



## **Town of Swampscott Select Board Meeting Minutes**

Wednesday, December 1, 2021  
*Swampscott High School – Room B129 / Virtual*

### **SELECT BOARD MEMBERS PRESENT**

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

### **MEMBERS ABSENT**

Don Hause

### **BOARD OF ASSESSORS**

Tasia Vasiliou, Lara Goodman

### **FINANCE COMMITTEE**

Tim Dorsey (Chair), Mary Ellen Fletcher, Cinder McNerney, Matt Kirschner, Eric Hartmann

### **OTHER TOWN OFFICIALS PRESENT**

Sean Fitzgerald, Town Administrator; Allie Fiske, Director of Communications & Strategic Initiatives; Marzie Galazka, Director of Community & Economic Development; Patrick Luddy, Treasurer/Collector; Ben Straight, Town Assessor; Molly O'Connell, Senior Planner; Amy Sarro, Director of Finance and Administration; Angelica Noble, Administrative Assistant for Police; Police Detective Ted Delano

The meeting was called to order to 6:12 PM

### **PUBLIC COMMENT**

David Lawless (Archie) was present representing the Swampscott DPW Union. He addressed the Select Board regarding the status of the DPW Contract. The Select Board confirmed that the union contracts have not been voted upon.

### **TOWN ADMINISTRATOR'S REPORT**

- I/I Regulation
- Tax Classification/Valuation
- Swampscott Retirement Board
- Commonwealth's Commitment to Achieve Net Zero Emissions by 2050
- HR Assessment

- Senior Center
- Tree of Lights Ceremony

## **WHITE COURT EASEMENT**

This easement with CC White Court LLC has been signed and is held by the Conservation Commission and reviewed by Town Counsel. Town Counsel requested that the Select Board also sign the easement. The easement allows recreational access to an ocean-view lookout area. Parking for the public will be on Little Point Road and DPW will mark off two spaces for residents. The Select Board asked whether or not the easement provides the right to install amenities on the lookout point such as seating or interpretive signage. The second reading of the easement will take place at the December 15 meeting and responses to the question about amenities will be answered then and incorporated if necessary into the easement.

## **PUBLIC HEARING CLASS II**

On **MOTION** (Grishman) and **SECONDED** (Duffy) it was **VOTED** to open the public hearing for the purpose of discussing an application from Hanly Delacruz, Euroline Motorsport Inc, for a Class II Automobile Dealer's License for the premises located at 218-222 Paradise Road, Swampscott, MA (Map 5, Lot 209). All in favor.

Senior Planner Molly O'Connell introduced Hanley Delacruz and Chris Scannel owners of Euroline Motors. She explained that the Zoning Board of Appeals has issued a decision with an opinion that the use as a card dealership is valid as it was previously used by Silverstar Motors at the same location. Euroline is now seeking a new Class II Dealership license from the Select Board.

Molly confirmed that the two other dealerships in Swampscott currently have 4 and 6 vehicles on their property and Euroline is requesting 8 vehicles. There are 22 parking spaces total on the property, which is also used for auto repair. The Board expressed concern that adding more vehicles to the site would continue to push vehicles on the street. The owner stated that he'd like to focus on selling vehicles and clear out some of the vehicles for repair.

A resident from Swampscott Ave. commented that vehicles are parked on site long-term and is concerned that the property is being used as a storage lot. Town Administrator Fitzgerald expressed concerns about pedestrian safety and vehicles parked on the street. Another resident expressed concerns about vehicles parking on the street on Franklin Ave. and safety concerns about young children.

Molly will provide the Board with the Zoning Board decision. They board also agreed that enforcement on the street needs to be improved to clear up confusion. Molly will work with the owner on a parking plan as well as some ideas for roadway improvements.

On **MOTION** (Spellios) and **SECONDED** (Grishman) It was **VOTED** to continue the public hearing to 6:30 PM on December 15, 2021 while the Town Planner works with owner on parking plan and additional information. All in favor

## **TAX RATE CLASSIFICATION HEARING**

On **MOTION** (Grishman) and **SECONDED** (Titcomb) it was **VOTED** to a enter public hearing pursuant to G.L. Ch. 40, §56, the Board of Selectmen will conduct a public hearing at 7:00 p.m. on Wednesday, December 1, 2020, for the purpose of discussing the various options available to the town concerning the

FY2021 Classification of Real and Personal property according to its use and the possible adoption of local levy percentages among the various classifications.

Chair of the Finance Committee Tim Dorsey called the Finance Committee meeting to order.

Board of Assessors member Tasia Vasiliou called the Board of Assessors meeting to order.

Town Assessor Ben Straight reviewed the presentation on CIP and residential property values. Town Administrator Fitzgerald reviewed trends and Town Treasurer/Collector Patrick Luddy provided information on Tax Policy options and what goes into setting the tax rates. Town Administrator Fitzgerald clarified that the 10-year outlook as presented to the Select Board is a planning tool used to prognosticate and showcase how past behavior will affect future behavior. The data is empirically sound but behaviors change year to year.

Mr. Straight went over details regarding the Residential Exemption and recommended with the Town Administrator that the exemption not be adopted. Mr. Straight reviewed the small commercial exemption and the 27 eligible parcels, providing the results of a survey he collected from 15 eligible business survey respondents. The survey indicated that most businesses were not aware of the program. The Town Administrator and Town Assessor recommended that the Select Board not adopt the business exemption.

The Town Administrator's recommendation is a 170% C.I.P shift and a free-cash transfer of \$1.55 million dollar, which would make the average single family tax bill \$9,078. The Finance Committee and Board of Assessors were invited to provide any feedback on the recommendation.

On **MOTION** (Hartmann) and **SECONDED** (Kirschner), it was **VOTED** by roll call to adjourn the Finance Committee portion of the meeting. Roll call: Fletcher (YES) McNerney (YES) Kirschner (YES) Hartmann (YES) Dorsey (YES). Meeting adjourned at 8:46 PM.

On **MOTION** (Goodman) and **SECONDED** (Vasiliou), it was **VOTED** by roll call to adjourn the Board of Assessors portion of the meeting. Roll call: Vasiliou (YES) Goodman (YES) Meeting adjourned at 8:46 PM.

On **MOTION** (Grishman) and **SECONDED** (Duffy) it was **VOTED** that the board

1. Select a Residential Factor of 0.941976 (a CIP Shift of 170.311%) for the Fiscal Year 2022 Tax Levy; and in order to implement this policy, the Board hereby authorizes Susan Duplin, Town Clerk, to certify this vote on the Massachusetts Department of Revenue's Gateway System.
2. Choose to not adopt a Residential Exemption for Fiscal Year 2022
3. Choose to not adopt a Small Commercial Exemption for Fiscal Year 2022

All in favor.

The Select Board discussed the concern about the ongoing practice of using free cash for tax rate setting and if it was time to begin weaning the Town off of this reliance.

On **MOTION** (Spellios) and **SECONDED** (Grishman) it was **VOTED** to recommend an allocation of \$1 million for free cash. Spellios, Titcomb, and Grishman in favor – Duffy opposed.

On **MOTION** (Grishman) and **SECONDED** (Spellios) it was **VOTED** to close the public hearing. All in favor.

## **I/I POLICY**

Town Administrator presented some of the analysis that was performed as follow up from the previous meeting. The Town Administrator will return on December 15 with Dave Peterson and DPW Director Gino Cresta with a presentation to model what revenue is anticipated.

## **C & L LIQUORS**

Director of Community and Economic Development Marzie Galazka provided an update on C & L Liquor store which has been closed since September 2021. C&L Liquors holds a Section 12 Package Store license and are requesting to renew the license. The Town has sought ABCC and Town Counsel guidance and have determined that the Select Board must first place the business on a 6-month notice at which point a hearing can be held to determine if the license should be taken away.

On **MOTION** (Grishman) and **SECONDED** (Spellios) it was **VOTED** to renew C & L Liquor's Package Store license with condition of the 6-month timeline to use or transfer the license or have it cancelled.

## **COMMON VICTUALLER LICENSE RENEWALS**

Senior Planner Molly O'Connell reviewed the process for obtaining a Common Victuallers License. On **MOTION** (Spellios) and **SECONDED** (Grishman) it was **VOTED** to approve the 28 Common Victuallers Licenses as presented. All in favor

Bertucci's - 450 Paradise Rd

Café Avellino - 242 Humphrey St

Captain Pizza - 3 Railroad Ave

Chi Asian Cuisine - 435 Paradise Rd

Cindy's Superette - 653 Humphrey St

Cookie Monstah - 505 Paradise Rd

Domino's Pizza - 430 Paradise Rd

Dunkin Donuts - 980 Paradise Rd

Flip the Bird - 450 Paradise Rd

G Bar & Kitchen – 254 256 Humphrey St

Gourmet Garden - 430 Paradise Rd

Hawthorne by the Sea - 153 Humphrey St

Jersey Mike's Subs - 425 Paradise Rd

Lincoln's Landing - 156 Humphrey St

Little G – 254 256 Humphrey St.

Mexicali Cantina Grill - 443 Paradise Rd

Mission on the Bay - 141 Humphrey St  
Njord Haven - 286 Humphrey St  
O-Yo Frozen Yogurt - 136 Humphrey St  
Paradiso Ristorante - 15 Railroad Ave  
Qdoba Grill - 1016 Paradise Rd  
Swampscott Senior Center - 200R Essex St  
Tony & Lena's Sandwiches - 88 Cherry St  
Tropical Smoothie Café - 450 Paradise Rd  
VFW Post 1240 - 8 Pine St  
Volo Craft Pizza - 152 Humphrey St  
Yan's China Bistro - 146 Humphrey St  
ZestFriendz - 168 Humphrey St

#### **ENTERTAINMENT LICENSE RENEWALS**

Senior Planner Molly O'Connell gave overview of the Entertainment License process and presented the entities up for renewal.

On **MOTION** (Spellios) and **SECONDED** (Duffy) it was **VOTED** to approve the 10 Entertainment Licenses as presented:

Bertucci's - 450 Paradise Road  
Café Avellino – 242 Humphrey St.  
Chi Asian Cuisine – 435 Paradise Rd.  
Gourment Garden – 430 Paradise Rd.  
Hawthorn by the Sea – 153 Humphrey St.  
Mission on the Bay – 141 Humphrey St.  
Paradiso Restaurant – 15 Railroad Ave.  
Swampscott Senior Center – 200 Essex St.  
VFW Post 1240 – 8 Pine St.  
Zestfriendz – 286 Humphrey St.

## LIQUOR LICENSE RENEWALS

Angelica Noble, Administrative Assistant at the Police Station and Liquor License Clerk provided an overview of the liquor license renewal process. She outlined the types of licenses issued by the Town.

Detective Delano from Swampscott Police provided an overview of the Minimum Age Purchase Compliance Check performed by the Criminal Investigations Department as well as quarterly reports with OUIs, Administrative checks, and ABCC training at Swampscott Police Dept. The Select Board requested to table the agenda item until the December 15 meeting.

## CONSENT AGENDA

- Vote to approve meeting minutes for 11/17/21 and 11/22/21 meetings
- Vote to approve Change of Manager Application for Ur Of Swampscott Mass LLC (DBA Uno Chicago Grill) located at 970 Paradise Rd. Swampscott, MA 01907
- Vote to approve Change of Manager Application for Joseph L. Stevens VFW Post 1240 (DBA VFW Post 1240) located at 8 Pine St. Swampscott, MA 01907

On **MOTION** (Grishman) and **SECONDED** (Duffy) it was **VOTED** to approve the consent agenda. All in favor.

## SELECT BOARD TIME

- Congratulations to the Football Team
- Archer St. 40B Town Select Board has to submit comments – Marzie asking for an extension

On **MOTION** (Grishman) and **SECONDED** (Duffy) it was **VOTED** to adjourn the meeting.

Meeting adjourned at 9:56 PM.

True Attest,



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Allie Fiske, Director of Communications & Strategic Initiatives

*Minutes approved by Select Board in vote at meeting on 12/15/21*