASHING PEDESTRIAN LIGHT BUT THERE IS NO PROPOSED TRAFFIC SIGNAL, A NUMBER OF INTERSECTIONS HAVE BEEN IDENTIFIED FOR A TRAFFIC CONTROL OFFICER). 2) FOREST AVE. EXT. ONTO HUMPHREY ST. — IT WILL BE HARD TO CROSS TO THE BIKE LANE ONTO ATLANTIC AVE. HOW DO YOU CROSS ON THE OPPOSITE SIDE OF ATLANTIC AVE. (TOWARDS THE BEACH) (THERE'S MORE TO BE DONE AT THIS INTERSECTION. WE LOOKED AT IMPROVEMENTS FOR ACCESS BUT WILL LOOK AT THIS INTERSECTION AS WELL. THERE IS A SIGNALIZED CROSSING FURTHER DOWN BUT WE'RE LOOKING AT LONG-TERM SAFETY IMPROVEMENTS). 3) DO ALL RESIDENTS ON FOREST AVE. EXT. HAVE OFF STREET PARKING DURING DAYS WHEN THERE IS NO PARKING ALLOWED (YES).

MS. FLETCHER: 1) HOW MANY CARS ARE YOU ANTICIPATING FOR THE SCHOOL (ESTIMATING 700 VEHICLES PER DAY, WITH A MAXIMUM ENROLLMENT OF 900 STUDENTS; OPENING RANGE IS 550, INCLUDING STAFF). 2) HOW MUCH OUTREACH HAS BEEN DONE WITH NEIGHBORS (THERE HAVE BEEN A NUMBER OF PUBLIC MEETINGS FOR NEIGHBORS TO GIVE THEIR INPUT. A LOT OF THESE IDEAS HAVE COME FROM THESE PUBLIC COMMENTS).

MR. THOMPSON: 1) SECONDS MS. PHELAN'S CONCERN ABOUT CREATING A CROSSWALK ON THE NORTHWEST PART OF ATLANTIC AVE. HE ALSO WANTS TO HEAR NEIGHBORS' FEEDBACK, THE TIMING OF CARS COMING IN AND OUT (AS PART OF SCHEMATIC DESIGN, AN ELABORATE TRAFFIC STUDY WAS DONE, LOOKING AT ALL OF THE INTERSECTIONS ON THE MAP SHOWN AS WELL AS SOME FURTHER OUT, AT PEAK COMMUTER TIME PERIODS, ESTIMATING TRAFFIC PATTERNS GENERATED BY THE SCHOOL BASED ON WHERE STUDENTS LIVE AND WHICH ROUTES THEY'RE MOST LIKELY TO TAKE). 2) HOW QUICKLY WILL TRAFFIC FLOW IN & OUT (THERE ARE ALL KINDS OF EVENTS, STAFF ENTERING & LEAVING MAKING THIS HARD TO ANSWER).

MR. GRISHMAN: WHAT CAN BE DONE TO MAKE THE INTERSECTION AT HUMPHREY AND ATLANTIC SAFER LONG TERM (PRELIMINARY LAYOUTS WERE DONE TO SEE THE IMPACT IF WE DID DIFFERENT TYPES OF IMPROVEMENTS INCLUDING INSTALLATION OF A ROUNDABOUT OR A TRAFFIC SIGNAL. THERE WOULD BE SOME TRAFFIC IMPACTS FURTHER DOWN. DIFFERENT FUNDING OPTIONS WERE DISCUSSED, DEPENDING ON WHAT IS DONE THERE).

PUBLIC COMMENTS: DOUG DUBIN, 36 ORCHARD RD. OWN 41 ORCHARD CIRCLE, SON LIVES NEXT DOOR ON ORCHARD: 1) SAFE ROUTES TO SCHOOL DID A STUDY IN 2009. HE WANTS THIS TO BE SAFE FOR EVERYONE. TWO MILES OF TRAFFIC WILL BE COMING THIS WAY. HE DOESN'T FEEL IT'S RIGHT THAT THERE'S A BIKE LANE THAT KINDERGARTENS THROUGH GRADE 4 WILL NOT USE. 2) LOSING PARKING FOR THE NEIGHBORS ACROSS THE STREET DOESN'T MAKE SENSE WHEN THERE'S 8'

TRAFFIC AND 17' FOR PUBLIC SAFETY. 3) PUTTING ISLANDS/BUMP OUTS — WHO'S GOING TO TAKE CARE OF THESE AND MAINTAIN THEM? 4) SIDEWALKS ON NASON RD. NEED TO BE FIXED.

MARC EICHLER, 55 ORCHARD RD.: 1) WHEN THE SCHOOL WAS BEING DISCUSSED WERE THESE ROAD DESIGNS VOTED ON (MR. SPELLIOS: THE FINAL DESIGNS WEREN'T VOTED ON BUT GPI HAS BEEN CONSISTENT ABOUT ONE WAY TRAFFIC ON ORCHARD. THE ENGINEERED PLANS HAVE BEEN WORKED UP OVER THE LAST 18 MONTHS). 2) DOESN'T FEEL THERE WILL BE ANY USE OF THE BIKE LANE, PARKING ISN'T BEING MAINTAINED, ESPECIALLY IF HOMEOWNER'S HAVE MORE THAN ONE OR TWO CARS. 3) IS THE EGRESS THROUGH THE CHURCH A DONE DEAL (MR. SPELLIOS: IT'S A DONE DEAL AND IS BEING USED NOW BUT IS THE LAST PHASE OF CONSTRUCTION. THE LOWER SCHOOL WILL USE THE UU CHURCH, THE UPPER SCHOOL WILL ENTER AND TURN AROUND THROUGH WHITMAN RD.). 4) THE ONE-WAY DESIGN IS INTENDED TO SLOW TRAFFIC (IT IS A TRAFFIC CALMING FEATURE, PROPOSED TO PROVIDE ADA COMPLIANT SIDEWALKS WITHOUT TAKING PROPERTY FROM NEIGHBORS AND KEEPING TREES. SIDEWALKS ARE NOT CURRENTLY ADA ACCESSIBLE. THIS ENCOURAGES STUDENTS TO WALK TO SCHOOL. NARROWING THE ROADWAY ALLOWS THE SIDEWALK TO BE PUSHED OUT TO THE ROAD. IN ORDER TO GET TRAFFIC OUT EFFICIENTLY AT DISMISSAL, THERE NEEDS TO BE TWO SEPARATE TURNING LANES WHEN TRAFFIC COMES OUT ONTO HUMPHREY ST.). 5) IF WE GOT RID OF THE BIKE LANE, WOULD WE BE ABLE TO ALLOW PARKING ON BOTH SIDES AND WIDEN SIDEWALKS? (WE WOULDN'T BE ABLE TO WIDEN THE SIDEWALKS AS MUCH AS WE WANT BECAUSE WE NEED ROOM FOR EMERGENCY VEHICLES. THEY HAVE TO BE ABLE TO GET AROUND TRAFFIC).

DIANA KAPLAN, LAUREL ROAD: 1) RESIDENT PARKING IS 1:00-3:30. WHY THESE HOURS AND WHY RESTRICT PARKING AT 1:00 (1:00 IS TO MAKE SURE NO ONE IS PARKED THERE INCLUDING PARENTS WAITING FOR DISMISSAL). 2) WHEN WAS THE TRAFFIC STUDY DONE (BEFORE THE SCHOOL VOTE, BEFORE THE STANLEY WAS SHUT DOWN, WE BASED THE NEW NUMBERS ON CURRENT STUDENT ENROLLMENT AND WHERE STUDENTS LIVE). 3) SAFETY IS ALL THAT MATTERS.

MARTHA CESARZ, 80 NASON RD.: 1) THE NUMBER OF CHILDREN THAT WALKED AND RODE BIKES WAS VERY LIMITED WHEN SHE WAS A PRINCIPAL AT THE STANLEY SCHOOL AND THINKS THE NUMBER OF CARS SHOULD BE LIMITED. WHO IS GOING TO CONTROL THE TWO LANES OF TRAFFIC ENTERING INTO THE SCHOOL (TRAFFIC OFFICERS WILL BE AT LOCATIONS DURING DROP OFF AND PICK UP, INCLUDING FOREST AVE. AND LAUREL RD., HUMPHREY AT ORCHARD, AND POTENTIALLY AT WHITMAN RD. THERE WILL BE A CROSSING GUARD AT NASON RD. TRAFFIC CONTROL OFFICERS).

MAURA LAU, OUTLOOK ROAD: HUMPHREY ST. TO OCEAN AVE. FEELS UNSAFE NOW. SHE FEELS THERE SHOULD BE A STOP SIGN THERE AND CAN WE MAKE IT SO DRIVERS ARE LOOKING FOR PEDESTRIAN TRAFFIC. THE LIGHT FURTHER DOWN IS OUTDATED.

BILL DIMENTO, 1009 PARADISE RD.: 1) FOREST AVE. EXT. IS 20' WIDE, SHOULDN'T IT BE WIDENED (THE RIGHT OF WAY LINES IS WIDER THAN THE STREET, WE'RE WIDENING THE ROADWAY SURFACE TO ACCOMMODATE TWO- WAY TRAFFIC AND BUSES). 2) WHY NOT ADD SIDEWALKS (RESIDENTS WANTED TO KEEP THE CHARACTER OF FOREST AVE. EXT., NASON RD. HAS SIDEWALKS AND WE'RE TRYING TO BALANCE WHAT IS NEEDED WITH WHAT IS ALREADY EXISTING).

ADDITIONAL BOARD COMMENTS: MR. SPELLIOS THANKED EVERYONE FOR THEIR QUESTIONS AND ATTENDANCE. APPRECIATES THAT GPI AND THE SCHOOL BUILDING COMMITTEE CHOSE TREES. IT'S RARE WE HAVE PROFESSIONAL TRAFFIC ENGINEERS FROM THE BEGINNING THROUGH CONSTRUCTION. NOTHING HERE IS IRREVERSIBLE. WE HAVE TO GET THESE IMPROVEMENTS DONE NOW BEFORE THE OPENING OF SCHOOL. DISCUSSED TRAFFIC CALMING MEASURES AND TAKING ADVANTAGE OF GPI TO DESIGN THESE, INCLUDING CREATING BIKE LANES. IF WE DON'T INVEST IN INFRASTRUCTURE AND THE ADA SIDEWALKS, NOTHING WILL CHANGE, STUDENTS AND STAFF WON'T BIKE OR WALK TO SCHOOL.

MS. PHELAN: 1) IF GPI CAME TO HADLEY, PRE-BLANEY, SOMEONE MIGHT SAY ITS NOT A WALKING OR BIKING SCHOOL BUT IT'S FOSTERED A GREATER NUMBER OF BIKERS AND WALKERS. THE CULTURE EXISTS SO MAYBE THERE WILL BE MORE STUDENTS BIKING AND WALKING. 2) WHEN STUDENTS ARE IN BOTH SCHOOLS, HAS THOUGHT THAT PARENTS MIGHT DROP OFF BASED ON WHAT STREET THEY WANT TO END UP ON, NOT NECESSARILY WHERE THEIR CHILDREN NEED TO GO? 3) CAN WE INCREASE BUSING TO LOWER TRAFFIC (MR. SPELLIOS: DESIGN OF SCHOOL HAS BEEN DONE WITH COLOR CODING. STAFF WILL BE OUT THERE, THE RULE WILL BE IF YOU'RE DROPPING OFF AT BOTH, THAT YOU GO TO THE LOWER SCHOOL AND LET THE OLDER CHILD WALK TO THE UPPER SCHOOL. MS. BROWN: THERE ARE A LOT OF WAYS PARENTS CAN DROP OFF AND PICK

UP. THERE'S MORE ABILITY TO CHANGE UP DROP OFF BECAUSE IT'S A ROLLING DROP OFF. IN THE AFTERNOON, BECAUSE WE'RE ACCOMMODATING PARENTS LINING UP, IT'S IMPORTANT THAT STAFF KNOWS WHERE PARENTS ARE GOING TO BE AND WE ASSIGN THEM TO A LOCATION TO DISTRIBUTE TRAFFIC MORE EASILY. PARENTS WILL HAVE PLACARDS. THERE WILL BE LESS FLEXIBILITY.).

MS. FLETCHER: THERE'S A BIKE LANE THAT COMES OFF OF HUMPHREY WHICH YOUNGER CHILDREN WILL TAKE UP ORCHARD RD. TO WHITMAN. IS THE BIKE LANE ON HUMPHREY ST. (IT'S ALSO RECREATIONAL AND WILL BE PART OF A LARGER NETWORK CONNECTING TO THE RAIL TRAIL. IT ALLOWS CHILDREN IN ORCHARD CIRCLE TO CONNECT AND BIKE TO THE SCHOOL. THE SIDEWALK ON ORCHARD RD. IS WIDER TO ACCOMMODATE PEDESTRIANS AND BICYCLISTS).

MR. THOMPSON: 1) DOESN'T LIKE THE BIKE LANE ON THE STRIP OF ORCHARD RD. AND FEELS WE SHOULD THINK ABOUT THIS MORE. 2) IF THERE ARE CONVERSATIONS ABOUT THE INTERSECTION, WE LEVERAGE THAT INFORMATION AND START THINKING ABOUT IT NOW. 3) DOES THE MOTION LOCK US INTO SPECIFIC CHANGES (MR. SPELLIOS: YES, THIS IS TO MOVE US FORWARD ON CONSTRUCTION OF THE 90% PLANS. IF THE BIKE LANES ARE ELIMINATED, THE STREETS GET WIDENED OR TRAFFIC ON BOTH SIDES IS ALLOWED, WHICH IMPEDES EMERGENCY VEHICLES. HE HOPES PARENTS CHOOSE TO WALK OR BIKE TO SCHOOL). MS. PHELAN: WHETHER OR NOT THE BIKE LANE EXISTS, THE STREET IS NOT WIDE ENOUGH FOR PARKING ON BOTH SIDES WITH EMERGENCY ACCESS (MS. BROWN: THAT IS CORRECT WHEN THE SIDEWALKS ARE WIDENED. TO ALLOW PARKING ON BOTH SIDES, WE LOSE THE WIDENING OF THE SIDEWALKS. THIS BECOMES A DIFFERENT SCENARIO IF WE TAKE AWAY THE BIKE LANES.). 3) THIS WILL BE COMPLETED WITHIN THE AVAILABLE CAPITAL BUDGETS.

MS. FLETCHER IS CONCERNED THAT THIS IS A LOT OF INFORMATION THAT WE HAVEN'T HAD ANY TIME TO REALLY THINK ABOUT. THIS IS A BIG ITEM IN TOWN WHICH GIVES HER RESERVATION TO TAKE A VOTE. MR. GRISHMAN: THERE HAVE BEEN PUBLIC MEETINGS AND THIS HAS ALL BEEN SHARED.

TA FITZGERALD: THIS IS THE LARGEST PROJECT IN TOWN AND IS A CRITICAL PIECE OF INFRASTRUCTURE AS WELL AS THE MOST IMPORTANT PUBLIC SAFETY PROJECT WE HAVE.

MR. WASSMOUTH: THE BIKE LANE IS ALSO TRAFFIC CALMING AND ALLOWS FOR PUBLIC SAFETY ACCESS.

UPON **MOTION**, DULY MADE BY PETER SPELLIOS, SECONDED BY DOUG THOMPSON, IT WAS **VOTED** THAT THE BOARD ADOPT THE FOLLOWING TRAFFIC AND PARKING REGULATIONS PURSUANT TO G.L. C.40, §22: WHITMAN ROAD—NO PARKING ANY TIME; LAUREL ROAD, FOREST AVENUE FROM 184 FOREST AVE TO 224 FOREST AVE, ORCHARD ROAD, ORCHARD CIRCLE—RESIDENT PARKING ONLY 7:00AM-9:00 AM & 1:00PM-3:30 PM MONDAY TO FRIDAY DURING SCHOOL DAYS; FOREST AVENUE EXTENSION—NO PARKING 7:00AM-9:00AM & 1:00PM-3:30 PM MONDAY TO FRIDAY DURING SCHOOL DAYS; ORCHARD ROAD TO BECOME A ONE-WAY STREET WITH DIRECTION OF TRAFFIC FROM NASON ROAD TO HUMPHREY STREET; PARKING ELIMINATED FROM THE NORTH AND EAST SIDE OF ORCHARD ROAD FOR THE CONSTRUCTION OF A BIKE AND EMERGENCY ACCESS LANE WITH CORRESPONDING SIGNAGE; PARKING ELIMINATED ON NASON ROAD AT ORCHARD ROAD FOR THE CONSTRUCTION OF A SPEED TABLE; SELECTIVE PARKING ELIMINATED ON THE SOUTH AND EAST SIDE OF ORCHARD ROAD FOR THE CONSTRUCTION OF PEDESTRIAN CROSSING BUMP OUTS AND A RIGHT AND LEFT TURN LANE AT HUMPHREY STREET: ROLL CALL: FLETCHER (ABSTAIN), PHELAN (AYE), SPELLIOS (AYE), THOMPSON (AYE), GRISHMAN (AYE). MOTION CARRIES.

THERE WAS A BRIEF DISCUSSION ABOUT THE COST OF DESIGNING THE HUMPHREY ST./ATLANTIC AVE. INTERSECTION. A QUOTE OF \$15,000 FOR A PRELIMINARY DESIGN. MR. SPELLIOS: HOW DO WE ADVANCE IT DESIGN WISE TO COMPETE FOR STATE FUNDS. MR. WASSMOUTH: THIS COULD COST MILLIONS. A MASSDOT TIPS PROJECT COMES WITH A LOT OF HOOPS AND WILL TAKE TIME. THIS IS A SIX-FIGURE NUMBER.

4. **VOTE ON SPENDING \$2.5M STATE ARPA FUNDS & \$2.1M TOWN ARPA FUNDS:** MR. GRISHMAN DISCUSSED THE FIRST MEETING IN 2021 FOR KING'S BEACH AND THANKED TA FITZGERALD FOR HIS HARD WORK AND THE RAPIDNESS WHICH HE UNDERTOOK TRYING TO GET KING'S BEACH CLEAN. MS. FLETCHER SHOWED AND REVIEWED A SLIDE PRESENTATION OUTLINING THE FOLLOWING: THE EPA CONSENT DECREE WAS SIGNED IN 2015 AND SWAMPSCOTT IS IN VIOLATION; SWAMPSCOTT HAS NOT APPROVED FUNDING SINCE 2020. THE QUESTION OF WHO CAN APPROVE THE SPENDING OF FUNDS IS VERY CLEAR — ONLY THE SELECT BOARD CAN APPROVE SPENDING ACCORDING TO M.G.L. CH. 44 SEC. 53A. THE EPA

CONSENT DECREE APPLIES TO FISHERMAN'S BEACH, WHICH HAS BACTERIA LEVELS 100-1000 TIMES ABOVE THE ACCEPTED LEVEL OF 104. ON SEPTEMBER 11, 2023, THE EPA SENT A LETTER STATING THAT MORE AGGRESSIVE ACTION BY THE TOWN TO ELIMINATE SOURCES OF UNTREATED SANITARY SEWAGE IS CRITICAL. MS. FLETCHER REITERATED THAT WE HAVE A LEGAL OBLIGATION AND THE RECENT KLEINFELDER REPORT IS CLEAR THAT FIFTY PERCENT OF OUR SEWER INFRASTRUCTURE IS OVER 100 YEARS OLD. MS. FLETCHER WANTS TO SEE \$2MM IN TOWN ARPA FUNDS SPENT ON THE SHOVEL-READY FISHERMAN'S BEACH PROJECT AND \$2.5MM PUT INTO THE 2024 CAPITAL PLAN.

BOARD COMMENTS: MR. THOMPSON FEELS IT'S TIME TO DECIDE WHERE TO GO, FIXING THE PIPES IS A BIG ISSUE, THERE ARE OTHER COMMUNITY ISSUES THAT NEED TO BE ADDRESSED AS WELL. HE WOULD LIKE TO TAKE EACH SEPARATELY AND DECIDE HOW TO PROCEED.

MR. SPELLIOS DOES NOT SUPPORT TAKING ACTION ON THE \$2.1M TONIGHT. THE \$2.5M IS SPECIFIC TO THE SEWER ISSUE. HE ENCOURAGES US TO GIVE THE TOWN ADMINISTRATOR THE MONEY HE NEEDS TO MOVE FORWARD. HE WANTS TO LOOK AT BONDS AND NOT JUST ARPA TO SPREAD THE PROBLEM EQUITABLY THROUGH OTHER GENERATIONS. HE FEELS THE ISSUE IS MORE COMPLICATED THAN JUST FIXING SEWER PIPES. MR. SPELLIOS MENTIONED THAT HE APPRECIATED THAT MS. FLETCHER WAS INTERESTED IN ALLOCATING ALL OF THESE FUNDS TO A BEACH SHE SEES FROM HER HOUSE. MS. FLETCHER STATED THAT WHERE SHE LIVES HAS NOTHING TO DO WITH HER WANTING TO GET THIS PROBLEM FIXED. SHE DOESN'T WANT TO PUT THE BURDEN ON THIS ON THE TOWN NOW OR IN THE FUTURE.

MS. PHELAN: 1) LETTING THE TA HAVE FUNDS TO MOVE AHEAD WITH CONSULTANTS. SHE RECOMMENDS THAT WE DO A PEER REVIEW BASED ON KLEINFELDER'S REPORTS AND THE EPA REPORT TO SEE IF WHAT WE'RE DOING IS THE BEST WAY. 2) WE ARE STILL GOING TO NEED BONDS AND SRF GRANTS BECAUSE THIS IS A MONUMENTAL PROBLEM. WE HAVE NOBODY TO BLAME BUT US. UNLESS ANOTHER PROJECT IS GOING TO MEET THE TIMELINESS NECESSARY, SHE SUGGESTS SPENDING THE \$2.1M ON FISHERMAN'S BEACH. MS. FLETCHER: WE HAVE A SHOVEL READY PROJECT RIGHT NOW.

MR. GRISHMAN: 1) FEELS WE SHOULD BE DIRECTING THE TA TO MOVE FORWARD WITH PHASE IIA; 2) AGREES WE SHOULD NOT BE USING THE \$2.1M FOR SEWER WORK. SRF GRANTS AREN'T AVAILABLE UNTIL AUGUST 2025. TO COMPROMISE, HE WOULD ADVANCE FUNDS TO GET STARTED AND WORK WITH CAPITAL IMPROVEMENT COMMITTEE AND DEVELOP A PLAN TO INVEST MORE FUNDS EVERY OTHER YEAR AND GET ON A SCHEDULE WITH THE SRF LOANS.

TA FITZGERALD: IT'S GOING TO TAKE US A LONG TIME TO FIX THIS PROBLEM. WE HAVE OTHER PROJECTS AND NEEDS AND WE NEED TO BALANCE PRIORITIES. HE WOULD LIKE TO SEE THE BOARD ALLOCATE SOME OF THESE FUNDS. THE ASSET MANAGEMENT REPORT GIVES US A ROADMAP. THERE HAVE BEEN THINGS DONE OVER THE LAST 3 YEARS.

UPON **MOTION**, DULY MADE BY DOUG THOMPSON, SECONDED BY PETER SPELLIOS, IT WAS **NOT VOTED** TO DIRECT THE TOWN ADMINISTRATOR TO EXPEND THE \$2.5M STATE ARPA FUNDS IN THE FOLLOWING MANNER: \$400K FOR KING'S BEACH DETAILED IDDE PLANNING, \$1.7M FOR IDDE SOURCE ELIMINATION AND \$400K FOR SWAMPSCOTT'S PORTIONS OF KLEINFELDER'S ALTERNATIVES REPORT AND ADDITIONAL DESIGN STUDIES, AS OUTLINED IN THE CURRENT SCOPE AS WELL AS OTHER OPTIONS, FOR COMPLIMENTARY STRATEGIES AND SOURCE ELIMINATION: ROLL CALL: FLETCHER (NO), PHELAN (NO), SPELLIOS (NO), THOMPSON (AYE), GRISHMAN (AYE). MOTION FAILS.

MR. SPELLIOS ASKED FOR CLARIFICATION ON THE \$400K AND MAKE IT MORE THEMATIC AND NOT HAMSTRINGING THE TA. HE DOESN'T WANT TO TAKE ACTION ON THE \$2.1M.

MS. PHELAN: 1) WHAT DO WE OWE ON THE ALTERNATIVES REPORTS (\$187,000). 2) THE INITIAL \$400K FOR IDDE IS FOR KLEINFELDER TO FURTHER THE PLAN FOR PHASE II. OF THE \$400,000 LEFT, \$187,000 IS SPENT, LEAVING \$213,000. SHE WOULD LIKE TO SEE PEER REVIEW FURTHERED FROM THESE FUNDS. TA FITZGERALD DOESN'T KNOW IF IT'S ON THE DESIGN OR ON THE IDDE WORK ALREADY DONE OR IF IT WILL BE USEFUL. MR. SPELLIOS ASKED IF THE BOARD SHOULD COME BACK TO THE TA. TA FITZGERALD IS ON BOARD WITH MR. THOMPSON'S MOTION AND WILL COME BACK TO THE BOARD WITH A SCOPE OF WORK THAT INCLUDES A PEER REVIEW AND GET THE CONTRACTORS ENGAGED AS SOON AS POSSIBLE. THE ABOVE MOTION GETS US MOVING FORWARD. 3) MS. PHELAN: WHAT EXACTLY IS THE \$400K? (THAT'S THE PRIMARY VEHICLE THAT WE KNOW WHAT WE HAVE TO DO. THE OTHER \$213,000 (THE TOWN FUNDED THE INITIAL ALTERNATIVES REPORT BUT THE

TA WILL GO BACK TO LYNN AND TRY TO GET SOME FUNDING) WE'RE AUTHORIZING THE TA TO PURSUE ADDITIONAL ALTERNATIVES AND DESIGN STUDIES, PEER REVIEW TO ENSURE WORK IS THE BEST WAY POSSIBLE.)

MS. FLETCHER: WE'RE SPENDING \$187,000 THAT WAS ALREADY COMMITTED TO, LEAVING \$200,000 FOR PEER REVIEW AND ALTERNATIVES. THE \$400,000 AND \$1.7M WILL GO TO IDDE.

MR. THOMPSON: NEED TO GET BACK TO SPENDING THE \$2.5M EVERY OTHER YEAR, USING SRF LOANS.

TA FITZGERALD: WE HAVE OTHER OPPORTUNITIES IN CAPITAL IMPROVEMENT AND GRANT FUNDING AS WELL AS ASKING THE LEGISLATURE. THIS WOULD LEAVE A BALANCE FOR PROJECTS WE NEED TO CONTINUE TO SUPPORT. MS. FLETCHER HAS BEEN GETTING EMAILS AND LISTENING TO RESIDENTS ABOUT FIXING FISHERMAN'S BEACH. WE HAVE A SHOVEL READY PROJECT READY TO GO. THERE ARE OTHER SOURCES OF FUNDING FOR THE OTHER PROJECTS. MR. THOMPSON FEELS HIS PLAN WILL MEAN A MASSIVE INVESTMENT OVER THE NEXT FEW YEARS. WE'RE FALLING BEHIND IN CLIMATE WORK.

MS. PHELAN WANTS THE FUNDING TO GO TO SOURCE ELIMINATION AND PEER REVIEW TO FIND WHAT REASONABLE EXPECTATIONS ARE FOR THE WORK WE'VE DONE THUS FAR. MR. THOMPSON SUGGESTS OFFERING \$2.5M AND DO PEER REVIEW FIRST OR AUTHORIZE \$2.3M. MS. PHELAN FEELS PEER REVIEW WILL HELP PRIORITIZE WHAT WE DO WITH THE REST OF THE FUNDS.

MS. SARRO: THE ENTIRE SCOPE OF WORK HAS TO BE ADJUSTED TO MASS DEP AND APPROVE. IF WE ONLY APPROVE PART OF IT, WE CAN'T SEND ANY OF IT TO DEP.

UPON **MOTION**, DULY MADE BY PETER SPELLIOS, SECONDED BY KATIE PHELAN, IT WAS UNANIMOUSLY **VOTED** TO RECESS TODAY'S MEETING UNTIL MONDAY, NOVEMBER 20TH AT 5:30 PM: ROLL CALL: FLETCHER (AYE), GRISHMAN (AYE), PHELAN (AYE), SPELLIOS (AYE), THOMPSON (AYE). MOTION CARRIES.

5. CREATION OF NEW WATER & SEWER INFRASTRUCTURE COMMITTEE: TABLED UNTIL MONDAY, NOVEMBER 20TH.

6. OPEN & CLOSING OF THE MEETING: TABLED UNTIL NOVEMBER 20TH.

D. APPROVAL OF THE CONSENT AGENDA: TABLED UNTIL NOVEMBER 20TH.

E. SELECT BOARD TIME: TABLED UNTIL NOVEMBER 20TH.

TRUE ATTEST,

Dianne Marchese

DIANNE MARCHESE, ADMINISTRATIVE ASSISTANT TO THE TOWN ADMINISTRATOR & SELECT BOARD

MINUTES APPROVED BY THE SELECT BOARD ON DECEMBER 6, 2023

ATTACHMENTS:

TOWN ADMINISTRATOR'S REPORT

PROPOSED PLASTICS BYLAW LANGUAGE AND PRESENTATION

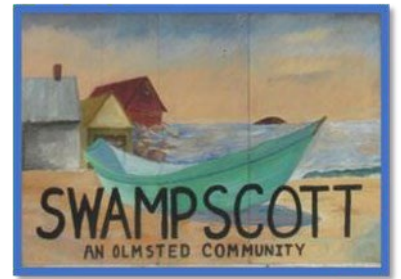
PARAMETERS OF WATER & SEWER INFRASTRUCTURE COMMITTEE

TOWN FEES INCREASE MEMO



Town of Swampscott

Office of the
Town Administrator
Elihu Thomson Administrative Building 22
Monument Avenue
Swampscott, MA 01907



Sean R. Fitzgerald

Tel: (781) 596-8850

Swampscott Select Board
Town Administration Building
22 Monument Avenue
Swampscott, MA 01970

RE: NOVEMBER 15th REPORT TO THE SELECT BOARD

Dear Select Board:

I am pleased to be able to offer the following report on programs and initiatives that are on-going in the Town of Swampscott, as well as some updates on a variety of things that have happened since my last report.

FACILITIES

Tonight, our Public Safety team (Police, Fire, DPW) and consultants GPI will provide a presentation for roadway improvements for the neighborhood around the new elementary school. These improvements are imperative to pedestrian safety.

Per Town Counsel, the motion should read as follows:

I MOVE THAT THE BOARD ADOPT THE FOLLOWING PARKING REGULATIONS PURSUANT TO G.L. C40, SECTION 22: WHITMAN ROAD – NO PARKING AT ANY TIME; LAUREL ROAD, FOREST AVENUE, ORCHARD ROAD, ORCHARD CIRCLE – RESIDENT PARKING ONLY, 7:00 AM – 3:30 PM MONDAY THROUGH FRIDAY DURING SCHOOL DAYS; FOREST AVENUE EXTENSION – NO PARKING 7:00 AM – 3:30 PM MONDAY THROUGH FRIDAY DURING SCHOOL DAYS.

KING'S BEACH

I have been working with Gino Cresta and Dave Peterson from Kleinfelder to advance some additional tools for public engagement for the water quality issues. We are also working on the process of putting together a new landing page on the Town's website to highlight all the work on IDDE and the proposed scope of work. This will help alleviate some of the rumors and false information being dispelled.

I have also met with SB Members Doug Thompson and Dave Grishman to review the scope of work for the State \$2.5M ARPA Funds and Town's \$2.1M in ARPA Funds. We are recommending that we the Town fund \$1mm to jumpstart Fisherman's Beach source elimination. While we will be looking to fund other source elimination infrastructure projects with State Revolving Fund (SRF) loans, using some ARPA funds for this effort will help ensure we are focused on an aggressive effort to mitigate impairment to our beaches while also demonstrating a commitment to take action.

Additionally, here is a scope of some of the additional work as we coordinate additional efforts:

- *Public outreach / engagement*
- *Advance understanding of outfall extension and UV Treatment (**see breakdown below**)*
- *Permitting Workplan*
- *Meeting(s) with DEP/EPA/CZM/Army Corps*
- *Flow/Rain Data Collection*
- *Hydraulics (modeling the combined Lynn / Swampscott drainage systems)*
- *Update construction and life cycle cost estimates*
- *Update alternatives comparison*
- *Tech Memo*

We have also outlined a scope of effort for the next phase of the feasibility assessments for the outfall extension and UV treatment options.

OUTFALL EXTENSION

- *Pre-Engineering*
- *Wave/Current Oceanography Study*
- *Ecological Survey (eelgrass, etc.)*
- *Water Quality testing*
- *Dilution/Mixing Study*
- *Survey/Bathymetry*
- *Water Quality Testing*
- *Pre-Engineering*

UV TREATMENT

- *Water quality testing*
- *Mobilize UV pilot to Lynn and Swampscott*
- *Operate pilot*
- *Analyze results*
- *Tech Memo*

I have worked to ensure we have consensus from both Lynn and Swampscott to move forward with these efforts as we seek the best solution to fix the problems on all of Swampscott beaches. Our consultant is prepared to move swiftly ahead with this project upon approval from the Town.

SPECIAL TOWN MEETING WARRANT

Town Staff is working with Town Council to coordinate a Special Town Meeting for Monday, December 11th. This meeting is primarily to discuss the use of Free Cash/Stabilization funds to off set the annual levy.

Tonight, the Board will review, discuss and vote on articles for inclusion at this Special Town Meeting. These include:

- *ARTICLE 1 – Reports of the Town Boards and Committees*
- *ARTICLE 2 – Approve Transfer of Free Cash and/or Stabilization – Adjustments to Tax Rates*
- *ARTICLE 3 – Amend General Bylaws: Amendment to Plastic Straw and Stirrer Prohibition Bylaw*
- *ARTICLE 4 – Appropriation for PARC Grant*
- *ARTICLE 5 – Acceptance of Easements for Public Parking and Sidewalks at Elm Place*

FINANCE DEPARTMENT

Amy & Patrick are hard at work updating the Town's financial forecast. We need to support economic growth and development, such as turning the Hadley into a boutique hotel, which will bring in revenue in the form of tax dollars and tourist dollars being spent at our shops and restaurants.

The Capital Improvement Committee met last night with Marzie Galazka and Max Kasper to discuss their projects. I am meeting with Marzie, Amy & Patrick on Monday to discuss CIC project costs for the Hawthorne Redevelopment & King's Beach fixes. We will have an update on all of the CIC requests by the end of the month as we seek to smooth out the debt service.

HADLEY SCHOOL/BOUQUETTE HOTEL

I have had the pleasure of accompanying nine developers interested in turning the Hadley School into a boutique hotel on site tours. These developers have grand visions for returning Swampscott back to one of the most unique Seacoast Towns in the Commonwealth.

The RFPs are due December 14.

HAWTHORNE

I met with Anthony Athanas last week and he has agreed to sign an extension on the lease. He will continue to run the restaurant, as he always has, through 2025, at which time the Town will have a comprehensive plan for redeveloping this site.

I expect a signed copy of the lease this week.

SENIOR CENTER

Heidi is working on a "Purple Table" grant to train local restaurants in being dementia friendly. There are three restaurants interested in participating in this wonderful, inclusive program. She hopes that other businesses will follow suit, including nail & hair salons.

POLICE DEPARTMENT

While the Chief has been busy attending recruitment events at Merrimac College, things are moving along internally. We have a recruit starting the academy next week and a second recruit starting in February. The Chief has also reported to me that there are several "Certified Officers" who are looking to transfer into Swampscott PD.

The Department is working with schools in transitioning to a new "ALICE/active shooter" training. This new program is more comprehensive and has been introduced to pre-schools and both Temples.

ST. JOHN'S CHURCH PARKING LOT

In an effort spearheaded by Mary Ellen, the Town and Monsignor McLaughlin of St. John's came to an agreement for the public to use the church's parking lot when not in use by the church. Signage is being worked on now so there is no confusion as to when it is available to the public.

I want to publicly thank Monsignor McLaughlin and the St. John's community for this partnership.

TOWN CLERK

Nominations for the upcoming election were due last Friday. The Clerk's office remained open all day this past Friday to ensure everyone could get their papers in to the office.

Swampscott's 2023 Annual Town report has been submitted to the MMA. We are hoping to win an

award for best town report in Massachusetts!

HEALTH DEPARTMENT

The Health Department is gathering public input in how to allocate opioid settlement funds. This survey will be posted on the Town's website as well as on social media and in print copy available at Town Hall very soon.

The first of six regional COVID clinics was held last week with approximately 50 vaccines given out. For information on how to register for an upcoming COVID clinic, log into <https://www.swampscottma.gov/home/news/regional-covid-vaccination-clinics>.

Approximately 900 pounds of pumpkin were composted rather than sent to landfills in the Health Department's 2nd Annual Pumpkin Drop Off event.

Household Hazardous Waste Day is this Saturday, November 18th, from 9:00 – Noon at the Marblehead transfer station. Please note that fees are charged to drop off your hazardous waste.

RECREATION DEPARTMENT

The Jauron Family Foundation corn-hole tournament on Saturday was very successful. There were 36 teams competing. I'm hoping the SB and Town Departments can have teams next year!

There are over 50 vendors plus a waitlist of vendors participating in the annual indoor Thanksgiving Market on Sunday, 11/19. The annual Turkey Treasure Hunt will be held at the same time.

December will bring the annual gingerbread house contest, which starts on 12/13 with viewing 12/14-12/18, breakfast with Santa is 9:00-11:00 on 12/16 with the annual tree lighting and holiday festival following that evening, starting at 4:00, the annual Light up Swampscott starts 12/12, voting is 12/13 through 12/17 and, last but not least, the 2nd annual 2023 Wreath Raffle display is 11/27 – 11/30. Raffle winners will be announced on the evening of 12/4. For more information, log into www.swampscottrec.com/programs.

BUILDING DEPARTMENT

Steve Cummings is busy sharing his time between Swampscott and Marblehead. He is very cognizant that Swampscott is his priority but it is nice that we can share this important position.

Steve is also boxing up old files in the Building Office to be scanned and archived digitally. This will help when someone needs to see an old building permit or other information. Having these files digitized will greatly enhance the function of the office.

The MSBA has recently authorized changes to its funding strategy which may result in an increase of \$5M in reimbursements!

LIBRARY

With the addition of the teen space as well as the hiring of two teen pages, there has been more of a teen buy in at the library, including an increase in attendance at teen programs.

Roku and Apple + streaming services have been added to the library's "Library of Things"; Hoopla has also been added as an additional eBook streaming service.

Jonathan is in the process of bidding for contractors to build the new Makers Space!

For all library information, log into www.swampscottlibrary.org.

DEI REQUEST FOR PROPOSALS

The Diversity Equity and Inclusivity Consulting RFP closed this Monday. I'm excited to report that we received **nine** project responses! Responding firms include:

- ReadySet
- Think Again Training & Consulting
- HCH Enterprises
- Ponder Diversity Group
- Roads Consulting Group
- Buffalo Cloud Consulting
- And Still We Rise
- Peace in Action
- iSuccess Consulting

The Review Committee will be constituted shortly so we can begin evaluating the proposals. Based on the timeline outlined in the RFP, we plan to have a recommendation for the Select Board by mid-December.

HUMAN RESOURCES

The Human Resources Dept continues to fill open vacancies. The Dept along with Community Development staff selected a new part-time Energy Advocate which is a new grant-funded position to help educate residents about the Mass Save program. The job offer was accepted over the weekend, and we're excited to bring this new member on board.

Pete Kane also took part in the MassHIRE Fall Job Fair in Salem last Thursday. It was the busiest job fair that MassHIRE has had in over a year with a constant flow of people looking for new opportunities. There was a lot of interest in the Town's Administrative Assistant position at the PD and the HR / Employee Experience Manager openings.

TOWN NOTIFICATIONS

Last, but certainly not least, we will be switching from Blackboard to OnSolve for all notifications on December 1st. If you are already on Blackboard, you have to enroll in OnSolve and I highly encourage everyone to do so as to be notified of upcoming events, weather related emergency events, street closures due to water main or sewer breaks as well as to receive the Town's monthly newsletter.

To sign up: www.swampscottma.gov/subscribe. The link is posted on the Town's Facebook page as well as on the website and we will be putting flyers in the upcoming census mailing as well as sending emails and texts to current Blackboard and Constant Contact subscribers with links on signing up.

VETERANS DAY

I want to thank all those who took time to come out and thank Swampscott's Veterans for their service to our Nation. A special thanks to Swampscott's Veterans Agent Mike Sweeney, DPW, SPD and SFD, and staff at Swampscott's Senior Center for all the efforts to host a breakfast for our Veterans.

Respectfully Submitted,



Sean R. Fitzgerald
Town Administrator



TOWN OF SWAMPSCOTT
SOLID WASTE ADVISORY COMMITTEE

22 Monument Avenue
Swampscott, MA 01907

PLASTICS REGULATION IN FOOD ESTABLISHMENTS

A Proposed Bylaw for
2023 Special Town Meeting

OCTOBER 11, 2023

PLASTICS REGULATION IN FOOD ESTABLISHMENTS

DRAFT FOR PUBLIC REVIEW Oct. 11, 2023

Section I: Purpose and Intent	1
Section II: Definition	1
Section III: General Prohibition and Regulation	3
Section IV: Exemptions	3
Section V: Material Specifications	4
Section VI: Consumer Advisory	5
Section VII: Enforcement	5
Section VIII: Severability	5

Section I: Purpose and Intent

This bylaw is enacted for the purpose of reducing the distribution of food service ware and food service ware accessories that are not compostable, recyclable or reusable. The production and use of the items restricted by this bylaw have significant impacts on the environment, including but not limited to: contribution to pollution of the land environment; creating a burden to solid waste and recycling facilities; entering storm drains that empty into waterways leading to the ocean, causing potential harm to marine animals; and requiring billions of gallons of crude oil nationally for their manufacture.

Section II: Definition

Compostable: A characteristic of a product that can disintegrate into non-toxic, natural elements at a rate consistent with organic materials. A compostable product will require microorganisms, humidity, and heat to yield a finished compost product (carbon dioxide, water, inorganic compounds, and biomass).

Food Establishment: For purposes of this bylaw, a Food Establishment is an operation defined per 105 CMR 590.001 (State Sanitary Code; Minimum Standards for Food Establishments).

Materials Recovery Facility (MRF): A specialized plant that receives, separates and prepares recyclable materials for sale to end-user manufacturers. A MRF may also be defined as a materials reclamation facility, materials recycling facility or a multi re-use facility).

Municipal Solid Waste: Waste that is not recyclable and that is ultimately transported to either a landfill or a facility for incineration.

Online Food Ordering Platform: A website or mobile application through which a consumer can place an order for pickup or delivery of prepared food. Such platforms include, but may not be limited to, those operated directly by food establishments, by companies that provide delivery of prepared meals to consumers, and by online food ordering systems that connect consumers to prepared food vendors directly.

High-Density Polyethylene (HDPE): A common, highly stable, thermoformable plastic polymer used to make containers that require impact strength, chemical resistance, and longevity. It may be labeled "plastic No. 2"

PLASTICS REGULATION IN FOOD ESTABLISHMENTS

DRAFT FOR PUBLIC REVIEW Oct. 11, 2023

Low-Density Polyethylene (LDPE): A very common, highly stable and thermoplastic polymer used to make thin films used for plastic bags and other light duty requirements. It may be labeled "plastic No. 4."

Per- and polyfluoroalkyl substances (PFAS) are a class of 12,000 large complex groups of fluorinated synthetic chemicals added to products like food packaging to enhance their grease resistant, waterproof, non-stick, and stainproof qualities. Because they do not breakdown in nature these chemicals become bio-accumulative and ultimately harmful in humans, wildlife, and the environment. Packaging that contains PFAS can leach into food & beverage products thereby directly exposing them to humans during food consumption. It can also leach into the food supply if such packaging is composted.

Polyethylene Terephthalate (PET or PETE): A common thermoplastic polymer widely used to make packaging for foods and beverage products. It is commonly used to make single use bottles for water and other liquids. It may be labeled "plastic No. 1."

Polypropylene (PP): A synthetic plastic polymer used to make food containers, disposable cutlery, plastic straws, and other products. It may be labeled "plastic No. 5."

Polystyrene (PS or EPS): A common inexpensive plastic polymer known for its strength and flexibility. It is often used to make food containers, cups, utensils, and other products. This material can also be offered as Expanded Polystyrene (EPS) or Styrofoam that is generally comprised of 98% air. EPS is often used to insulate hot or cold liquids and food items. It may be labeled "plastic No. 6."

Polyvinyl Chloride (PVC): A common inexpensive plastic polymer known for its rigidity and strength. It can be used to make plastic straws and utensils, and other products. It may be labeled "plastic No. 3."

Prepared Food: Any food or beverage prepared by a Food Establishment and offered for sale in the Town of Swampscott.

Recyclable: Material that can be sorted, cleansed, and reconstituted by Swampscott's municipal recycling collection program(s) for the purpose of use in the manufacture of a new product. "Recycling" does not include thermally destroying or converting solid waste.

Reusable: Products that are designed to be used more than once in the same form by a food or retail establishment (e.g., dishes that may be placed in a dishwasher, washed, and used again).

Single-Use Container: Nondurable disposable containers holding food or beverages distributed to customers with the intent of a single use, whether used for on-premises or off-premises dining services, takeout, or delivery. This includes containers, bowls, plates, trays, cartons, cups, lids, cans, sleeves, and other items designed for one-time or nondurable uses in which any food establishment directly places or packages prepared foods.

Single-Use Food Serveware: Items provided by the Food Establishment in relation to consuming a meal or beverage with the intent of a single use. This includes but not limited utensils, forks, knives, spoons, sporks, or chopsticks. Excluded are wooden toothpicks and paper napkins. This does not include items that are necessary for the containment of foods, such as plates, bowls, beverage cups, and bags.

Single-Use Condiment Packages: Disposable single use packets made from plastic or foil containing liquid for consumption and including, but not limited to salad dressings, ketchup, mustard, mayonnaise, duck sauce, and soy sauce.

PLASTICS REGULATION IN FOOD ESTABLISHMENTS

DRAFT FOR PUBLIC REVIEW Oct. 11, 2023

Section III: General Prohibition and Regulation

1. Food establishments as defined in Section II operating in the Town of Swampscott that provide or offer prepared food to customers in Single Use Containers shall be required to comply with this bylaw. Pre-packaged items not prepared at the location of sale are not regulated by this bylaw.
2. Food Establishments that offer single use containers for takeout, leftovers, delivery, or other means for which the food or beverage will be consumed off premises, shall provide a container constructed of materials as regulated in Section V.
3. Food establishments where prepared food may be consumed on premises and served in Single Use containers that are recyclable and regulated in Section V shall
 - a. Offer a recycling collection receptacle in addition to trash receptacles; and
 - b. Contract with a recycling service vendor to remove recyclable materials. Recyclable materials shall be separated from other “municipal solid waste” destined for landfill or incineration.
4. Food establishments that offer **Single Use Food Serviceware** and **Single-Use Condiment Packages** as defined in Section II, may offer but shall only provide such items upon agreement or request by customers, or at a self-serve station.
5. Food establishments operating in the Town of Swampscott and that participate in online food ordering platforms shall, when such option is available, provide the option to customers to proactively request disposable food service ware with a food order. If an option is available to the customer but the customer does not indicate a preference, restaurants shall not include disposable food service ware with the order.
6. The BOH or its designee shall provide to food establishments succinct materials explaining the requirements of this bylaw and recommendations for proper solid waste stream procedure.

Section IV: Exemptions

1. The Board of Health (BOH) may exempt a food establishment from the requirements of this section for a period of up to one year upon a finding by the BOH that such requirements would cause undue hardship to the food establishment.
 - a. Any food establishment seeking an exemption shall apply to the BOH using forms provided by the Health Department, and shall allow the BOH to access all information supporting its application.
 - b. The BOH may approve an exemption request, in whole or in part, with or without conditions.
 - c. The BOH may establish a fee for exemption requests
2. The BOH may approve additional six-month periods upon the showing of a continued undue hardship.
3. An "undue hardship" shall only be found in:
 - a. Circumstances or situations unique to a food establishment such that there are no reasonable alternatives to materials banned in this section that are necessary to the establishment's operations;
 - b. Circumstances or situations unique to a food establishment such that compliance with the requirements of this section would deprive a person of a legally protected right; or
 - c. Circumstances in which a food establishment requires additional time in order to draw down an existing inventory of plastic products or materials banned in this section.
4. Other exemptions:
 - a. Pharmaceutical containers
 - b. Single-use containers provided to residents during a declared public health emergency or natural disaster

PLASTICS REGULATION IN FOOD ESTABLISHMENTS

DRAFT FOR PUBLIC REVIEW Oct. 11, 2023

Section V: Material Specifications

1. Single-use containers composed of the following materials are prohibited for use by food establishments:
 - a. Polystyrene or Expanded Polystyrene “styrofoam”
 - b. PVC- Polyvinyl Chloride
 - c. LDPE – Low Density Polyethylene
 - d. Any plastic material in the color black.
 - e. Any plastic labeled as #7, “Other”, or generally not accepted for curbside recycling in the Commonwealth of Massachusetts.
 - f. Containers intentionally adding the PFAS family of fluorinated “forever chemicals” for the purpose of enhancing its product performance.
2. Single-use containers composed of PET/PETE materials are restricted for use by food establishments:
 - a. To prevent chemicals leaching into food, this material shall not be used to serve or store hot food or beverages.
 - b. Shall not be manufactured from any post-consumer recycled PET plastic.
3. Thin film transparent plastic “wrap” shall not be restricted when used to seal food, beverages, or the containers that carry them.
4. Any container that is labeled as Compostable must have one of the following certifications clearly marked on the container to assure that the material has been tested for compostability and specific contaminant limitations.
 - a. BPI (Biodegradable Products Institute)
 - b. TUV / OK Compost Industrial
 - c. CMA (Compost Manufacturing Alliance)
5. As materials technology, recycling processes, recycling vendors, states of emergency, and state and federal regulation can change from time to time, the Board of Health is authorized to:
 - a. Modify, add, or remove specific regulated materials to this section
 - b. Add or remove certification organizations and standards.
 - c. This authority shall be temporary and last no longer than 9 months.
 - d. Any conflicts with regard to state law or regulatory agencies shall defer to the authority of the more restrictive regulation.

PLASTICS REGULATION IN FOOD ESTABLISHMENTS

DRAFT FOR PUBLIC REVIEW Oct. 11, 2023

Section VI: Consumer Advisory:

If a food establishment offers single use plastic containers for takeout or delivery, the establishment shall display to notify their customers with the following written statement:

“Per guidance of the Swampscott Board of Health, to avoid the possible transfer of chemicals from plastic containers at cooking temperatures, it is not recommended to re-heat food while in direct contact with plastic containers.”

This verbiage can be placed on the menu, the payment receipt, attached to the single use plastic takeout container, or any other communication method approved by the Director of Public Health or the Board of Health.

Section VII: Enforcement

1. This Bylaw may be enforced by any agents of the Board of Health. This Bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c.40, §21D and Article XII of the Town’s General Bylaws.
2. If non-criminal disposition is elected, then any Business Establishment which violates any provision of this regulation shall be subject to the following penalties:
 - First Offense: Written warning
 - 2nd Offense: \$50 fine
 - 3rd Offense: \$100 fine
 - 4th and Subsequent Offenses: \$300 fine

Section VIII: Severability

If any provision or section of this section shall be held to be invalid, then such provision or section shall be considered separately and apart from the remaining provisions or sections of this section, which shall remain in full force and effect.



Town of Swampscott

Office of the Town Treasurer

MEMORANDUM

TO: SELECT BOARD
FROM: AMY SARRO, DIR. OF ADMIN & FINANCE; PATRICK LUDDY, TREASURER
SUBJECT: DEPARTMENTAL FEES
DATE: THURSDAY OCTOBER 26TH, 2023

The finance department has met with various department heads at the request of the town administrator to evaluate fees. These conversations focused on fees which are established under the authority of the Select Board, rather than those which are established and fixed by state statute.

From these conversations, several fees were identified where an increase may be appropriate:

Mattress Recycling Fee (Health Dept)

- Covers the costs of state-mandated mattress recycling (Transportation and Processing)
- Program was subsidized by a grant that has run out
- Current fee is \$20 per set.
- Surveyed Marblehead, Lynn, Salem, Peabody, Danvers and Beverly fee structures.
 - o All of the municipalities surveyed are charging per piece, rather than per set.
 - o Most are only running a curbside pick-up program ONLY
- **Current recommendation is to increase fee to \$30 per piece (box spring/mattress).**
 - o The average fee charged amongst the surveyed group is appx. \$30 per piece.

Summer Camp Permit Fee (Health Dept)

- Permit Fee for private parties to operate a Summer Camp
 - o Current Fee is \$75
 - o **Current recommendation is to increase fee to \$100**

Also from these conversations, several new fees were suggested:

Recording Fee for ZBA Decisions (Town Clerk & Planning Board)

- ZBA Decisions must be recorded with the Registry of Deeds. The Registry of Deeds currently charges \$105 to record documents. This cost is currently borne by the town. Establishing this fee would shift the cost onto the petitioner.
 - o **Current recommendation is to establish a fee of \$105**

Amended Vital Record Fee (Town Clerk)

- Applies to records greater than fifty years in age.
- **Current recommendation is to establish a fee of \$50**

Genealogy Request Fee (Town Clerk)

- Covers requests from non-residents i.e. services such as ancestry.com
- **Current recommendation is to establish a fee of \$150**

FY2023 Current Town Service/Permit/License Fees

Department/Board	Permit Name	Current Fees	Description	Proposed Fee
Community & Economic Development				
Community & Econ Dev.	Common Victualers	\$75.00	(seating)	
Community & Econ Dev.	Block Party	\$50.00		
Community & Econ Dev.	Class II Car Dealers	\$125.00		
Community & Econ Dev.	Entertainment	\$75.00	Per cart (events)	
Community & Econ Dev.	Vendor Permit	\$100.00		
Planning				
Planning	Preliminary Plan	\$250.00	for Town department or agency	
Planning	W/O Preliminary Plan	\$500.00/ \$250.00/ Lot		
Planning	Subdivision	\$100.00/ \$50.00/ Lot		
Planning	Definite Plan	\$250.00/ \$100.00/ Lot		
Planning	No Fee	\$0.00		
ZBA				
ZBA	Residential & Commercial	\$450.00		
ZBA	Waiver of Compliance	\$300.00		
Police				
Police	Alarm Registration Fee	\$10.00	Residential	After two false alarms/year After two false alarms/year Town gets \$25, state gets \$75 Town gets \$70, state gets \$30
Police	Alarm Registration Fee	\$25.00	Commercial	
Police	False Alarm Fee	\$60.00	Residential	
Police	False Alarm Fee	\$80.00	Commercial	
Police	Firearms License	\$100.00	Set by state law	
Police	License Application Fingerprinting	\$100.00	Set by town by-law	
Liquor Fees				
Police Department	Club	All Alcohol	Beer & Wine	* Fee Waived Yr1
Police Department	Restaurant	\$1,400.00	\$1,100.00	
Police Department	Package Store	\$2,400.00	\$2,100.00	
Police Department	Veterans Club	\$2,200.00	\$1,900.00	
Police Department	BYOB	\$1,400.00	400	
Police Department	One Day	N/A	\$50.00	
Harbormaster				
Harbormaster	Mooring	\$3.50 per ft. \$6.00 per ft.	Resident Usage Non-Resident	\$5.50 per ft. \$8.00 per ft.
Fire				
Fire	Beach Cooking Permits	\$25.00		
Fire	Smoke/Carbon Monoxide Certificates	\$50.00		
Board of Health				
Board of Health	Mattress Stickers	\$20.00	Mattress & box spring recycling	\$30.00
Board of Health	Burial Permit	\$15.00		
Board of Health	Temporary Dumpster	\$15.00		
Board of Health	Bulk Item Sticker	\$20.00		

Board of Health		Overflow Bags	\$3.00	\$15.00/sleeve	
<u>Town Clerk</u>					
Town Clerk	Business Certificates		\$25.00		DBA's
Town Clerk	Business Certificates		\$5.00		Discontinuances
Town Clerk	Marriage License applications		\$25.00		
Town Clerk	Vital Records		\$10.00		Births, deaths & marriages certified copies
Town Clerk	Street listing books		\$10.00		
Town Clerk	Dog License		\$10.00		Spayed or neutered
Town Clerk	Dog License		\$25.00		Unaltered
Town Clerk	Late fee of dog licensing		\$5.00		
Town Clerk	Pooch Pass		\$5.00		Resident
Town Clerk	Pooch Pass		\$15.00		Non-Resident
Town Clerk	Raffle & Bazaars		\$25.00		
Town Clerk	Underground flammable gas storage licenses		\$25.00		
Town Clerk	Vital Records Amendment		\$0.00		*NEW*
Town Clerk	Genealogy Request Fee		\$0.00		Fee for research for genealogy services
					\$50.00
					\$150.00
<u>Recreation</u>					
Recreation	Beach Stickers		\$20.00		Residents
Recreation	Beach Stickers		\$7.00		Sr. Residents
					\$25.00
					\$10.00
<u>Conservation Commission</u>					
Conservation Commission	Gazebo		\$75.00		Linscott Park permitted by Rec Dept
<u>Building Department</u>					
Building	Building		\$15/1000 project cost	\$50 Min	Residential (1-2 Family)
Building	Building		\$20/1000 project cost	\$80 Min	Commercial
Building	Electrical		\$15/1000 electrical cost	\$50 Min	Residential
Building	Electrical		\$20/1000 electrical cost	\$80 Min	Commercial
Building	Plumbing/Gas		\$50 1st fixture	\$15 add'l fixture	Residential
Building	Plumbing/Gas		\$80 1st fixture	\$20 add'l fixture	Commercial
Building	Plumbing/Gas		\$50		Hot Water Heaters (Flat)
Building	Mechanical/Sheet Metal		\$50 Min Fee +	\$50/mechanical unit	Residential
Building	Mechanical/Sheet Metal		\$80 Min Fee +	\$80/mechanical unit	Commercial
<u>Building Dept Definitions</u>					
Residential	fees apply to one and two family dwellings as well as work in individual residential units in a multi-unit structure				
Commercial	fees apply to all buildings other than one and two family dwellings and work in individual residential units in multi-unit structures				
Project Cost	refers to the estimated market value of the entire project including all trades and materials. We reserve the right to request a detailed description of work				
Mechanical Unit	refers to furnaces, boilers, condensers, air handlers, RTU's, etc				
<u>Public Works</u>					
Public Works	Snow Waivers		\$25.00		
Public Works	Snow Violations		\$50.00		
Public Works	Street Opening Permits				
<u>Treasurer/Collector</u>					

Collectors	Municipal Lien Certificate	\$25.00	
Collectors	Insufficient Funds	\$25.00 or 1%, whichever is greater	Set by statute



SWAMPSCOTT ELEMENTARY SCHOOL OFF-SITE ROADWAY IMPROVEMENTS

SELECT BOARD MEETING
NOVEMBER 15, 2023



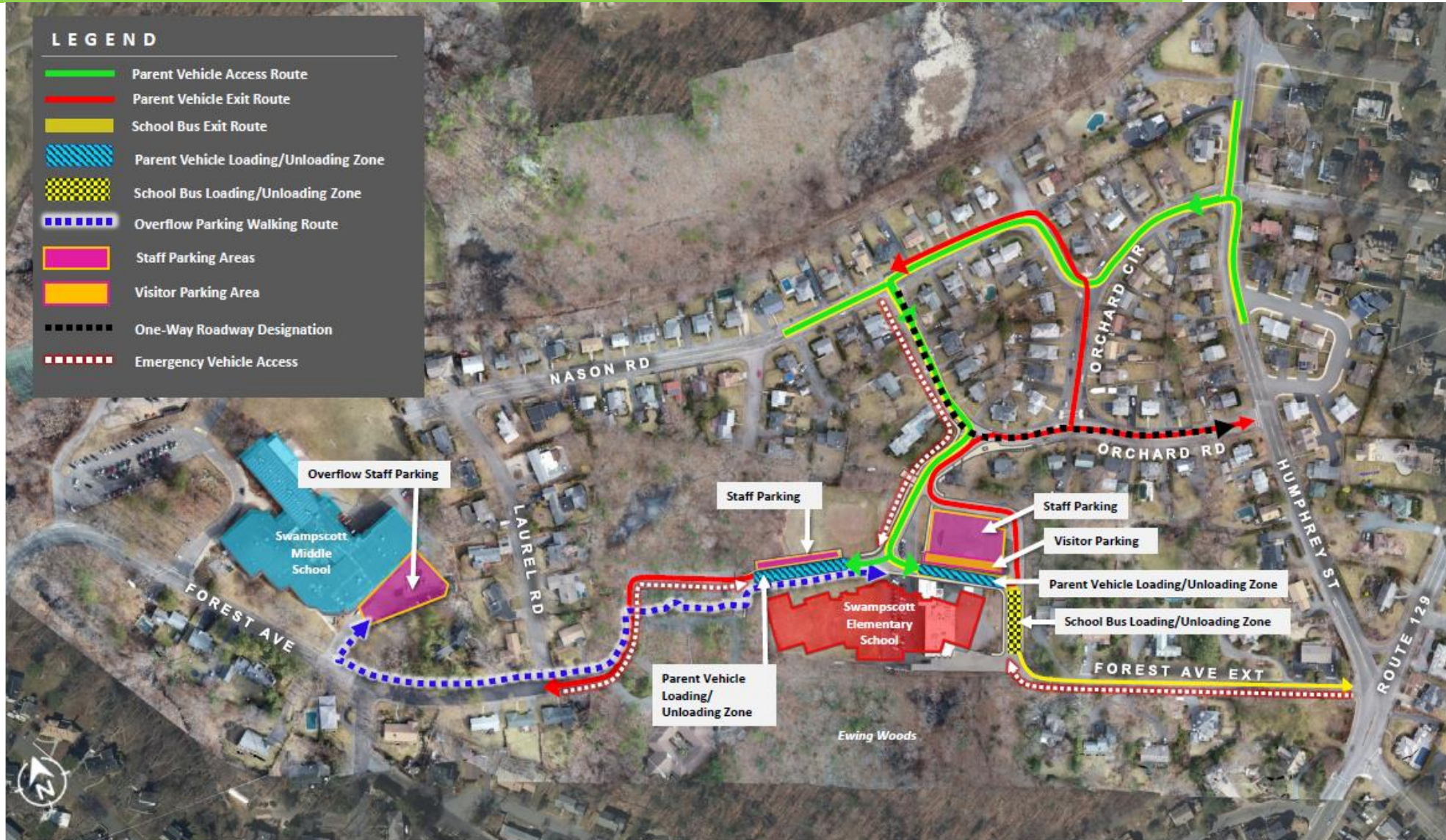
Engineering | Design | Planning | Construction Management



- Project Background & Recap
- Off-Site Roadway Improvement Designs
 - Orchard Road
 - Forest Avenue Extension @ Humphrey Street
 - Forest Avenue @ Laurel Road
 - Proposed On-Street Parking Regulations
- Project Status
- Questions & Answers

PROJECT BACKGROUND & RECAP

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS



PROJECT BACKGROUND & RECAP

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS



Orchard Road – Tree in Sidewalk and Conflicting Signage



Orchard Road at Whitman Road – Crossing Guard and Cones Blocking Entrance



Humphrey Street at Orchard Road – No Pedestrian Signage and Confusing Turn Restriction



Forest Avenue at Laurel Road – No crosswalks and Wide Pavement



Orchard Road – Parents Parking on Street

PROJECT BACKGROUND & RECAP

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

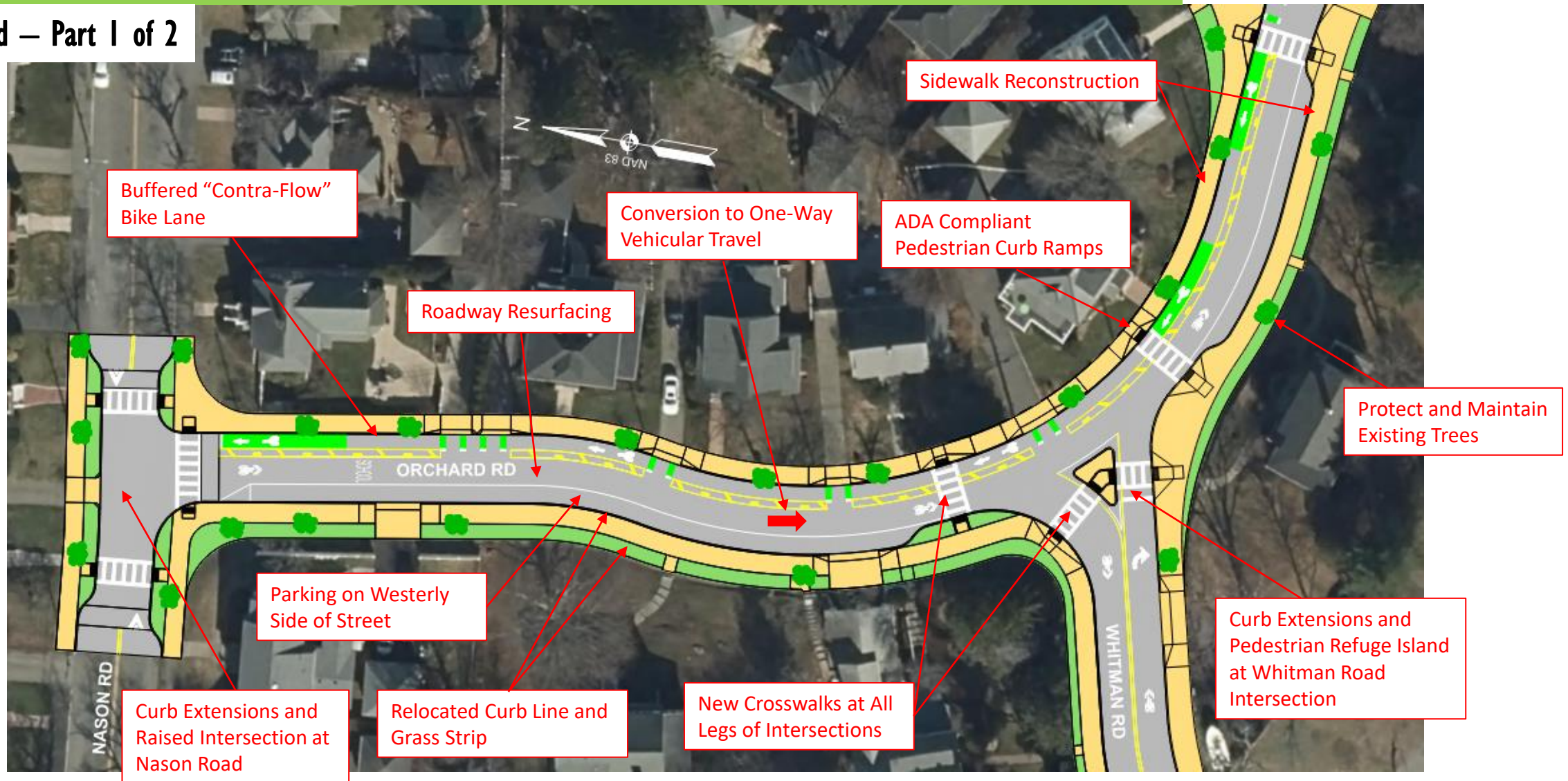


Near-Term Off-Site Roadway Improvement Designs

OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

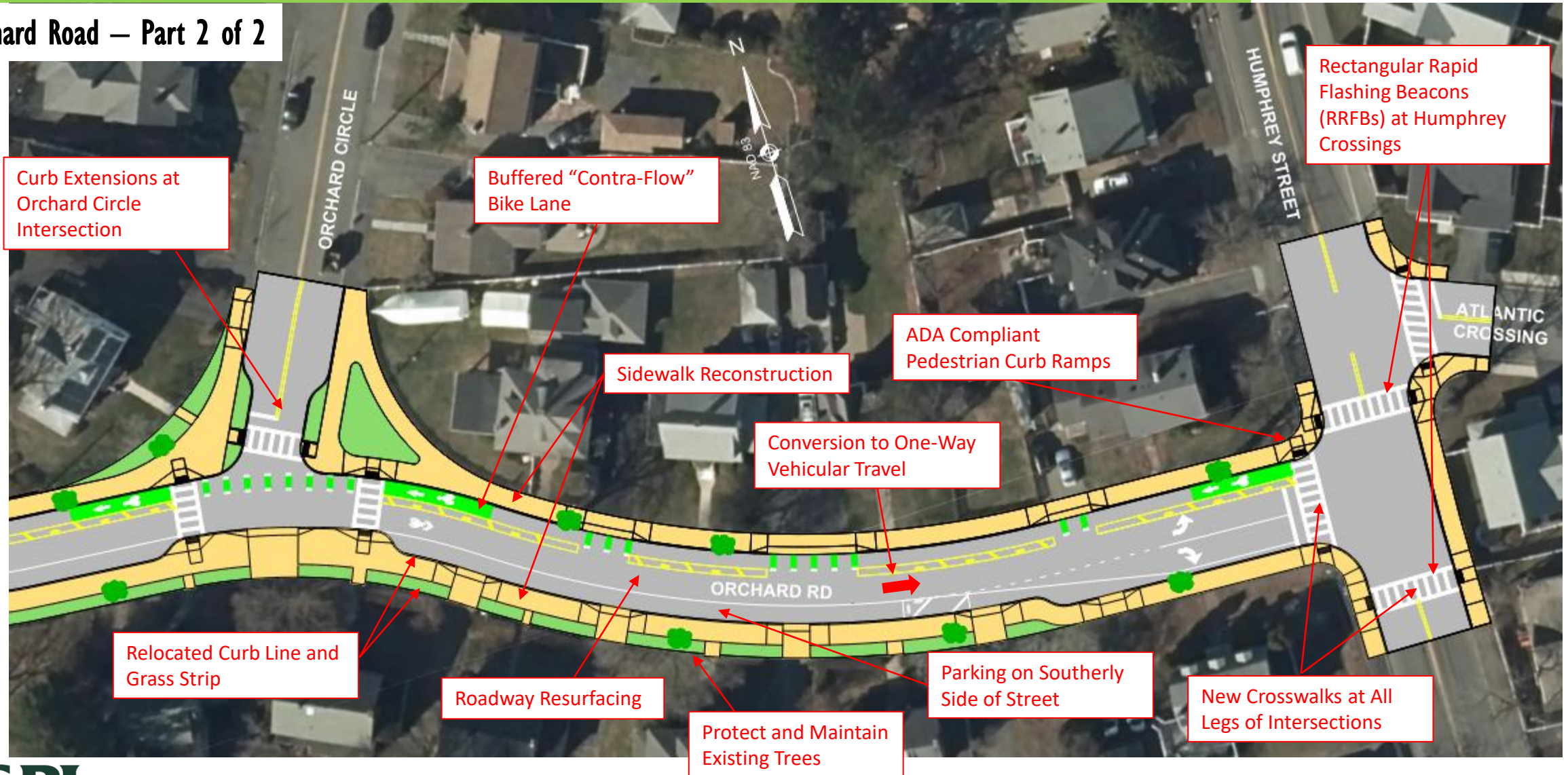
Orchard Road — Part 1 of 2



OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

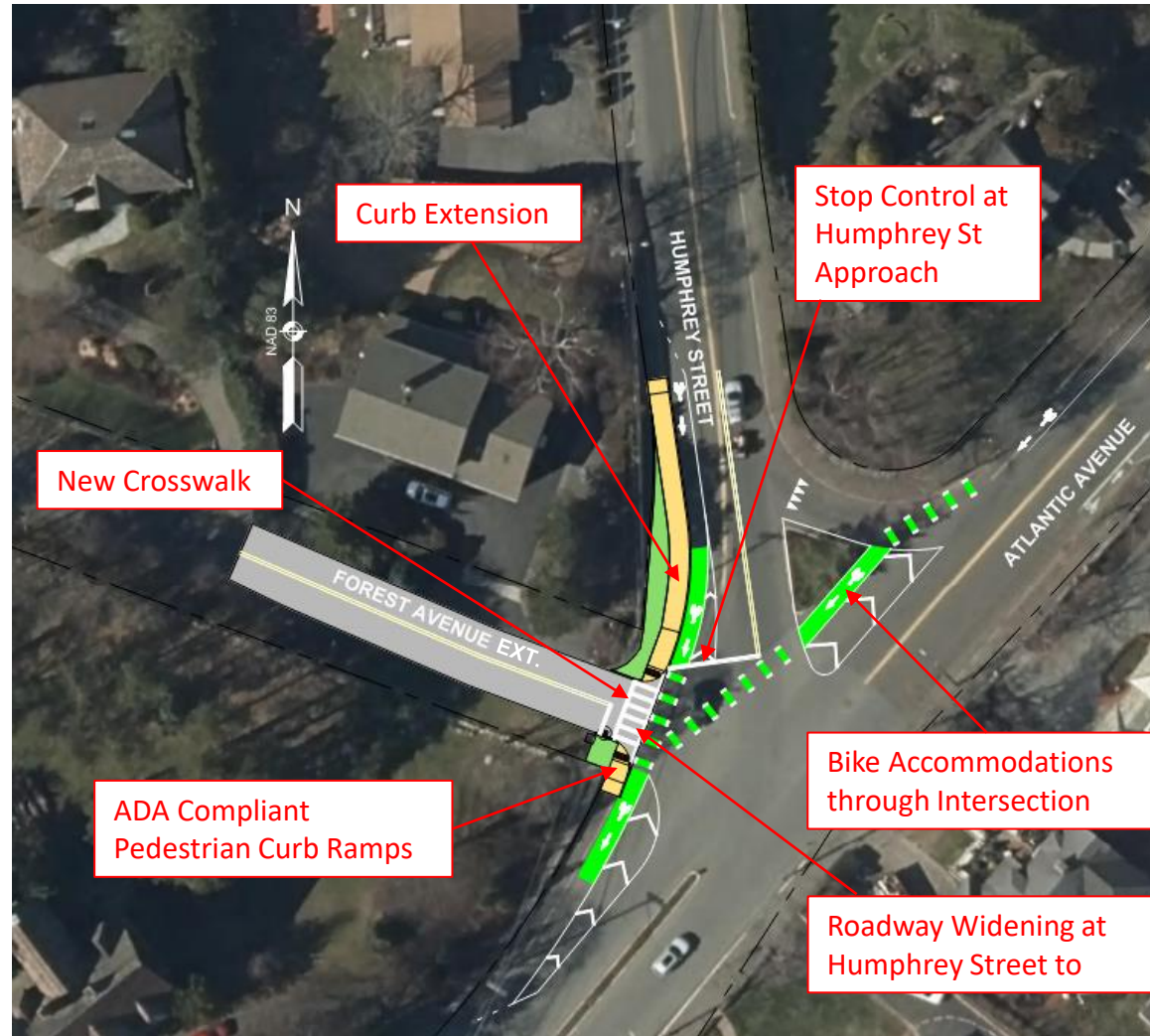
Orchard Road — Part 2 of 2



OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

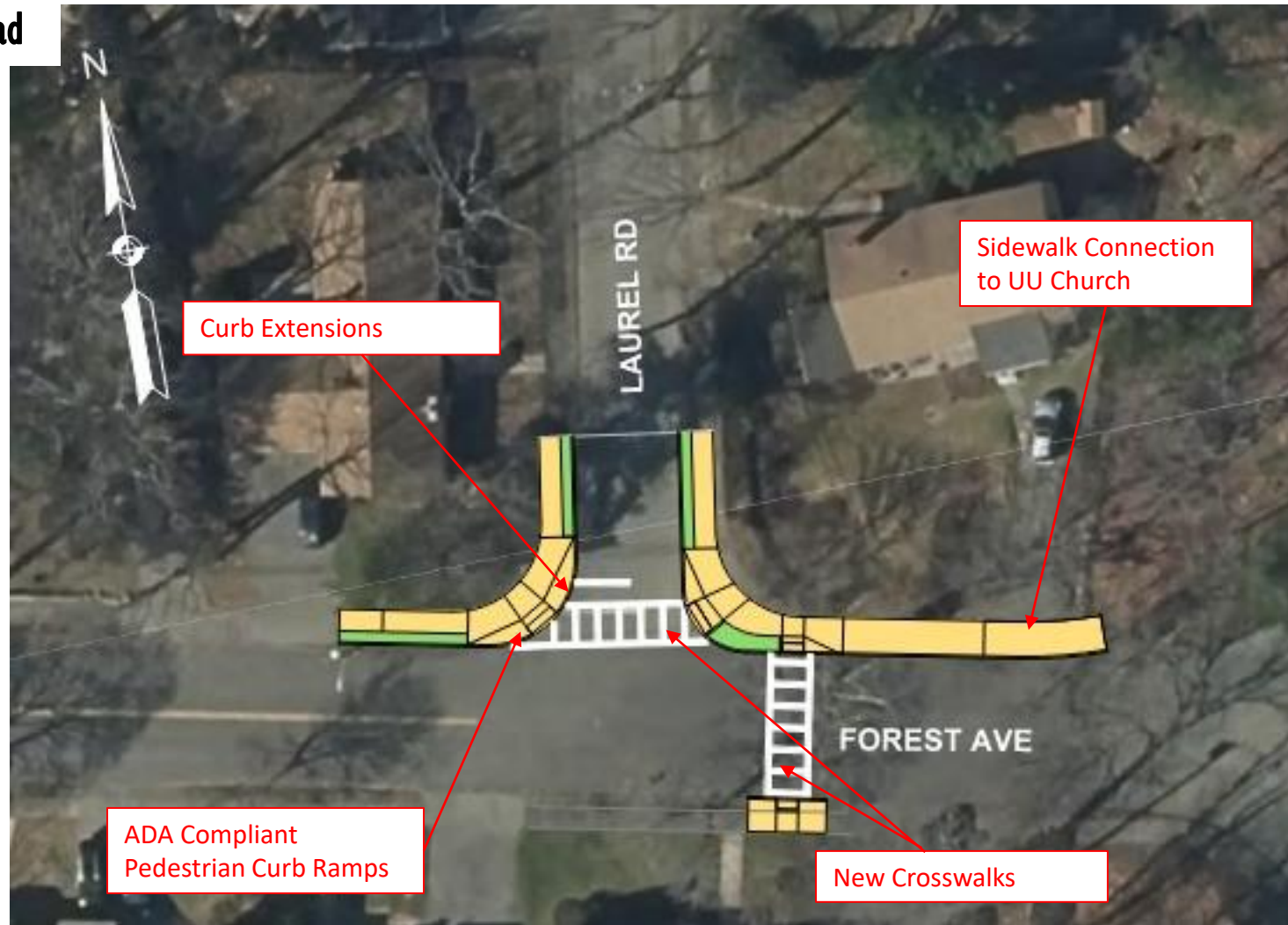
Forest Avenue Extension @ Humphrey Street



OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

Forest Avenue @ Laurel Road



OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

Proposed On-Street Parking Regulations



OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

Orchard Road Looking West Toward Whitman Road Rendering



Before



After

OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

Orchard Road Looking West Toward Whitman Road Rendering



Before



After

OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

Orchard Road Looking South Toward Whitman Road Rendering



Before



After

OFF-SITE ROADWAY IMPROVEMENT DESIGNS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

Whitman Road Looking East Toward Orchard Road Rendering



Before

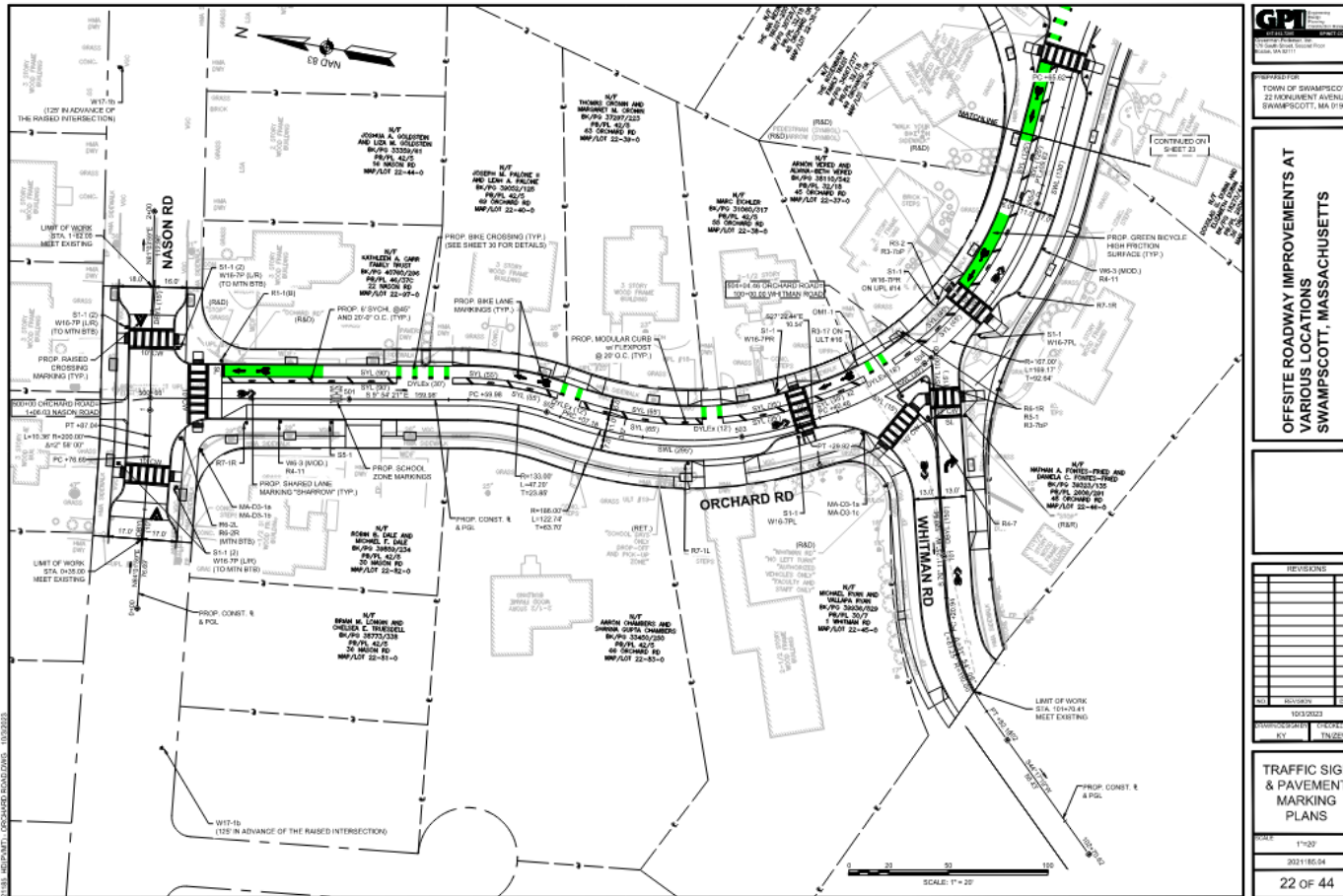


After

PROJECT STATUS

SWAMPSCOTT OFF-SITE ROADWAY IMPROVEMENTS

- 90% Design Submitted — 10/3/2023
- 100% Design Submission — December 2023
- Construction Contract Bidding — Winter 2024
- Construction — Spring 2024 thru Fall 2024



Thank you!



Town of Swampscott

Water and Sewer Infrastructure Advisory Committee

November 1, 2023

Purpose:

The Town of Swampscott Water and Sewer Infrastructure Advisory Committee will advise the Select Board on matters affecting Swampscott's water resource systems, including drinking water, wastewater, storm water, and ground water (including underdrains). The Committee will develop reliable subject matter expertise related to Swampscott's water resource systems and work with the Director of Public Works and engineering consultants to develop and recommend to the Select Board comprehensive plans, policies, and procedures necessary to ensure Swampscott's water resources comply with all state and federal standards, including Stormwater Outfall (MS4) Permit requirements and the Clean Water Act pursuant to the 2015 Consent Decree.

Members:

Seven members with staggered, 3-year terms. Appointed by the Select Board.

1. Chair - community member ideally with business/finance and science/engineering background as well facilitation and project management capability
2. DPW Director
3. SB Member
4. Science/engineering member
5. Science/engineering member
6. Business/finance member
7. Business/finance member

DPW Asst Engineer, ex officio

Finance Committee member, ex officio/liaison

Consultants attend as needed

The Committee's mission will include the following goals:

1. Review the Asset Management report and CIP (Kleinfelder report) and be prepared to weigh in and comment on the scheduling of priorities and recommendations for the SB and TA.
2. Work with Swampscott Director of Public Works (DPW) and Town consultants to research and understand historical sewer, stormwater, and underdrain repairs and rehab efforts to date as well as current and potential causes of illicit discharge.
3. Review all IDDE, investigation, and remediation plans for Stacey's Brook and the Areas Beyond Stacey's Brook (ABSB) presented by the Town's consultants and

Director of Public Works. Make recommendations for plans, timelines, and funding.

4. Engage with DPW, consulting engineers, DEP, and EPA to monitor, review, and report on plans and construction progress toward goals. Research and recommend best practices in the field of water resource management.
5. Evaluate costs to bring wastewater, ground water, and storm water systems into compliance and recommend funding solutions
6. Engage with neighboring communities to discover opportunities that will benefit from regionalization and/or aggregated efforts between localities.
7. Monitor and report on any new or proposed state and federal policies which could affect the Town's water resources management.
8. Coordinate with the Town's Climate Action Plan Committee, Harbor and Waterfront Advisory Committee, Open Space and Recreation Plan Committee, and other Committees or Boards as necessary to identify opportunities for collaboration, especially with respect to Climate Resiliency and the effects of climate change on water resource systems.
9. Establish community outreach and education for all matters relating to storm water management and other related issues. This includes the creation and maintenance of a social media presence and a Town website/webpage that offers educational resources.
10. Sewer Specific Goals
 - Review Infiltration and Inflow (I/I) historical and current rates.
 - Complete a townwide Infiltration and Inflow Study and use the results to prioritize sewer activities for next 5 years
 - Develop roadmap for follow on investigations (Sanitary Sewer Evaluation Study)
 - Refine a CIP to eliminate infiltration and inflow; renew the aging system; and eliminate sources of sewage from the drainage system
 - Study the issue around private sewer laterals / develop a policy or program that citizens can utilize to inspect and repair their laterals / discuss how to fund
11. Drain Specific Goals
 - Recommend an annual operating budget to (a) comply with annual NPDES stormwater permit requirements, and (b) assess condition of drainage system
 - Develop a roadmap for investigations into the drainage system
 - Ongoing training of DPW staff to self-perform outfall inspections and increase frequency of sampling at beach outfalls
 - Explore institution of a stormwater enterprise fund to create a dedicated revenue source to fund activities
 - Advance understanding of vulnerability/exposure to climate change related flooding
 - Evaluate Greenscapes and other opportunities for stormwater reduction.
 - Develop a comprehensive Stormwater Management Plan.



2023 Special Town Meeting

WARRANT REPORT

Town of Swampscott

TABLE OF CONTENTS

2023 Special Town Meeting Warrant

WARRANT FOR SPECIAL TOWN MEETING

ARTICLE 1 – Reports of the Town Boards and Committees	1
---	---

FINANCIAL ARTICLES

ARTICLE 2 – Approve Transfer of Free Cash and/or Stabilization – Adjustments to Tax Rates	1
---	---

AMENDMENTS TO ZONING & GENERAL BYLAWS

ARTICLE 3 – Amend General Bylaws: Amendment to Plastic Straw and Stirrer Prohibition Bylaw	1
--	---

MISCELLANEOUS ARTICLES

ARTICLE 4 – Appropriation for PARC Grant	1
ARTICLE 5 – Acceptance of Easements for Public Parking and Sidewalks at Elm Place	2

APPENDICES

APPENDIX A – Proposed General Bylaw Amendment: Regulations for Plastic Containers in Food Establishments	4
APPENDIX B – Elm Place – Public Sidewalk Easement Exhibit Plan	8
APPENDIX C – Definition of Financial Terms Commonly Used at Town Meetings	9
APPENDIX D – Table of Motions	10

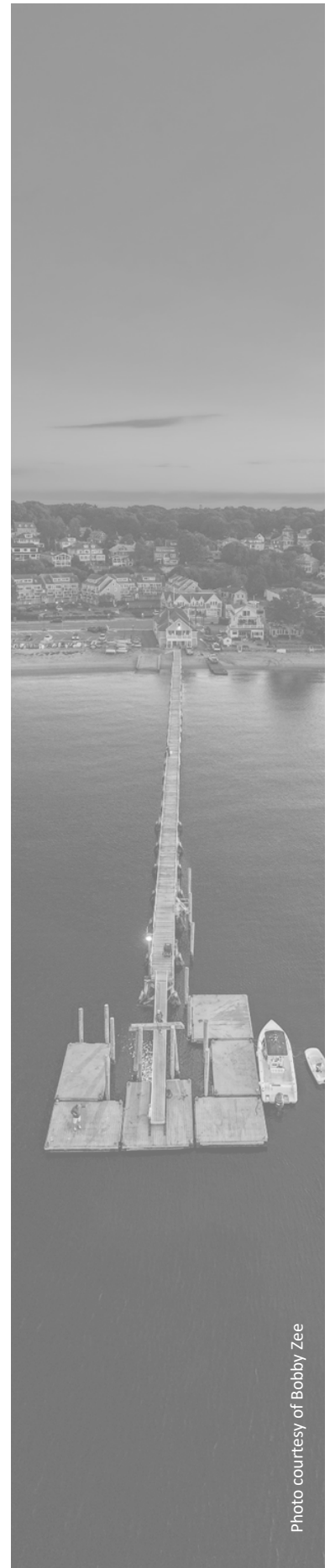


Photo courtesy of Bobby Zee

NOTICE OF SPECIAL TOWN MEETING

Monday, December 11, 2023, 7:00 PM

To Town Meeting Members:

Notice is hereby given in accordance with Article II, Section 2 of the General Bylaws of the Town of Swampscott that the Special Town Meeting will be held on Monday, December 11, 2023, beginning at 7:00 pm in the Swampscott High School Auditorium located at 200 Essex Street, Swampscott.

The required identification badge is to be picked up at the auditorium entrance when you check in.

Town Moderator Michael McClung will preside.

Respectfully,

Jared H. LaLiberte
Town Clerk

NOTICE OF PRECINCT CAUCUS MEETINGS

Caucus meetings for all Swampscott precincts have been scheduled for Monday, December 11, 2023, beginning at 6:45 pm in the Swampscott High School located at 200 Essex Street, Swampscott. Room assignments are as follows:

Precinct 1 – Room C101	Precinct 3 – Room C104	Precinct 5 – Room C107
Precinct 2 – Room C103	Precinct 4 – Room C105	Precinct 6 – Room B208

NOTES: Please remember that it is YOUR responsibility to be recorded as being present with the door checkers prior to entering the auditorium for EACH session. Excessive absences are cause for removal from Town Meeting membership. Also, please remember the following:

1. You must wear (display) your Town Meeting identification badge at all times; and
2. Remember to use the microphones when speaking on any issue so that your comments may be recorded on the official transcript of the meeting and be heard by your fellow members in the hall and residents viewing the live cable telecast.

Respectfully,

Jared H. LaLiberte
Town Clerk

TOWN WARRANT | DECEMBER 11, 2023

Town of Swampscott

ARTICLE 1 REPORTS OF THE TOWN BOARDS AND COMMITTEES

To hear and act on the reports of Town Officials, Boards, and Committees.

Comment: This routine Article appears every year to allow Town groups to make reports.

**Sponsored by the
Select Board**

ARTICLE 2 APPROVE TRANSFER OF FREE CASH AND/OR STABILIZATION – ADJUSTMENTS TO TAX RATES

To see if the Town will vote to transfer from Free Cash and/or Stabilization a sum of money to the account of Current Revenue to be used and applied by the Board of Assessors in the reduction of the tax levy for Fiscal Year 2024, or take any action relative thereto.

Comment: This Article seeks to utilize a portion of the surplus resulting from Town general fund operations as of the end of FY2023 to off-set the tax levy for FY2024.

**Sponsored by the
Town Administrator**

This Article requires a 2/3 vote.

The Select Board recommends ...

The Finance Committee recommends ...

ARTICLE 3 AMEND GENERAL BYLAWS: AMENDMENT TO PLASTIC STRAW AND STIRRER PROHIBITION BYLAW

To see if the Town will vote to amend the Town of Swampscott General Bylaws Article XXV, Single Use Plastic Beverage Straw and Stirrer Reduction in Business Establishments, by replacing it with a new Article XXV, Regulations for Plastic Containers in Food Establishments, as shown in Appendix A, or take any other action relative thereto.

Comment: The proposed amendment would replace the existing bylaw to further reduce the distribution of food service ware and accessories that are not compostable, recyclable, or reusable.

Sponsored by ...

The Select Board recommends ...

The Finance Committee recommends ...

ARTICLE 4 APPROPRIATION FOR PARC GRANT

To see if the Town of Swampscott will vote to (a) raise, appropriate, transfer from available funds and/or borrow the sum of \$103,870, and authorize the Treasurer, with the approval of the Select Board, to borrow said sum pursuant to the provisions of M.G.L. Chapter 44, Sections 7, 8, 8C and/or any other enabling authority, for the purpose of improving, renovating and equipping Philips Park with four (4) Pickle Ball Courts, including, without limitation, all costs incidental or related thereto; provided, however, that no funds shall be expended until the Town has received a grant commitment or allocation for a portion of such costs under the PARC Grant Program (301 CMR 5.00) and/or under any federal and/or other state program to undertake the foregoing project; (b) transfer the care, custody and control of Philips Park to the Select Board for, and to dedicate said Park to, park and active recreation purposes under the provisions of G.L. c.45, §3; and (c) authorize the Select Board and/or its designee to apply for and accept on behalf of the Town funds granted under the PARC Grant Program and/or any other funds, gifts, grants, under any federal and/or other state program

Sponsored by the ...

This Article requires a 2/3 vote.

The Select Board recommends ...

The Finance Committee recommends ...

in any way connected with the scope of this Article, and enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the project on behalf of the Town, or take any action relative thereto.

Comment: The purpose of this Article is to appropriate monies to construct four (4) pickleball courts at Phillips Park. This project will be funded by the PARC Grant Program, which requires local appropriation, and funds will be reimbursed to the Town upon completion.

ARTICLE 5 *ACCEPTANCE OF EASEMENTS FOR PUBLIC PARKING AND SIDEWALKS AT ELM PLACE*

To see if the Town will vote to accept easements for public parking and sidewalks and related purposes, off Elm Street, as shown on a plan of land entitled “Elm Place – Public Sidewalk Easement Exhibit Plan,” dated May 4, 2022, prepared by Hancock Associates, on file with the Town Clerk, and provided in Appendix B, as said plan may be amended and/or incorporated into a survey plan, and authorize the Select Board to acquire, by gift, purchase, and/or eminent domain, the aforesaid easements for said purposes, and to execute any and all documents, including deeds and other instruments to acquire said easements, or take any other action relative thereto.

Comment: The purpose of this Article is to accept the easements for public parking and sidewalks to be constructed as part of the approved development at Elm Place.

Sponsored by the ...

The Select Board
recommends ...

The Finance
Committee
recommends ...

Hereof fail not and make return of this Warrant with your doings thereon at the time and place of said meeting. Given under our hand this 15th day of November, 2023.

SELECT BOARD

David Grishman, Chair

Catherine Phelan, Vice Chair

MaryEllen Fletcher

Douglas Thompson

Peter Spellios

APPENDIX A

Proposed General Bylaw Amendment: Plastics Regulation in Food Establishments

ARTICLE XXV

REGULATIONS FOR PLASTIC CONTAINERS IN FOOD ESTABLISHMENTS

SECTION 1. PURPOSE AND INTENT

This bylaw is enacted for the purpose of reducing the distribution of food service ware and food service ware accessories that are not compostable, recyclable or reusable. The production and use of the items restricted by this bylaw have significant impacts on the environment, including but not limited to: contribution to pollution of the land environment; creating a burden to solid waste and recycling facilities; entering storm drains that empty into waterways leading to the ocean, causing potential harm to marine animals; and requiring billions of gallons of crude oil nationally for their manufacture.

SECTION 2. DEFINITIONS

Compostable: A characteristic of a product that can disintegrate into non-toxic, natural elements at a rate consistent with organic materials. A compostable product will require microorganisms, humidity, and heat to yield a finished compost product (carbon dioxide, water, inorganic compounds, and biomass).

Food Establishment: For purposes of this bylaw, a Food Establishment is an operation defined per 105 CMR 590.001 (State Sanitary Code; Minimum Standards for Food Establishments). A food establishment operation includes, but is not limited to, business and governmental establishments that store, prepare, package, serve, vend or otherwise provide food or beverage for human consumption. This includes but is not limited to restaurants, satellite or catered feeding locations, food trucks, groceries, farmers markets, bed-and-breakfast or cottage food kitchens, schools, religious institutions, temporary food events, and any establishment requiring a permit to operate in accordance with state food codes.

Materials Recovery Facility (MRF): A specialized plant that receives, separates and prepares recyclable materials for sale to end-user manufacturers. A MRF may also be defined as a materials reclamation facility, materials recycling facility or a multi re-use facility).

Municipal Solid Waste: Waste that is not recyclable and that is ultimately transported to either a landfill or a facility for incineration.

Online Food Ordering Platform: A website or mobile application through which a consumer can place an order for pickup or delivery of prepared food. Such platforms include, but may not be limited to, those operated directly by food establishments, by companies that provide delivery of prepared meals to consumers, and by online food ordering systems that connect consumers to prepared food vendors directly.

High-Density Polyethylene (HDPE): A common, highly stable, thermoformable plastic polymer used to make containers that require impact strength, chemical resistance, and longevity. It may be labeled with the recycling triangle symbol identification No. 2.

Low-Density Polyethylene (LDPE): A very common, highly stable and thermoplastic polymer used to make thin films used for plastic bags and other light duty requirements. It may be labeled with the recycling triangle symbol identification No. 4.

Per- and polyfluoroalkyl substances (PFAS) are a class of 12,000 large complex groups of fluorinated synthetic chemicals added to products like food packaging to enhance their grease resistant, waterproof, non-stick, and stainproof qualities. Because they do not breakdown in nature these chemicals become bio-accumulative and ultimately harmful in humans, wildlife, and the environment. Packaging that contains PFAS can leach into food & beverage products thereby directly exposing them to humans during food consumption. It can also leach into the food supply if such packaging is composted.

Polyethylene Terephthalate (PET or PETE): A common thermoplastic polymer widely used to make packaging for foods and beverage products. It is commonly used to make single use bottles for water and other liquids. It may be labeled with the recycling triangle symbol identification No. 1.

Polypropylene (PP): A synthetic plastic polymer used to make food containers, disposable cutlery, plastic straws, and other products. It may be labeled with the recycling triangle symbol identification No. 5.

Polystyrene (PS or EPS): A common inexpensive plastic polymer known for its strength and flexibility. It is often used to make food containers, cups, utensils, and other products. This material can also be offered as Expanded Polystyrene (EPS) or Styrofoam that is generally comprised of 98% air. EPS is often used to insulate hot or cold liquids and food items. It may be labeled with the recycling triangle symbol identification No. 6.

Polyvinyl Chloride (PVC): A common inexpensive plastic polymer known for its rigidity and strength. It can be used to make plastic straws and utensils, and other products. It may be labeled with the recycling triangle symbol identification No. 3.

Prepared Food: Any food or beverage prepared on the premises of a Food Establishment by means of cooking, chopping, slicing, mixing, freezing, or squeezing, and which requires no further preparation to be consumed. "Prepared food" does not include any raw, uncooked meat, poultry, or fish products unless provided for consumption without further food preparation. Prepared food may be eaten either on or off the premises.

Recyclable: Material that can be sorted, cleansed, and reconstituted by Swampscott's municipal recycling collection program(s) for the purpose of use in the manufacture of a new product. "Recycling" does not include thermally destroying or converting solid waste.

Recycled PET: A type of plastic that is constructed from or mixed with post-consumer recycled Polyethylene Terephthalate material. Also known as "rPET."

Reusable: Products that are designed to be used more than once in the same form by a food or retail establishment (e.g., dishes that may be placed in a dishwasher, washed, and used again).

Single-Use Container: Nondurable disposable containers holding food or beverages distributed to customers with the intent of a single use, whether used for on-premises or off-premises dining services, takeout, or delivery. This includes containers, bowls, plates, trays, cartons, cups, lids, cans, sleeves, and other items designed for one-time or nondurable uses in which any food establishment directly places or packages prepared foods.

Single-Use Food Serviceware: Items provided by the Food Establishment in relation to consuming a meal or beverage with the intent of a single use. This includes but not limited utensils, forks, knives, spoons, sporks, or chopsticks. Excluded are wooden toothpicks and paper napkins. This does not include items that are necessary for the containment of foods, such as plates, bowls, beverage cups, and bags.

Single-Use Condiment Packages: Disposable single use packets made from plastic or foil containing liquid for consumption and including, but not limited to salad dressings, ketchup, mustard, mayonnaise, duck sauce, and soy sauce.

SECTION 3. USE REGULATIONS

1. Food establishments as defined in Section II operating in the Town of Swampscott that provide or offer prepared food to customers in Single Use Containers shall be required to comply with this bylaw. Prepackaged items not prepared at the location of sale are not regulated by this bylaw.
2. Food Establishments that offer single use containers for takeout, leftovers, delivery, or other means for which the food or beverage will be consumed off premises, shall provide a container constructed of materials as regulated in Section V.
3. Food establishments where prepared food may be consumed on premises and served in Single Use containers that are recyclable and regulated in Section V shall
 - a. Offer a recycling collection receptacle in addition to trash receptacles; and
 - b. Contract with a recycling service vendor to remove recyclable materials.
4. Recyclable materials shall be separated from other "municipal solid waste" destined for landfill or incineration. 4. Food establishments that offer Single Use Food Serviceware and Single-Use Condiment Packages as defined in Section II, may offer but shall only provide such items upon agreement or request by customers, or at a self-serve station.

5. Food establishments operating in the Town of Swampscott and that participate in online food ordering platforms shall, when such option is available, provide the option to customers to proactively request disposable food service ware with a food order. If an option is available to the customer but the customer does not indicate a preference, restaurants shall not include disposable food service ware with the order.
6. The BOH or its designee shall provide to food establishments succinct materials explaining the requirements of this bylaw and recommendations for proper solid waste stream procedure.

SECTION 4. EXEMPTIONS

1. The Board of Health (BOH) may exempt a food establishment from the requirements of this section for a period of up to one year upon a finding by the BOH that such requirements would cause undue hardship to the food establishment.
 - a. Any food establishment seeking an exemption shall apply to the BOH using forms provided by the Health Department, and shall allow the BOH to access all information supporting its application.
 - b. The BOH may approve an exemption request, in whole or in part, with or without conditions.
 - c. The BOH may establish a fee for exemption requests.
2. The BOH may approve additional six-month periods upon the showing of a continued undue hardship.
3. An "undue hardship" shall only be found in:
 - a. Circumstances or situations unique to a food establishment such that there are no reasonable alternatives to materials banned in this section that are necessary to the establishment's operations;
 - b. Circumstances or situations unique to a food establishment such that compliance with the requirements of this section would deprive a person of a legally protected right; or
 - c. Circumstances in which a food establishment requires additional time in order to draw down an existing inventory of plastic products or materials banned in this section.
4. Other exemptions:
 - a. Pharmaceutical containers.
 - b. Single-use containers provided to residents during a declared public health emergency or natural disaster.

SECTION 5. MATERIAL SPECIFICATIONS

1. Single-use containers exclusively composed of the following materials are prohibited for use by food establishments:
 - a. Polystyrene or Expanded Polystyrene "styrofoam"
 - b. PVC- Polyvinyl Chloride
 - c. LDPE – Low Density Polyethylene
 - d. Any plastic material in the color black.
 - e. Any plastic labeled as #7, "Other", or generally not accepted for curbside recycling in the Commonwealth of Massachusetts.
 - f. Recycled PET/PETE also known as "rPET."
2. Single-use containers composed of PET/PETE materials are restricted for use by food establishments. To prevent chemicals leaching into food, this material shall not be used to serve or store hot food or beverages.

3. Thin film transparent plastic “wrap” shall not be restricted when used to seal food, beverages, or the containers that carry them.
4. Containers intentionally adding the PFAS family of fluorinated “forever chemicals” for the purpose of enhancing its product performance are prohibited.
5. Any container that is labeled as Compostable must have one of the following certifications clearly marked on the container to assure that the material has been tested for compostability and specific contaminant limitations.
 - a. BPI (Biodegradable Products Institute)
 - b. TUV / OK Compost Industrial
 - c. CMA (Compost Manufacturing Alliance)
6. As materials technology, recycling processes, recycling vendors, states of emergency, and state and federal regulation can change from time to time, the Board of Health is authorized to:
 - a. Modify, add, or remove specific regulated materials to this section;
 - b. Add or remove certification organizations and standards;
 - c. This authority shall be temporary and last no longer than 9 months; and
 - d. Any conflicts with regard to state law or regulatory agencies shall defer to the authority of the more restrictive regulation.

SECTION VI. CONSUMER ADVISORY

If a food establishment offers single use plastic containers for takeout or delivery, the establishment shall display to notify their customers with the following written statement:

“Per guidance of the Swampscott Board of Health, to avoid the possible transfer of chemicals from plastic containers at cooking temperatures, it is not recommended to re-heat food while in direct contact with plastic containers.”

This verbiage can be placed on the menu, the payment receipt, attached to the single use plastic takeout container, or any other communication method approved by the Director of Public Health or the Board of Health.

SECTION VII. ENFORCEMENT

1. This Bylaw may be enforced by any agents or contractor of the Board of Health. This Bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c.40, §21D and Article XII of the Town’s General Bylaws.
2. If non-criminal disposition is elected, then any Business Establishment which violates any provision of this regulation shall be subject to the following penalties:

First Offense: Written warning

2nd Offense: \$50 fine

3rd Offense: \$100 fine

4th and Subsequent Offenses: \$300 fine

SECTION VIII. SEVERABILITY

If any provision or section of this section shall be held to be invalid, then such provision or section shall be considered separately and apart from the remaining provisions or sections of this section, which shall remain in full force and effect.

Elm Place – Public Sidewalk Easement Exhibit Plan



APPENDIX C

Definition of Financial Terms Commonly Used at Town Meetings

Appropriation – An authorization by the Town Meeting to make expenditures and incur liabilities for specific purposes. An appropriation is usually limited in amount and as to the time when it may be expended.

Assessed Valuation – A valuation set upon real estate or other property by the Assessors as a basis for levying taxes.

Available Funds – See free cash.

Bond – A written promise to pay a specified sum of money by a fixed date, and carrying with it interest payments at a fixed rate, paid periodically. A Note is similar, but issued for a shorter period.

Cherry Sheet – A State form which shows an estimate of all of the State and County charges and reimbursements to the Town.

Debt and Interest – The amount of money necessary annually to pay the interest and the principal on the Town's outstanding debt. Also known as "Debt Service."

Fiscal Year – The budget period used by the Town running from July 1 of one year to June 30 of the next year. At the end of this period, the Town closes its books in order to determine its financial condition and the results of its operation.

Free Cash – The amount of money left after all prior years' uncollected taxes have been deducted from surplus revenue. This amount may be used as available funds by vote of the Town Meeting.

Overlay – The amount, up to 5% of the tax levy, raised by the Assessors in excess of appropriations and other charges to cover abatements and exemptions.

Overlay Reserve – Unused amount of the overlay for previous years, which the Town may transfer to Surplus Revenue after all abatements for such fiscal year are settled.

Receipts – The cash, which is actually received by the Town.

Reserve Fund – A fund voted by the Annual Town Meeting and controlled by the Finance Committee for extraordinary and unforeseen expenditures incurred by Town departments during the year.

Stabilization Fund – Special Reserve Fund that can be used by a 2/3 vote of the Town Meeting.

Surplus Revenue – The amount by which cash, accounts receivable and other assets exceed the liabilities and reserves. Used in calculating free cash.

Transfer – The movement of funds from one account to another. Transfers between accounts (other than the Reserve Fund) can be made only by vote of the Town Meeting.

Unexpended Balance – That portion of an appropriation or account not yet expended. Any such balances left at the end of the fiscal year are generally used as Surplus Revenue in calculating Free Cash.

APPENDIX D

Table of Motions

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TABLE OF BASIC POINTS OF MOTION

Rank		Second Required	Debatable	Amendable	Vote Required	May Reconsider	May Interrupt
PRIVILEGED MOTIONS							
1	Dissolve or adjourn sine die	Yes	No	No	Maj.	No	No
2	Adjourn to fix time or recess	Yes	Yes	Yes	Maj.	No	No
3	Point of no quorum	No	No	No	None	No	No
4	Fix the time to (or at) which to adjourn	Yes	Yes	Yes	Maj.	Yes	No
5	Question of privilege	No	No	No	None	No	Yes
SUBSIDIARY MOTIONS							
6	Lay on the table	Yes	No	No	2/3	Yes	No
7	The previous question	Yes	No	No	2/3	No	No
8	Limit or extend debate	Yes	No	No	2/3	Yes	No
9	Postpone to a time certain	Yes	Yes	Yes	Maj.	Yes	No
10	Commit or refer	Yes	Yes	Yes	Maj.	Yes	No
11	Amend (or substitute)	Yes	Yes	Yes	Maj.	Yes	No
12	Postpone indefinitely	Yes	Yes	No	Maj.	Yes	No
INCIDENTAL MOTIONS							
*	Point of order	No	No	No	None	No	Yes
*	Appeal	Yes	Yes	No	Maj.	Yes	No
*	Division of a question	Yes	Yes	Yes	Maj.	No	No
*	Separate consideration	Yes	Yes	Yes	Maj.	No	No
*	Fix the method of voting	Yes	Yes	Yes	Maj.	Yes	No
*	Nominations to committees	No	No	No	Plur.	No	No
*	Withdraw or modify a motion	No	No	No	Maj.	No	No
*	Suspension of rules	Yes	No	No	2/3***	No	No
MAIN MOTIONS							
None	Main Motion	Yes	Yes	Yes	Var.	Yes	No
**	Reconsider or rescind	Yes	**	No	Maj.	No	No
None	Take from the table	Yes	No	No	Maj.	No	No
None	Advance an article	Yes	Yes	Yes	Maj.	Yes	No

* Same rank as motion out of which they arise.

** Same rank and debatable to same extent as motion being reconsidered.

*** Unanimous if rule protects minorities; out of order if rule protects absentees.

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NOTES

**TOWN OF SWAMPSCOTT
MASSACHUSETTS
2023 – 2024**

<u>SELECT BOARD</u>	<u>TERM EXPIRES</u>
David Grishman, Chair	2026
Catherine Phelan, Vice Chair	2025
MaryEllen Fletcher	2025
Douglas Thompson	2026
Peter Spellios	2024

PROFESSIONAL STAFF

Sean Fitzgerald, Town Administrator
S. Peter Kane, Assistant Town Administrator (Administration)
Gino Cresta, Assistant Town Administrator (Operations)
Amy Sarro, Director of Finance & Administration
Patrick Luddy, Treasurer/Collector
Dianne Marchese, Administrative Assistant

<u>FINANCE COMMITTEE</u>	<u>TERM EXPIRES</u>
Eric Hartmann, Chair – At Large	2026
Joan Hilario – Precinct 1	2024
Gregory McDonald – Precinct 2	2024
Naomi Dreeben – Precinct 3	2025
Cinder McNerney – Precinct 4	2026
Erik Schneider – Precinct 5	2025
Suraj Krishnamurthi – Precinct 6	2026
Adrian Rodriguez – At Large	2026
Sunit Shah – At Large	2025



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

☐ For Reconsideration

LICENSING AUTHORITY CERTIFICATION

SWAMPSCOTT

City/Town

00005-RS-1256

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | <input type="checkbox"/> Other | | <input type="checkbox"/> Change of DBA |

APPLICANT INFORMATION

Name of Licensee	SWAMPSCOTT RESTAURANT OPERATOR LLC	DBA	MISSION ON THE BAY
Street Address	141 HUMPHREY STREET	Zip Code	01907
Manager	SOPHIA AUGUSTO	Granted under Special Legislation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
\$12 Restaurant	Annual	All Alcoholic Beverages	If Yes, Chapter
Type (i.e. restaurant, package store)	Class (Annual or Seasonal)	Category (i.e. Wines and Malts / All Alcohol)	of the Acts of (year)

DESCRIPTION OF PREMISES Complete description of the licensed premises

Described as a single level establishment including three dining areas and a cellar used for storage located at 141 Humphrey Street. Alcoholic beverages may also be served and consumed by patrons in the full-service bar and restaurant, second floor roof top deck bar with a proposed seating area of 179 seats pursuant to the ZBA.

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA:	Date		Time	
Advertised	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date Published	Publication	
Abutters Notified:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date of Notice		
Date APPROVED by LLA	11/15/2023	Decision of the LLA	Approves this Application	
Additional remarks or conditions (E.g. Days and hours)				
For Transfers ONLY:				
Seller License Number:		Seller Name:		

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director