

JUNE 14, 2022

SPECIAL TOWN MEETING



WARRANT REPORT

*TOWN OF SWAMPSCOTT, MASSACHUSETTS*



# TOWN OF SWAMPSCOTT



## JUNE 14, 2022 SPECIAL TOWN MEETING WARRANT

# June 14, 2022

## Special Town Meeting Warrant

### Table of Contents

<u>WARRANT FOR SPECIAL TOWN MEETING</u>	<u>PAGE</u>
<b><u>FINANCIAL ARTICLES</u></b>	
ARTICLE 1 –ACQUISITION OF LAND	1
ARTICLE 2 - AMENDMENT TO THE ZONING BYLAW AND ZONING MAP	1
ARTICLE 3 - APPROVE APPROPRIATION FOR RECOMMENDED CAPITAL PROJECTS	2
<b><u>APPENDICES</u></b>	
Appendix A – Amendment to the Zoning Bylaw and Zoning Map	5
Appendix B – Capital Improvement Committee Report	15
Appendix C – Definition of Financial Terms Commonly Used at Town Meetings	20
Appendix D – Table of Motions	21

# **Notice of Special Town Meeting TUESDAY, JUNE 14, 2022, 7:00PM**

To the Town Meeting members:

Notice is hereby given in accordance with Article II, Section 2, of the Bylaws of the Town of Swampscott that a Special Town Meeting will be held on Tuesday, June 14, 2022, beginning at 7:00 p.m. 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.

## **Notice Of Precinct Caucus Meetings**

Caucus meetings for all Swampscott precincts have been scheduled for Tuesday, June 14, 2022, beginning at 6:45 pm in the Swampscott High School located at 200 Essex Street, Swampscott. Room assignments are as follows:

Precinct 1 – Room TBA

Precinct 4 – Room TBA

Precinct 2 – Room TBA

Precinct 5 – Room TBA

Precinct 3 – Room TBA

Precinct 6 – Room TBA

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;
2. 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 OF SWAMPSCOTT**  
**TOWN WARRANT**  
**JUNE 14, 2022**

**ARTICLE # 1**    *ACQUISITION OF LAND*

To see if the Town will vote to authorize the Select Board to acquire, by purchase, gift or eminent domain, a fee simple interest in the following properties located at:

- 149-169 Humphrey Street, Swampscott, which is comprised of Assessor’s Tax Map 2-185-0, containing 1.378 acres, more or less, and Assessor’s Tax Map 2-189-0, containing .095 acres, more or less, and described in deeds recorded with the Essex South District Registry of Deeds in Book 8716, Page 373 and Book 40062, Page 545, together with all improvements thereto, and that personal property included therewith;
- Real property located off Archer Street, Swampscott, Massachusetts, known as Assessor’s Tax Map 7-1-0, containing 5.033 acres, more or less, and described in a deed recorded with the Essex South District Registry of Deeds in Book 33363, Page 547, together with all improvements located thereon, if any, and all appurtenant rights thereto; and
- Real property located off Archer Street, Swampscott, Massachusetts, known as Assessor’s Tax Map 7-213 through 7-248 inclusive and Assessor’s Tax Map 7-250 through 7-255 inclusive, which in total contain 4.5 acres, more or less, together with all improvements located thereon, if any, and all appurtenant rights thereto.

for general municipal purposes, including, but not limited to, open space, conservation and active recreational purposes, and constructing, maintaining, operating, repairing and replacing any improvements and leasing all or portions of the property in support of the foregoing purposes, on such terms and conditions as the Select Board deems appropriate; as funding for said acquisitions, to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum or sums of money to acquire the properties described herein and for all legal fees and other costs incidental and/or related thereto; and, to meet this appropriation, to authorize the Treasurer, with the approval of the Select Board, to borrow all or a portion of said sum under G.L. c. 44, §§7 and 8 and/or any other enabling authority, and to issue bonds or notes of the Town therefor; and to authorize the Select Board to apply for, accept and expend any sums that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition; and, further, to authorize the Select Board to enter into all agreements and execute any and all instruments on behalf of the Town as may be necessary or appropriate to effectuate said acquisitions, or take any action relative thereto.

**This Article requires a 2/3 vote per Mass. General Laws**

**The Select Board will report on this Article at Town Meeting.**

**The Finance Committee will report on this Article at Town Meeting.**

**ARTICLE # 2**    *AMENDMENT TO THE ZONING BYLAW AND ZONING MAP*

To see if the Town will vote to amend the Town of Swampscott Zoning By-law (the “Zoning By-law”) Section 2.1.2.0 to establish a new Overlay District, subsection 2.1.2.7 Glover Multifamily Overlay District and Section 2.1.3.0 and the Zoning Map of the Town of Swampscott prepared under the direction of the Planning Board (“Zoning Map”) to show the location of the new Glover Multifamily Overlay District as covering the same area as the Smart Growth (MGL c.40R) Zoning Overlay District identified in Section 2.1.2.4 as shown on the current Zoning Map; and further, to amend the Zoning By-law to add a new Section 4.10.0.0 immediately after Section 4.9.0.0, as provided in Appendix A, or take any action relative thereto.

**This Article requires a 2/3 vote per Mass. General Laws**

**The Select Board will report on this Article at Town Meeting.**

**The Finance Committee will report on this Article at Town Meeting.**

**The Planning Board will report on this Article at Town Meeting.**

**ARTICLE # 3** *APPROPRIATION FOR RECOMMENDED CAPITAL PROJECTS*

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the necessary funds to pay costs of various capital projects, including, as applicable, equipping of capital items to be acquired, and all incidental and related costs for capital projects, all as described in the chart below (*Project Nos. refer to Appendix B*) (*CIC Changes highlighted in green*)

Proj. No.	DEPARTMENT	PROJECT TITLE	Administrator Recommended	CIC Recommended	Finance Committee Recommended	Funding Source
1	Community Development	Repave Clarke School Basketball Court	\$29,475	\$29,475	\$29,475	Borrowing – General Fund
2	DPW	Cemetery Surplus Fill Removal	\$500,000	\$250,000	\$250,000	Borrowing – 50% Water/50% Sewer
3	DPW	Equipment Replacement Plan	\$250,000	\$250,000	\$250,000	Borrowing – General Fund
4	DPW	Fisherman’s Beach Floats	\$150,000	\$150,000	\$150,000	Borrowing – General Fund
5	DPW	Seawall Repairs	\$715,000	\$715,000	\$715,000	Borrowing – General Fund
6	DPW	Street Paving (Non Chp-90)	\$215,000	\$465,000	\$465,000	Borrowing – General Fund
7	DPW	Water Main Replacement	\$250,000	\$250,000	\$250,000	Borrowing – Water Fund (0% Int MWRA Loan)
11	Facilities	Cleaning Machines	\$25,000	\$25,000	\$25,000	Borrowing – General Fund
12	Facilities	District Network Upgrades	\$70,000	\$70,000	\$70,000	50% Borrowing – General Fund/50% E-Rate Grant Funding
16	Facilities	Fire Stations 3 <sup>rd</sup> Floor Stairway and Reno	\$50,000	\$50,000	\$50,000	Borrowing – General Fund
22	Facilities	Green Communities Projects	150,000	150,000	150,000	Green Communities Grant Funding
23	Facilities	High School Energy Efficiency Upgrades	\$50,000	\$50,000	\$50,000	Borrowing – General Fund
24	Facilities	High School Exterior Improvements	\$150,000	\$150,000	\$150,000	Borrowing – General Fund
26	Facilities	High School Media Center	\$50,000	\$50,000	\$50,000	Borrowing – General Fund
29	Facilities	High School Shop Improvements	\$30,000	\$30,000	\$30,000	Borrowing – General Fund
31	Facilities	Library Envelope	\$150,000	\$150,000	\$150,000	Borrowing – General Fund
32	Facilities	Middle School Building Envelope Improvements	\$90,000	\$90,000	\$90,000	Borrowing – General Fund
34	Facilities	Middle School Gym & Library Flooring Replacement	\$60,000	\$60,000	\$60,000	Borrowing – General Fund
35	Facilities	Middle School Hot Water, Refrigeration, and Facilities Build Out	\$110,000	\$110,000	\$110,000	Borrowing – General Fund



38	Facilities	Police Station Flooring System	\$30,000	\$30,000	\$30,000	Borrowing – General Fund
41	Facilities	Senior Center Commercial Kitchen Upgrade	\$100,000	\$100,000	\$100,000	Borrowing – General Fund
N/A	Facilities	Town Hall Basement Build-Out	\$50,000	\$0	\$0	Borrowing – General Fund
42	Facilities	Town Hall Exterior Restoration	\$30,000	\$30,000	\$30,000	Borrowing – General Fund
45	Facilities / Police / DPW	Building Camera Systems Upgrades	\$150,000	\$150,000	\$150,000	Borrowing – General Fund
46	Fire	Decommission Municipal Wire Alarm System & Replace with Modern Equipment	\$96,526	\$96,526	\$96,526	Borrowing – General Fund
47	Fire	Fire Station Sprinkler System	\$100,000	\$100,000	\$100,000	Borrowing – General Fund
50	Police	Cruiser & Cruiser Laptop Replacement Program	\$42,000	\$42,000	\$42,000	Borrowing – General Fund
52	Police	Pick-Up Truck	\$45,000	\$45,000	\$45,000	Borrowing – General Fund
53	Police	Police Radio Infrastructure	\$147,100	\$147,100	\$147,100	Borrowing – General Fund
54	Police	Taser Replacement	\$24,000	\$24,000	\$24,000	Borrowing – General Fund
N/A	Police	Work Space Redesign Project	\$15,000	\$0	\$0	Borrowing – General Fund
56	Recreation	Replace Sailboats	\$26,000	\$26,000	\$26,000	Borrowing – General Fund
59	Sewer	Sewer Rehab ABSB	\$248,000	\$248,000	\$248,000	Borrowing – Sewer Fund
60	Water	Calgon Station Demolition	\$185,000	\$185,000	\$185,000	Borrowing – Water Fund
61	Facilities	METCO Room Improvements	\$25,000			Borrowing – General Fund
62	Facilities	VFW Telehealth/Facility Improvements	\$25,000			Borrowing – General Fund
<b>TOTAL Appropriations</b>			<b>\$4,433,101</b>	<b>\$4,318,101</b>	<b>\$4,318,101</b>	

<b>PROPOSED FUNDING</b>	<b>Administrator Recommended</b>	<b>CIC Recommended</b>	<b>Finance Committee Recommended</b>
GENERAL FUND BORROWING	\$3,065,101	\$3,200,101	\$3,200,101
WATER BORROWING	\$685,000	\$560,000	\$560,000
SEWER BORROWING	\$498,000	\$373,000	\$373,000
GRANT FUNDING (E-Rate)	\$35,000	\$35,000	\$35,000
GRANT FUNDING (GREEN COMMUNITIES)	\$150,000	\$150,000	\$150,000
<b>TOTAL FUNDING</b>	<b>\$4,433,101</b>	<b>\$4,318,101</b>	<b>\$4,318,101</b>

Each numbered item will be considered a separate appropriation; with the budgeted amount to be spent only for the stated purpose; or take any action relative thereto.

Sponsored by the Capital Improvement Committee

**This Article requires a 2/3 vote for borrowing.**

**The Select Board will report on this Article at Town Meeting.**

**The Finance Committee will report on this Article at Town Meeting.**

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 25th day of May 2022.

SELECT BOARD:

  
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789316/SWAM/0001

# APPENDICES

## APPENDIX A – ARTICLE 2 – AMENDMENT TO ZONING BYLAW

- A. To amend Section 2.1.2.0 of the Zoning By-law to add establish a new Overlay District by adding the following subsection 2.1.2.7. Glover Multifamily Overlay District and to amend Section 2.1.3.0 of the Zoning By-law and the Zoning Map to show the location of the new Multifamily Overlay District as covering the same area as the Smart Growth (MGL 40R) Zoning Overlay District identified in Section 2.1.2.4 as shown on the current Zoning Map.
- B. To amend the Zoning By-law to add a new Section 4.10.0.0 immediately after existing Section 4.9.0.0 that reads as follows:

### 4.10.0.0. Regulations Pertaining to the Glover Multifamily Overlay District

**4.10.1.0.** *Purposes.* The purposes of the Glover Multifamily Overlay District (GMF) are:

**4.10.1.1.** To promote low-impact, green, and sustainable development that is pedestrian friendly.

**4.10.1.2.** To ensure high-quality site planning, architecture and landscape design that is consistent with GMF's visual character and identity of the Town of Swampscott.

**4.10.1.3.** To establish development standards that ensure context-sensitive design and creative site planning in the reuse of existing buildings and construction of new buildings.

**4.10.1.4.** To provide for diversified housing stock at a variety of costs in close proximity to the local bus lines, including AFFORDABLE HOUSING, that meets the needs of the Town's population and promotes diversity.

**4.10.1.5.** To generate positive tax revenue.

**4.10.2.0.** *Scope and authority.* A GMF shall be deemed to overlay the parcels as shown on the Zoning Map of the Town of Swampscott, as amended. The regulations for use, dimensions, and all other provisions of the Zoning By-law governing the Underlying Zoning district shall remain in full force, except for those projects undergoing development pursuant to this By-law. At the option of the owner, development of land within an GMF may be undertaken either by means of a Plan Approval pursuant to the zoning controls set forth in this By-law, by means of a Plan Approval pursuant to the zoning controls set forth in Section 4.6.0.0. (Smart Growth Overlay), or by complying with all applicable zoning controls set forth in the Town's Zoning By-law (Underlying Zoning). When a building permit is issued for any development project for which Plan Approval has been granted under this By-law, all of the land shown on the approved Plan shall be developed pursuant to this By-law and shall not be developed pursuant to the Underlying Zoning. Development projects proposed pursuant to this By-law shall be subject to all other applicable local, state and federal regulations. Except as expressly stated in this Section 4.10.0.0., applications for Plan Approval by the Approving Authority shall not be subject to any other

provisions of the Zoning By-law, including limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits, or to other building permit or dwelling unit limitations.

**4.10.3.0. Establishment and delineation of Glover Multifamily Overlay District (GMF).** The GMF is an overlay district having a land area of approximately 2.3 acres in that is superimposed over the Underlying Zoning district and is shown on the Town's Zoning Map (located at the end of the By-law) and shall comprise the property identified as assessor map 17 parcel 29, currently in the B1 Zoning District.

**4.10.4.0. Definitions.** All definitions are as they appear in the Zoning By-law. As used in this By-law, the following terms shall have the meanings set forth below.:

**APPLICANT** — A landowner or other petitioner that files a Plan for a Development Project subject to the provisions of the GMF By-law.

**APPROVING AUTHORITY** — The Planning Board of the Town of Swampscott acting as the authority designated to review Development Projects and issue approvals under this By-law.

**AS-OF-RIGHT DEVELOPMENT** — A development project allowable under this By-law without recourse to a special permit, variance, zoning amendment, or other form of zoning relief. A development project that is subject to the Plan Review requirement of this By-law shall be considered an As-of-Right Development.

**DESIGN STANDARDS** — The document entitled Swampscott Smart Growth Overlay District Design Standards. The Design Standards are also applicable to all Development Projects within an GMF that are subject to Plan Review by the Approving Authority.

**DEVELOPMENT LOT** — One or more lots meeting the dimensional requirements of this By-law which are designated as a Development Lot on a Plan for a Development Project proposed within an GMF and for which Plan Approval is required under the provisions of this By-law. The lots comprising a Development Lot need not be in the same ownership but within the application review period the Applicant must demonstrate site control of all land shown on the Plan. In addition, the lots comprising a Development Lot may be located in the Town of Marblehead and in the City of Salem.

**DEVELOPMENT PROJECT** — A residential or mixed-use development undertaken under this this By-law. The limits of a Development Project shall be identified on the Plan which is submitted to the Approving Authority for Plan Review.

**GLOVER MULTIFAMILY DEVELOPMENT PROJECT** — A residential development as described in Section 4.10.5.0. below.

**OFFICE** — A place of business of a professional organization or the administration facility of a commercial or industrial organization.

**PLAN** — Plans depicting a proposed Development Project for all or a portion

of the GMF and which is submitted to the Approving Authority for its review and approval in accordance with the provisions of this By-law and the Design Standards.

**PLAN APPROVAL** — The Approving Authority's authorization for a proposed Development Project based upon a finding of compliance with this By-law and Design Standards after the conduct of a Plan Review.

**PLAN REVIEW** — The review procedure established by this By-law and administered by the Planning Board of the Town of Swampscott as the Approving Authority.

**RENOVATION** — Physical improvement that adds to the value of the real property. Painting, ordinary repairs, and other normal maintenance do not constitute a Renovation.

**SETBACK** — Dimensional Setback requirements as set forth in Section 4.10.7.1..

**GMF or DISTRICT** — The Glover Multifamily Overlay District, an overlay zoning district.

**UNDERLYING ZONING** — The zoning requirements adopted pursuant to MGL c. 40A that are otherwise applicable to the geographic area in which the GMF is located, as said requirements may be amended from time to time.

**UNDULY RESTRICT** — A provision of the GMF or a Design Standard that adds unreasonable costs or unreasonably impairs the economic feasibility of a proposed development project in an GMF.

**ZONING BY-LAW** — The Zoning By-law of the Town of Swampscott, Massachusetts, adopted in accordance with and pursuant to the provisions of MGL c. 40A.

**ZONING MAP** — The Zoning Map of the Town of Swampscott, Massachusetts, adopted in accordance with and pursuant to the provisions of MGL c. 40A.

**4.10.5.0. Permitted uses.** Only the following uses shall be permitted in the following districts as-of-right upon Plan Approval, but shall not exceed residential densities specified herein or in the Table of Dimensional and Density Requirements below:

**Allowable Uses Table**

<b>Residence Uses</b>	<b>Glover MF District</b>
Glover Multifamily Development Project, provided such project shall include (a) ninety (96) Dwelling Units within the portion of the project located within the Town of Swampscott, and (b) not more than forty-four (44) Dwelling Units in the aggregate located within any other municipalities..	Yes

**4.10.6.0. Intentional omitted.**

**4.10.7.0. Dimensional and other requirements.**

**4.10.7.1.** New buildings within the GMF shall be subject to the bulk, dimensional and density requirements in the Table of Dimensional and Density Requirements:

**Table of Dimensional and Density Requirements**

<b>District</b>	<b>Min. Lot Area (sq. ft.)</b>	<b>Min./Max. Residential Density (units/acre)</b>	<b>Min. Frontage (linear ft.)</b>	<b>Min. Front Setback (linear ft.)</b>	<b>Min. Side Setback (linear ft.)</b>	<b>Min. Rear Setback (linear ft.)</b>	<b>Min. Open Area (%)</b>	<b>Max. Height (ft.)</b>
Glover MF District	10,000	42	35	N	(1)	(1)	(2)	50

**NOTES:**

N – None

(1) – Except as to any boundary abutting any other business district, six feet; as to any boundary abutting any residential district, nine feet. May be reduced at the discretion of the Approving Authority.

(2) – One square foot of open land area (land area not encumbered by building footprints) for each two and one-half square feet of gross floor area of the buildings.

**4.10.7.2.** Building Renovation. Renovation of existing buildings may maintain existing building footprints, and may only expand such footprints insofar as such expansion is in compliance with the required dimensional requirements for new buildings.

**4.10.7.3.** For a Glover Multifamily Development Project all dimensional requirements, including without limitation parking required under Section 4.10.8. herein, shall be based on the Development Lot, including land that is not within the Town of Swampscott. Therefore, when calculating setback requirements, no setback shall be required from municipal boundaries within the Development Lot.

**4.10.7.4.** Fractional units. When the application of the allowable densities specified in the Table of Dimensional and Density Requirements, results in a number that includes a fraction, the fraction shall be rounded up to the next whole number.

**4.10.7.5.** *Intentionally omitted.*

**4.10.7.6.** Noise. An Application proposing the installation of exterior venting air conditioners, ventilators, blowers and similar equipment shall be required to demonstrate to the Approving Authority that the noise produced by such equipment will not be in excess of 60 decibels at 20 feet in any direction, or the distance to the nearest building having a residential use, whichever is the lesser. Upon construction and occupancy, noise from the Development Project, including resulting from air conditioners, ventilators, blowers and similar equipment, shall at all times comply with this requirement.

**4.10.7.7.** Stormwater. Proposed Development Projects shall be subject to Swampscott By-law requirements regarding Stormwater Management and Erosion Control, as applicable.

**4.10.8.0.** *Off-Street parking.*

**4.10.8.1.** Off-street parking in the District shall be provided in order to meet or exceed the following minimum requirements:

### Off-Street Parking Minimum Required Parking

Use	GMF
Per Dwelling Unit	1.5 spaces

- 4.10.8.2.** Fractional spaces. When the application of the minimum required parking standards in this this By-law results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.
- 4.10.8.3.** Location of parking. Any surface parking lot shall be located at the side or rear of a building, relative to any public right-of-way or public open space. In no case shall surface parking for new construction be permitted within the required front Setbacks. Subsurface parking that requires blasting may be disallowed if the Approving Authority finds, based on the results of a geotechnical analysis, that it is not possible to mitigate any extraordinary adverse impact of blasting on nearby properties.
- 4.10.8.4.** The Approving Authority may grant a Plan Approval making such modifications in the parking standards or prescribe safeguards and conditions as it shall warrant appropriate, provided that it finds that it is impractical to meet the standards and that such modifications are appropriate by reason of the proposed use and will not result in or worsen parking or traffic problems in or in proximity to the GMF. The Approving Authority may impose conditions of use or occupancy appropriate to such modifications.
- 4.10.8.5.** The Approving Authority may require additional visitor parking beyond the maximum required spaces per unit if deemed appropriate given the design, layout, use and/or density of the proposed development project.
- 4.10.8.6.** Construction standards. Each parking space shall be at least nine feet wide and 20 feet long and shall be designed with appropriate means of vehicular access to a street as well as maneuvering areas. Access and maneuvering areas shall not be obstructed or used for the parking of motor vehicles. Parking shall be designed and constructed to comply with all applicable disability access requirements including but not limited to the Americans with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (AAB).
- 4.10.9.0.** *Design Standards.* To ensure that new development shall be of high quality, and shall meet the standards envisioned by the Town in adopting this By-law, any Glover Multifamily Development Project shall comply with the Design Standards applicable to a project within the Smart Growth Overlay District. In the event of any conflict between this By-law and the Design Standards, this By-law shall govern and prevail.
- 4.10.9.1.** *Intentionally omitted.*
- 4.10.9.2.** *Intentionally omitted.*

**4.10.9.3.** *Intentionally omitted.*

**4.10.10.0.** *AFFORDABLE HOUSING.*

**4.10.10.1.** Number of Affordable Housing Units. A Glover Multifamily Development Project shall comply with the Inclusionary Housing regulations set forth in Section 4.8.0.0. herein, provided (a) that notwithstanding the provisions of Section 4.8.2.1. the total number of Affordable Units located within the portion of the Glover Multifamily Development Project that is located within the Town of Swampscott shall be seventeen (17) Affordable Units, and (b) the provisions of Sections 4.8.3.0., 4.8.4.0., 4.8.6.0. and 4.8.7.0. shall not apply to any Glover Multifamily Development Project. In addition to the onsite Affordable Units set forth in the immediately preceding sentence, the Applicant shall also, upon issuance of a building permit for any portion of the project, contribute the Town's Affordable Housing Trust the following amount to be used for the development of affordable housing elsewhere within the Town of Swampscott:

\$16,412 per Dwelling Unit x 17 Affordable Units = \$279,004

**4.10.11.0.** *Administration.* The Approving Authority shall adopt and file with the Town Clerk administrative rules relative to the application requirements and contents for Plan Review. The Plan Review process encompasses the following, as may be supplemented by the administrative rules:

**4.10.11.1.** Preapplication review. The Applicant is encouraged to participate in a preapplication review with the Approving Authority at a regular meeting(s) of the Approving Authority. The purpose of the preapplication review is to obtain the advice and direction of the Approving Authority prior to filing the application, including determining whether additional technical analyses listed in Section 4.10.11.2.c.2 of this By-law may be required. At the preapplication review the Applicant shall outline the proposal and seek preliminary feedback from the Approving Authority, other municipal review entities, and members of the public. The Applicant is also encouraged to request a site visit by the Approving Authority and/or its designee in order to facilitate preapplication review.

**4.10.11.2.** Application Procedures.

- a) An application for Plan Approval shall be filed by the Applicant with the Town Clerk and a copy of the application, including the date of filing certified by the Town Clerk, shall be filed forthwith with the Approving Authority. The Applicant shall also file 17 copies of the application with the Building Inspector and with the Approving Authority. Said filing shall include any required forms provided by the Approving Authority. An application must include a site plan prepared by a certified architect, landscape architect, and/or a civil engineer resided in the Commonwealth of Massachusetts and that all Plans shall be signed and stamped, and drawings be prepared at a scale approved in advance by the Approving Authority.
- b) As part of any application for Plan Approval, the Applicant must submit the following documents to the Approving Authority and the Monitoring Agent:



1. Evidence that the Development Project complies with the cost and eligibility requirements in Section 4.10.10.3 of the By-law;
  2. Development Project Plans that demonstrate compliance with the requirements of Section 4.10.10.4 of the By-law; and
  3. A form of AFFORDABLE HOUSING RESTRICTION that satisfies the requirements of Section 4.10.10.5 of the By-law.
- c) As part of any application for Plan Approval, the Applicant may be required to submit one or more of the following technical analyses to the Approving Authority:
1. Surface and water pollution. A report on the impact of stormwater runoff on adjacent and downstream surface water bodies, subsurface groundwater and the water table.
  2. Soils. A geotechnical report that details the potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development. The report is to be prepared by a qualified professional geotechnical engineer.
  3. Geotechnical analysis. If subsurface blasting is proposed, an analysis by a certified geotechnical engineer shall be required in accordance with MGL c. 148 showing whether such blasting will have any extraordinary adverse impacts on nearby property.
  4. Traffic impact. A report from a registered professional engineer on existing street capacities, estimated average daily traffic generation, composition, peak hour levels and directional flows resulting from the proposed development, proposed methods to mitigate the estimated traffic impact and methodology and sources used to derive existing data and estimations.
  5. Sample board. Identification of all major exterior materials, colors and finishes.
  6. Noise. Documentation as necessary to demonstrate that the noise produced by exterior venting air conditioners, ventilators, blowers and similar equipment will not be in excess of 60 decibels at 20 feet in any direction, or the distance to the nearest building having a residential use, whichever is the lesser.
- d) Review fees. The Applicant shall be required to pay for reasonable consulting fees to provide peer review of the application for the benefit of the Approving Authority. Such fees shall be held by the Town in an interest-bearing escrow account, and shall be used only for expenses associated with the use of outside consultants employed by the Approving Authority in reviewing the Plan application. Any surplus funds remaining after the completion of such review,

including any interest accrued, shall be returned to the Applicant forthwith.

- e) Upon receipt by the Approving Authority, applications for Plan Approval shall be distributed to the Select Board, Health Department, Affordable Housing Trust, Building Inspector, Conservation Commission, Department of Public Works, the Fire and Police Departments and the Water and Sewer Commission. Any reports from these parties shall be submitted to the Approving Authority within 60 days of filing of the application.
- f) Within 30 days of filing of an application with the Approving Authority, the Approving Authority or its designee shall evaluate the proposal with regard to its completeness and shall submit an advisory report, in writing, to the Applicant certifying the completeness of the application. Where an application is found to be incomplete, the Approving Authority or its designee shall provide a statement describing required items that were missing from the application. The Approving Authority or its designee shall forward to the Applicant, with its report, copies of all recommendations received to date from other boards, commissions or departments.

**4.10.11.3.** Public hearing. The Approving Authority shall hold a public hearing and review all applications with notice and publication consistent with the requirements specified in of MGL c. 40A.

**4.10.11.4.** Prior to the granting of any Plan Approval for a Development Project, the Applicant must demonstrate to the satisfaction of the Swampscott Affordable Housing Trust, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or federal guidelines for affordability applicable to the Town.

**4.10.11.5.** Plan Approval decision.

- a) The Approving Authority shall make a decision on the application for Plan Approval by a simple majority vote and shall file said decision with the Town Clerk within 120 days of the receipt of the application by the Town Clerk. The time limit for public hearings and taking of action by the Approving Authority may be extended by written agreement between the Applicant and the Approving Authority. A copy of such agreement shall be filed with the Town Clerk.
- b) Failure of the Approving Authority to take action within 120 days or extended time, if applicable, shall be deemed to be an approval of the application.
- c) An Applicant who seeks approval because of the Approving Authority's failure to act on an application within the 120 days or extended time, if applicable, must notify the Town Clerk, in writing, within 14 days from the expiration of said time limit for a decision, of such approval and that a copy of that notice has been sent by the Applicant to parties in interest by mail and that each such notice specifies that appeals, if any, shall be made pursuant to MGL c. 40A and shall be filed within 20 days after the date the Town Clerk received such written notice from the Applicant that the Approving Authority failed to act within the time

prescribed.

- d) The Approving Authority's findings, including the basis of such findings, shall be stated in a written decision of approval, conditional approval or denial of the application. The written decision shall contain the name and address of the Applicant, identification of the land affected and its ownership, and reference by date and title to the Plans that were the subject of the decision.
- e) The decision of the Approving Authority, together with the detailed reasons therefor, shall be filed with the Town Clerk, the Board of Appeals and the Building Inspector. A copy of the decision shall be mailed to the Applicant and to the owner if other than the Applicant by the Approving Authority certifying that a copy of the decision has been filed with the Town Clerk and that all Plans referred to in the decision are on file with the Approving Authority. A notice of the decision shall be sent to parties in interest and to persons who requested a notice at the public hearing.
- f) Effective date. If 20 days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. If the application is approved by reason of the failure of the Approving Authority to timely act, the Town Clerk shall make such certification on a copy of the application. A copy of the decision or application shall be recorded with the title of the land in question in the Essex County Registry of Deeds or the Essex Land Registry District, and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The responsibility and the cost of said recording and transmittal shall be borne by the Applicant.

**4.10.11.6.** Criteria for approval. The Approving Authority shall approve the Development Project upon finding that it complies with the requirements of this Section 4.10.0.0. and applicable Design Standards.

**4.10.11.7.** Criteria for conditional approval. The Approving Authority may impose conditions on a Development Project as necessary to ensure compliance with this this By-law and applicable Design Standards, or to mitigate any extraordinary adverse impacts of the Development Project on nearby properties, insofar as such conditions are compliant with the provisions of MGL c. 40A and applicable regulations and do not unduly restrict opportunities for development. The Approving Authority may require construction of an approved Development Project to be phased for the purpose of coordinating the Development Project with any mitigation required to address extraordinary adverse Development Project impacts on nearby properties.

**4.10.11.8.** Criteria for denial. The Approving Authority may deny an application for Plan Approval pursuant to this By-law if it finds one or more of the following:

- a) The Development Project does not meet the conditions and requirements set forth in this Section 4.10.0.0. GMF and applicable Design Standards.

- b) The Applicant failed to submit information and fees required by this Section 4.10.0.0.GMF and necessary for an adequate and timely review of the design of the Development Project or potential Development Project impacts.
- c) It is not possible to adequately mitigate significant adverse Development Project impacts on nearby properties by means of suitable conditions.

**4.10.11.9.** Time limit. A Plan Approval shall remain valid and shall run with the land indefinitely, provided that construction has commenced within two years after the decision issues, which time shall be extended by the time required to adjudicate any appeal from such approval. Said time shall also be extended if the Applicant is actively pursuing other required permits for the project or if there is good cause for the failure to commence construction, or as may be provided in an approval for a multiphase development project.

**4.10.11.10.** Appeals. Pursuant to MGL c. 40A, any person aggrieved by a decision of the Approving Authority may appeal to the Superior Court, the Land Court Department, or the Housing Court Department within 20 days after the Plan decision has been filed in the office of the Town Clerk.

**4.10.12.0.** *Waivers.* The Approving Authority may at its discretion authorize waivers in the Plan Approval with respect to the dimensional and other standards set forth in this this By-law and in the Design Standards upon a finding that such waiver will allow the Development Project to achieve the density, affordability and/or physical character allowable under this By-law. However, the Approving Authority may not waive any portion of the Affordable Housing requirements in Section 4.10.10.0 of this By-law.

**4.10.13.0.** *Fair housing requirement.* All Development Projects shall comply with applicable federal, state and local fair housing laws.

**4.10.14.0.** *Intentionally omitted.*

**4.10.15.0.** *Intentionally omitted.*

**4.10.16.0.** *Date of effect.* The effective date of this By-law shall be the date on which such adoption is voted upon by Town Meeting pursuant to the requirements of MGL c.40A § 5; provided, however, that an APPLICANT may not proceed with construction pursuant to this By-law prior to the receipt of final approval of this By-law and accompanying Zoning Map by the Office of the Massachusetts Attorney General.

**4.10.17.0.** *Severability.* The provisions of this section are severable. If any provision of this section is held invalid, the other provisions shall not be affected but shall remain in full force.

## **APPENDIX B – ARTICLE 3 - CAPITAL IMPROVEMENT COMMITTEE REPORT**

To the Finance Committee, Town Meeting members, and the residents of Swampscott:

Town staff have conducted a detailed review of capital projects to be undertaken in the near and long-term. Careful development of the town's capital plan continues to help stabilize the Town's tax rate and increase visibility of larger capital projects in the town's future.

### **1. OVERVIEW AND PURPOSE OF THE CIP**

Swampscott Town Officials and staff, like our counterparts in other communities in Massachusetts, expend a great deal of effort each year establishing a municipal budget. This budget must realistically balance the ever-increasing needs and costs of delivering services to their constituents while at the same time staying within the financial constraints mandated by available tax revenues. In an acknowledgement of the precarious nature of the annual budgetary process, the Town Charter mandates the use of a Capital Improvements Program (CIP) to aid town officials in scheduling the investment of Town resources.

The Charter provides the legal guidance as to authorization, purpose, description, and preparation of the CIP. The CIP also serves to prepare a financial plan for capital projects included in the Master Plan. The primary goal of the CIP is to schedule and plan for pending capital expenditures, so that the peaks and valleys in the Town's annual tax levy are mitigated to the extent possible. In short, the largest of expenditures are anticipated and scheduled, while the smaller expenditures are worked into the plan in regular intervals to help stabilize the tax rate.

This document is structured to provide a multi-year recommended program of major capital projects and expenditures. The Swampscott CIP is a budgetary document that schedules all anticipated major capital Town expenditures for an extended period and includes a fiscal analysis that aids in prioritizing the expenditures. The program, when adopted and fully utilized, serves to ensure that the services and facilities necessary to meet the community's needs are provided in accordance with the financial capabilities of Swampscott.

### **2. ADVANTAGES OF A CIP**

A Capital Improvements Program offers many advantages including the following:

1. Stabilizes year to year variations in capital outlays.
2. Pre-emptive acquisitions are made more feasible and defensible (e.g., land acquired for town uses such as water supply, public works, and recreation)
3. In conjunction with capital reserve funds, interest payments may be reduced or eliminated by leveraging cash on hand for purchases as opposed to issuing bonds.
4. Enables towns to establish growth control measures (in conjunction with the master plan).
5. Facilitates implementation of the master plan through scheduling of proposed projects over time. This type of programming can eliminate duplication and a random approach in making capital outlays.
6. Furnishes a total picture of the municipality's major needs, discourages piecemeal expenditures, and serves to coordinate the activities of various departments.
7. Establishes priorities for projects based on need and cost and permits anticipation of revenues and expenditures.
8. Serves as a public information tool by explaining to the public the Town's plans for major expenditures.

### **3. CIC COMMITTEE MEMBERSHIP**

The Capital Improvements Committee (CIC) is comprised of five (5) members appointed by the Town Moderator.

### **4. DEFINITION OF A CAPITAL IMPROVEMENT**

The Swampscott Town Charter establishes a threshold capital project value of \$20,000. For a project to be considered for inclusion in the CIP, the project must meet or exceed the threshold value, have a useful life of three (3) years or

more, and not be considered an annual, on-going, operating expense. Projects that require bond financing are also included in the CIP.

Examples of such improvements include:

- Land acquisition for public purpose
- Vehicles
- Buildings
- Equipment and machinery
- Major building or facility renovations and repairs
- Road renovations resulting in long-term improvement in road capacity or conditions
- Special studies such as resource assessments or development of a Master Plan
- Certain technology purchases, upgrades and replacements that meet the requirements of the CIP.

## **5. PREPARATION, ADOPTION, AND REVIEW OF THE CIP**

Each year at the request of the Town Administrator, town staff send the appropriate sections of the CIP document to all Town Department Heads and ask for updates, changes, and additions. Over the past several years, this process has commenced in early fall and concluded in spring. In future years, this process is planned to commence in early summer with a stated reply deadline from Department Heads, Board and Committees of late summer/early fall. Town Staff accumulates the returned information and incorporates it into the Master CIP document, highlighting those items that have changed from the previous year. Town Staff also update the Master CIP Text document and spreadsheet to indicate the new multi-year range.

At each CIC meeting, Town Department recommendations are reviewed and vetted by the committee for potential inclusion and/or update to the CIP. If there are any projects that the CIC would like more information about, they either request that Town staff obtain the information or ask that a Department Head come to an upcoming CIC meeting to explain the project(s).

Throughout the process, the CIC continues meeting to review all the proposed changes and/or additions to capital projects, the costs and benefits associated with each such project and to eventually finalize the numbers and descriptions associated with each project. Upon final review, the CIC seeks to balance or level-fund the requests over multi-year periods. Once this is accomplished, the Committee votes to adopt the recommended CIP and submits the CIP to the Finance Committee with recommendations to Town Meeting to make the necessary appropriations for the first year of the plan (e.g. – the next fiscal year).

## **6. 2023-2027 CIP PROJECTS**

Attached is a table that contains a description of projects sorted by project start year and then by department. It is our hope that these documents will help facilitate the presentation of the 2023-2027 CIP to the Select Board and Finance Committee, as well as help all Town committees and boards better understand the nature of the proposed capital projects that the Town is facing, and how these projects impact the financial stability of the Town of Swampscott.

The Capital Improvement Committee recommends approval of all projects described in Article 12.

## **7. THE PLAN FOR FUTURE YEARS**

Each year the committee looks to improve the town's capital review process. Recently, the Town worked with the Collins Center of the University of Massachusetts on improving the capital planning process. These improvements include moving up the timeline for reviewing capital projects from late in the Fall to earlier in the year with an aim of developing a Capital Improvement Program by November 1<sup>st</sup> of each year. This process also includes a project scoring methodology developed by the Collins Center, and modified by Town staff, that will allow the CIP to be developed, and projects prioritized, with a more objective, predictable, and methodical process over time. In last year's CIP development process, we implemented a trial run of the scoring methodology from the Collins Center. The committee's

intention for the 2024-2028 plan year is to work with town staff to refine the data requested for projects and the criteria used to score and evaluate projects to improve upon the plan development process.

A fundamental goal for the CIC is to build a planning process that will eliminate, to the extent feasible, being confronted with substantial capital expenses that require funding on an emergency basis. We believe that proper planning, combined with a comprehensive review of the town’s capital assets, will bring us closer to achieving that goal.

In closing, we want to thank town staff for all their assistance and efforts to forge a comprehensive update for the Town’s Capital Improvement Planning. This effort will continue to evolve, as there will always be room for improvement, but we are confident that a thoughtful and robust CIP will be one of the more important financial planning tools central to Swampscott’s long-term financial stability.

Respectfully,  
**Capital Improvement Committee**  
 Richard Raymond, Chair  
 Kelley Begin  
 David Brodsky  
 Ryan Hale  
 Jay Sullivan

TOWN OF SWAMPSCOTT							
FY2023-2027 CAPITAL PLAN - LIST OF PROJECTS							
<u>Proj. No.</u>	<u>Department</u>	<u>Project</u>	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>
1	Community Development	Repave Clarke School Basketball Court	\$29,475	\$0	\$0	\$0	\$0
2	DPW	Cemetery Surplus Fill Removal	\$250,000	\$250,000	\$0	\$0	\$0
3	DPW	Equipment Replacement Plan	\$250,000	\$247,000	\$72,500	\$346,500	\$0
4	DPW	Fisherman’s Beach Floats	\$150,000	\$0	\$0	\$0	\$0
5	DPW	Seawall Repairs	\$715,000	\$715,000	\$460,000	\$460,000	\$500,000
6	DPW	Street Paving	\$765,000	\$520,000	\$525,000	\$530,000	\$535,000
7	DPW	Water Main Replacement	\$250,000	\$0	\$0	\$0	\$0
8	Facilities	Clarke Building Exterior Improvements	\$0	\$0	\$0	\$1,500,000	\$0
9	Facilities	Clarke Building Interior Improvements	\$0	\$4,000,000	\$0	\$0	\$0
10	Facilities	Clarke Energy Efficiency Upgrades	\$0	\$900,000	\$0	\$0	\$0
11	Facilities	Cleaning Machines	\$25,000	\$0	\$0	\$0	\$0
12	Facilities	District Network Upgrades	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000
13	Facilities	District Pick-Up Truck w. Plow	\$0	\$75,000	\$0	\$0	\$0
14	Facilities	Field Covering System – Blockside Field	\$0	\$250,000	\$0	\$0	\$0
15	Facilities	Field House Improvements (ext/int)	\$0	\$0	\$150,000	\$150,000	\$0
16	Facilities	Fire Stations 3 <sup>rd</sup> Floor Stairway and Reno	\$50,000	\$50,000	\$0	\$0	\$0

<u>Proj. No.</u>	<u>Department</u>	<u>Project</u>	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>
17	Facilities	Fire Stations Exterior Improvements	\$0	\$0	\$200,000	\$0	\$0
18	Facilities	Fire Station HVAC Improvements	\$0	\$400,000	\$0	\$0	\$0
19	Facilities	Fish House Electrical and Fire Protection Improvements	\$0	\$300,000	\$0	\$0	\$0
20	Facilities	Fire Station Exterior Improvements	\$0	\$125,000	\$0	\$0	\$0
21	Facilities	Fish House Site Improvements	\$0	\$0	\$120,000	\$0	\$0
22	Facilities	Green Communities Projects	\$150,000	\$0	\$0	\$0	\$0
23	Facilities	High School Energy Efficiency Upgrades	\$50,000	\$0	\$0	\$0	\$0
24	Facilities	High School Exterior Improvements	\$150,000	\$0	\$0	\$0	\$0
25	Facilities	High School Lobby/Cafeteria Flooring	\$0	\$0	\$100,000	\$0	\$0
26	Facilities	High School Media Center	\$50,000	\$0	\$0	\$0	\$0
27	Facilities	High School Paving	\$0	\$0	\$0	\$500,000	\$0
28	Facilities	High School RTU/Controls Improvement	\$0	\$0	\$0	\$1,000,000	\$0
29	Facilities	High School Shop Improvements	\$30,000	\$30,000	\$0	\$0	\$0
30	Facilities	Library Controls and Electrical	\$0	\$100,000	\$0	\$0	\$0
31	Facilities	Library Envelope	\$150,000	\$0	\$0	\$0	\$0
32	Facilities	Middle School Building Envelope Improvements	\$90,000	\$0	\$0	\$0	\$0
33	Facilities	Middle School Flooring Replacement	\$0	\$200,000	\$0	\$0	\$0
34	Facilities	Middle School Gym & Library Flooring Replacement	\$60,000	\$80,000	\$0	\$0	\$0
35	Facilities	Middle School Hot Water, Refrigeration, and Facilities Build Out	\$110,000	\$0	\$0	\$0	\$0
36	Facilities	MS Major Renovation	\$0	\$0	\$0	\$60,000,000	\$50,000,000
37	Facilities	New Construction – DPW Yard	\$0	\$100,000	\$300,000	\$0	\$0
38	Facilities	Police Station Flooring System	\$30,000	\$0	\$0	\$0	\$0
39	Facilities	Police Station Solar Canopy	\$0	\$0	\$200,000	\$0	\$0
40	Facilities	Re-Roof Forest Ave. Field Complex	\$0	\$50,000	\$0	\$0	\$0
41	Facilities	Senior Center Commercial Kitchen Upgrade	\$100,000	\$0	\$0	\$0	\$0
42	Facilities	Town Hall Exterior Restoration	\$30,000	\$300,000	\$0	\$0	\$0
43	Facilities	Town Hall HVAC Upgrades	\$0	\$0	\$200,000	\$0	\$0



<u>Proj. No.</u>	<u>Department</u>	<u>Project</u>	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>
44	Facilities	Town Hall Interior Paint/Carpet Replacement/Woodwork	\$0	\$0	\$125,000	\$0	\$0
45	Facilities / Police / DPW	Building Camera Systems Upgrades	\$150,000	\$0	\$0	\$0	\$0
46	Fire	Decommission Municipal Wire Alarm System & Replace with Modern Equipment	\$96,526	\$36,000	\$0	\$0	\$0
47	Fire	Fire Station Sprinkler System	\$100,000	\$0	\$0	\$0	\$0
48	Fire	New Ladder Truck	\$0	\$1,650,000	\$0	\$0	\$0
49	PEG	Community Auditorium Audio/Video Upgrade	\$0	\$200,000	\$0	\$0	\$0
50	Police	Cruiser & Cruiser Laptop Replacement Program	\$42,000	\$42,000	\$44,000	\$44,000	\$46,000
51	Police	Firearms Upgrades	\$0	\$32,000	\$0	\$0	\$0
52	Police	Pick-Up Truck	\$45,000	\$0	\$0	\$0	\$0
53	Police	Police Radio Infrastructure	\$147,100	\$0	\$0	\$0	\$0
54	Police	Taser Replacement	\$24,000		\$28,000		\$28,000
55	Police	Update Telephone System	\$0	\$0	\$30,000	\$0	\$0
56	Recreation	Replace Sailboats	\$26,000	\$26,000	\$0	\$0	\$0
57	School	Clarke Playground Equipment Replacement	\$0	\$100,000	\$0	\$0	\$0
58	School	Replacement of School Van	\$0	\$80,000	\$0	\$0	\$0
59	Sewer	Sewer Rehab ABSB	\$248,000	\$0	\$0	\$0	\$0
60	Water	Calgon Station Demolition	\$185,000	\$0	\$0	\$0	\$0
61	Water	Water Meter Replacement	\$0	\$2,500,000	\$0	\$0	\$0
	<b>PROJECT TOTALS:</b>		<b>\$4,618,101</b>	<b>\$13,428,000</b>	<b>\$2,624,500</b>	<b>\$64,600,500</b>	<b>\$51,179,000</b>

<u>FUNDING</u>		<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>
NON-EXCLUDED BORROWING:	GENERAL FUND BORROWING	\$3,200,101	\$10,593,000	\$2,289,500	\$4,265,500	\$844,000
	WATER BORROWING	\$560,000	\$2,500,000	\$0	\$0	\$0
	SEWER BORROWING	\$373,000	\$0	\$0	\$0	
DEBT EXCLUSIONS:	GENERAL FUND BORROWING	\$0	\$0	\$0	\$33,000,000	\$27,500,000
GRANT FUNDING	E-RATE	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
GRANT FUNDING	GREEN COMMUNITIES	\$150,000	\$0	\$0	\$0	\$0
GRANT FUNDING	CHAPTER 90 (estimate)	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
MSBA FUNDING:		\$0	\$0	\$0	\$27,000,000	\$22,500,000
<b>TOTAL FUNDING:</b>		<b>\$4,618,101</b>	<b>\$13,428,000</b>	<b>\$2,624,500</b>	<b>\$64,600,500</b>	<b>\$51,179,000</b>

## 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
<b>PRIVILEGED MOTIONS</b>							
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
<b>SUBSIDIARY MOTIONS</b>							
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
<b>INCIDENTAL MOTIONS</b>							
*	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
<b>MAIN MOTIONS</b>							
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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**TOWN OF SWAMPSCOTT  
MASSACHUSETTS  
2022-2023**

<b><u>TOWN MODERATOR</u></b>	<b><u>TERM EXPIRES</u></b>
Michael McClung	2023

<b><u>SELECT BOARD</u></b>	<b><u>TERM EXPIRES</u></b>
Neal Duffy, Vice Chair	2023
David Grishman	2023
Peter Spellios	2024
Mary Ellen Fletcher	2025
Katie Phelan	2025

<b><u>FINANCE COMMITTEE</u></b>	<b><u>TERM EXPIRES</u></b>
Timothy Dorsey, Chair	2023
Eric Hartmann	2023
Matthew Kirschner	2022
Joan Hilario	2024
Cinder McNerney	2023
Gail Rosenberg	2022
Naomi Dreeben	2024
Erik Schneider	2024
Suraj Krishnamurthi	2024

**PROFESSIONAL STAFF**

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