



Town of Swampscott
Select Board Meeting Minutes
Wednesday, June 16, 2021
Virtual Meeting

SELECT BOARD MEMBERS PRESENT

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

MEMBERS ABSENT

Donald Hause

OTHER TOWN OFFICIALS PRESENT

Sean Fitzgerald, Town Administrator; Amy Sarro, Finance Director; Allie Fiske, Director of Communications & Strategic Initiatives; Marzie Galazka, Director of Community & Economic Development; Graham Archer, Fire Chief; Ron Madigan, Police Chief

The meeting was called to order at 6:13 PM

Chairperson Peter Spellios spoke about the Pride Celebration on June 12. The Select Board invited Cenna Khatib to the meeting and played a clip of her spoken word at the event.

JUNETEENTH PROCLAMATION

On **MOTION** (Grishman) and **SECONDED** (Titcomb) it was **VOTED** to endorse the Juneteenth Proclamation. All in favor

DECLARATION OF EMERGENCY

On **MOTION** (Titcomb) and **SECONDED** (Grishman) it was **VOTED** to end the Declaration of Emergency issued March 20, 2020 and all Subsequent emergency orders pertaining to COVID-19. All in favor

SWAMPSCOTT HOUSING AUTHORITY APPOINTMENT

Mr. Spellios introduced Cynthia Tennant of the Housing Authority. Ms. Tennant has lived in Swampscott her entire life and believes she can be a bridge between all Housing Authority locations.

On **MOTION** (Grishman) and **SECONDED** (Duffy) it was **VOTED** to appoint Cynthia Tennant to a term on the Swampscott Housing Authority for a duration consistent with the applicable legislation authorizing this appointment. All in favor

AGGREGATE INDUSTRIES

On **MOTION** (Titcomb) and **SECONDED** (Grishman) it was **VOTED** to continue the public hearing for all parties interested in an application for Earth Removal Permit request from Aggregate Industries-Northeast Region Inc. located at 30 Danvers Road Swampscott, MA for continued operation of rock quarry and associated activities for the period from July 1, 2021 to June 30, 2022. All in favor

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

POLICE

Police Chief Ron Madigan will retire on June 15. Sean Fitzgerald recommended Chief Dave Kurz be appointed as an interim Chief effective July 6. The Select Board spoke extensively about Chief Madigan's service and the qualities he has brought to the position as Police Chief. Sean Fitzgerald introduced Chief Kurz and discussed his qualifications.

Town Administrator Sean Fitzgerald discussed the process moving forward for appointing a new chief. This process will involve community stakeholders and will take several months. The Town will hire for the first time outside of Civil Service. As a future agenda item, the Select Board will have a more detailed conversation about this process.

On **MOTION** (Titcomb) and **SECONDED** (Grishman) it was **VOTED** that the Select Board approve the recommendation of the Town Administrator to appoint Dave Kurz as the Interim Police Chief/Administrator effective Tuesday, July 6, 2021 due to the impending retirement of Chief Madigan on July 15th; and further that the Interim Police Administrator shall serve as an at-will employee and that the intended term of such appointment be until such time as a permanent head of the Police Department is appointed and finally that Mr. Kurz will not be exercising any police powers as the Interim Police Chief/Administrator. All in favor

REVIEW OF TOWN ADMINISTRATOR SEAN FITZGERALD

The Select Board each spoke to Mr. Fitzgerald's strengths and areas of growth.

On **MOTION** (Titcomb) and **SECONDED** (Grishman) it was **VOTED** by roll call to approve the consolidated evaluation of the Town Administrator for Fiscal Year 2021 and move to approve the discretionary performance bonus for FY21 as set forth in Section 3 of the employment contract by and between the Town of Swampscott and Sean Fitzgerald dated February 6, 2019. Roll call: Grishman (YES) Duffy (YES) Titcomb (YES) Spellios (YES). Don Hause voted yes in absentia.

AGGREGATE INDUSTRIES

On **MOTION** (Titcomb) and **SECONDED** (Duffy) it was **VOTED** to take the public hearing off the table. All in favor.

Chairperson Peter Spellios recapped the first part of the hearing at the previous meeting. On June 2, the Select Board had requested Aggregate Industries submit comments which were received on Tuesday, June 15. Attorney Chris Drucas who represents Aggregate Industries addressed the board and urged them to continue the existing permit until Aggregate Industries can have further discussions with the Town and ERAC. The Select Board declined to delay the hearing and addressed comments that Aggregate Industries had submitted with edits and requests to the permit.

Members of ERAC indicated that they would like an opportunity to review these comments with Aggregate Industries as they have not had an opportunity to take a vote on the recommended changes. ERAC will return to a future Select Board meeting with further considerations regarding the permit.

Mr. Spellios reiterated the need to have a portal to collect information within 45 days.

The Select Board expressed interest in approving the permit with suggested changes.

Changes:

- Paragraph 10A revise language to read “AI will be limited to a maximum of 50 blasts per year, with not more than 2 in any one week
- Revise Section 10 by adding new paragraph K limit the blast/depth to charge to not more than 50 feet
- Revise Paragraph 12 to modify subsection D to add “due to imminent public safety concerns”

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

On **MOTION** (Grishman) and **SECONDED** (Duffy) it was **VOTED** to approve the ERAC permit subject to changes recommended by Chairman Spellios. All in favor

COMMITTEES AND BOARDS

Spellios read a letter from the Select Board directed to Committee and Board members regarding reappointments and the Select Board’s priorities for board makeup as commitments are considered.

Suggested Changes:

- Deleting first 2 words of first 4 bullets
- Deleting sentence after the 4th bullet.

On **MOTION** (Titcomb) and **SECONDED** (Grishman) it was **VOTED** to move to approve proposed letter to Swampscott committee and board members with 2 changes identified by the Chair.

The vote of new Select Board Officers will take place at a future meeting when all Select Board members are in attendance.

CONSENT AGENDA

- Vote to approve meeting minutes from June 2, 2021 meetings
- Vote to approve One-Day Liquor License Application for Bent Water Brewing Co. for an event on July 31, 2021 from 3:00 – 10:00 PM at Fisherman’s Beach.
- Vote to approve Common Victualler License for Njord Haven Inc. located at 406-408 Humphrey St. Swampscott, MA 01907

Select Board Member Grishman mentioned that the One-Day Liquor License application should also include a rain date for July 30 and to clarify that the event is at Fisherman’s Beach Parking Lot.

On **MOTION** (Grishman) and **SECONDED** (Titcomb) it was **VOTED** by roll call to approve the consent agenda with changes as suggested by David Grishman.

TOWN ADMINISTRATOR’S REPORT

- Annual Aggregate Permit
- Safety at the Middle School
- Joint FinCom, Select Board, CIC Meeting
- Retirement of Chief Madigan
- Historical Display Case for Town Hall
- Lynn Chamber State of the Region
- End of the Year Budget
- Aging Services
- Unpacking Racism #2
- Pride Celebration & Flag Raising
- Juneteenth

SCHEDULE

The Board discussed the upcoming summer schedule.

- **HOLD:** Wednesday, June 23
- Select Board: July 14 & 28; August 4 & 18
- Other meetings may potentially be non-traditional in different locations
- Mr. Spellios suggested that meetings could also be held in precincts to give members of the public opportunity to discuss questions about the schools.

SELECT BOARD UPDATE

- Hadley Tours

On **MOTION** (Duffy) and **SECONDED** (Grishman) it was **VOTED** by roll call to adjourn the meeting. Duffy (YES) Grishman (YES) Titcomb (YES) Spellios (YES)

Meeting was adjourned at 8:50 PM

True Attest,

Allie Fiske, Director of Communications & Strategic Initiatives

Minutes APPROVED by vote of the Select Board 11/2/2022